



Education Appropriations Subcommittee

Meeting Packet

**November 17, 2015
9:00 a.m. – 11:00 a.m.
Morris Hall**



The Florida House of Representatives
APPROPRIATION COMMITTEE

Education Appropriations Subcommittee

Steve Crisafulli
Speaker

Erik Fresen
Chair

MEETING AGENDA

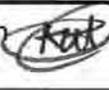
Morris Hall

November 17, 2015

- I.** Meeting Called To Order
- II.** Opening Remarks by Chair
- III.** Consideration of the following proposed committee bill(s):
PCB EDAS 16-01 - Educational Options
- IV.** Presentations:
SUS Performance Funding
Student Loan Cohort Default Rates
- V.** Closing Remarks
- VI.** Meeting Adjourned

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB EDAS 16-01 Educational Options
SPONSOR(S): Education Appropriations Subcommittee
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Education Appropriations Subcommittee		Heflin 	Heflin 

SUMMARY ANALYSIS

The proposed committee bill creates the "Florida Postsecondary Comprehensive Transition Program Act" to increase independent living, inclusive and experiential postsecondary education, and employment opportunities for students with intellectual disabilities. The proposed committee bill establishes a process for postsecondary institutions in Florida to voluntarily seek approval to offer a Florida Postsecondary Comprehensive Transition Program (FPCTP) for students with intellectual disabilities; and creates the Florida Center for Students with Unique Abilities (center) to serve as the statewide coordinating center for the dissemination of information regarding programs and services available to students with disabilities and their families.

The bill creates the "Students Attired for Education (SAFE) Act" and enumerates the benefits of a standard student attire policy and consequently removes the requirement that school boards individually make such findings. The bill encourages district school boards and charter schools to enact a policy requiring standard student attire in at least kindergarten through eighth grade by providing immunity from civil liability based upon adoption of the policy and providing additional funds to school boards that enact a standard student attire policy. Funding of \$10 per student in kindergarten through eighth grade is provided for qualifying districts.

The 2014 Legislature established the Florida Personal Learning Scholarship Account (PLSA) program to enable parents of students with disabilities to customize their child's education. Parents can request and receive a scholarship that can be used to purchase a wide range of services. Scholarship accounts are established by eligible nonprofit scholarship funding organizations (SFO), and parents are reimbursed for instructional materials, curriculum, and approved services. The bill includes a number of provisions that increase access, strengthen accountability, and streamline administration including increasing the pool of eligible applicants by expanding the definition of autism to include all students on the autism spectrum disorder, and including students who have muscular dystrophy and 3-and 4-year-olds who are high-risk.

The bill appropriates a total of \$95.3 million from the General Revenue Funds for the 2016-2017 fiscal year. The bill provides \$73.3 million (\$71.2 million for scholarships and \$2.1 million for program administration) for the Personal Learning Scholarship Accounts Program, \$14 million for the Standard Student Attire Incentive Program and \$8 million for the Florida Postsecondary Comprehensive Transition Program (\$1.5 million for the Florida Center for Students with Unique Abilities, \$3 million for start-up grants, and \$3.5 million for scholarships).

The bill takes effect July 1, 2016.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Florida Postsecondary Comprehensive Transition Program Act

Present Situation

Federal Law

The Higher Education Act of 1965, amended and extended by the Higher Education Opportunity Act of 2008, includes new provisions to support quality higher education programs for students with disabilities. The federal law establishes comprehensive transition and postsecondary (CTP) programs, transition programs for students with intellectual disabilities (TPSID) grants, and national coordination of CTP programs for students with intellectual disabilities.¹

A student with an intellectual disability is defined as a student "with a cognitive impairment, characterized by significant limitations in intellectual and cognitive functioning and adaptive behavior who is currently, or was formerly, eligible for a free appropriate public education under the Individuals with Disabilities Education Act."²

Federal law also defines a comprehensive transition and postsecondary (CTP) program as a degree, certificate, or nondegree program that meets each of the following criteria:³

- Is offered by an institution of higher education (IHE);
- Is delivered to students physically attending the IHE;⁴
- Is designed to support students with intellectual disabilities who are seeking to continue academic, career and technical, and independent living instruction at an IHE in order to prepare for gainful employment;
- Includes an advising and curriculum structure; and
- Requires students with intellectual disabilities to participate on not less than a half-time basis, as determined by the institution, with such participation focusing on academic components, and occurring through one or more of the following activities with nondisabled peers:
 - Regular enrollment in credit-bearing courses offered by the institution.
 - Auditing or participating in courses offered by the institution for which the student does not receive regular academic credit.
 - Participation in noncredit-bearing, nondegree courses.
 - Participation in internships or work-based training.
- Requires students with intellectual disabilities to be socially and academically integrated with nondisabled students to the maximum extent possible.

Students attending CTP programs may qualify to receive federal financial aid in the form of a Federal Pell Grant, Federal Supplemental Educational Opportunity Grant and/or Federal Work-Study⁵ provided the student:

- Is enrolled or accepted for enrollment in a CTP program for students with intellectual disabilities at an IHE that participates in the federal student aid programs;
- Maintains satisfactory academic progress, as determined by the institution;⁶ and

¹ 20 U.S.C. s. 1140 et. Seq.; Pub. L. No. 110-315, 122 Stat.3361 (Aug. 14, 2008).

² 20 U.S.C. s. 1140(2).

³ 20 U.S.C. s. 1140(1); 34 C.F.R. s. 231(a).

⁴ 34 C.F.R. s. 668.231(a)(2).

⁵ Federal Student Aid, U.S. Department of Education, *Students with Intellectual Disabilities May Be Able to Get Certain Types of Federal Student Aid*, <https://studentaid.ed.gov/eligibility/intellectual-disabilities> (last visited Feb. 16, 2015); see also 34 C.F.R. ss.668.233 and 68.32.

- Meets the basic federal student aid eligibility requirements, except that the student is not required to have a high school diploma or General Educational Development (GED) and is not required to pursue a degree or certification.

The student must provide documentation establishing that the student has an intellectual disability.⁷

An institution that offers a CTP program must apply to the Secretary of the United State Department of Education (USDOE) to be determined eligible for federal student aid programs. The application must include:⁸

- A detailed description of the program;
- The institution's policy for determining the achievement of satisfactory academic progress;
- The length of the program (credit hours, semesters, clock hours, etc.);
- A detailed description of the educational credential or identified outcome of students enrolled in the program; and
- A copy of the letter or notice sent to the institution's accrediting agency indicating approval of the CTP program.⁹

According to data provided by the Office of Program Policy Analysis and Government Accountability (OPPGA), this approval process takes between 3 and 6 months to complete, depending on the quality of the application and associated materials.¹⁰

Transition Programs for Students with Intellectual Disabilities (TPSID) Grants are provided by USDOE as five-year cooperative agreements to institutions of higher education or consortia of institutions of higher education to enable these institutions the ability to create or expand high quality CTP programs for students with intellectual disabilities.¹¹ Grants totaling approximately \$10.5 million were first awarded in Fiscal Year 2010 to 27 two- and four-year institutions across 23 states, including the University of South Florida – St. Pete, Florida's sole awardee.¹² Since initially awarding TPSID grants in 2010, funds have only been awarded for non-competing continuation grants.¹³

An institution or consortium that receives a TPSID grant shall use the funds to establish a model CTP program that:¹⁴

- Serves students with intellectual disabilities;
- Provides supports and services for the academic and social inclusion of students with intellectual disabilities in academic courses, extracurricular activities, and other aspects of the institution of higher education's regular postsecondary program;
- Focuses on academic enrichment, socialization, independent living skills, and integrated work experiences and career skills that lead to gainful employment;
- Integrates person-centered planning in the development of the course of study for each student with an intellectual disability participating in the model program;

⁶ An institution is responsible for publishing the institution's standards for students enrolled in its comprehensive transition and postsecondary (CTP) program. 34 C.F.R. s. 668.233(a)(3).

⁷ 34 C.F.R. s. 668.233(c).

⁸ 34 C.F.R. s. 668.232.

⁹ Think College, as the National Coordinating Center, is working with the United States Congress regarding a specialized accreditation for programs for students with disabilities. Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Committee on Higher Education (Jan. 5, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/HE/MeetingRecords/MeetingPacket_2743_2.pdf, at 7 of 29.

¹⁰ Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Committee on Higher Education (Jan. 20, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/HE/MeetingRecords/MeetingPacket_2775.pdf, at 18 of 85.

¹¹ U.S. Department of Education, *Transition and Postsecondary Programs for Students with Intellectual Disabilities*, <http://www2.ed.gov/programs/tpsid/index.html> (last visited Feb. 16, 2015).

¹² U.S. Department of Education, *Transition and Postsecondary Programs for Students with Intellectual Disabilities*, <http://www2.ed.gov/programs/tpsid/awards.html> (last visited Feb. 16, 2015).

¹³ *Id.*

¹⁴ 20 U.S.C. 1140g(d).

- Participates with the coordinating center in the evaluation of the model program;
- Partners with one or more local educational agencies (LEA's) to support students with intellectual disabilities participating in the model program who are still eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA);
- Plans for sustainability of the model program after the end of the grant period; and
- Creates and offers a meaningful credential for students with intellectual disabilities upon completion of the program.

The Higher Education Opportunity Act of 2008 established a National Center for Information and Technical Support for Postsecondary Students with Disabilities (National Center).¹⁵ The National Center is responsible for:¹⁶

- Providing assistance to students and families and institutions of higher education;
- Building, maintaining, and updating a database of disability support services information;
- Working with organizations and individuals with proven expertise to evaluate, improve, and disseminate information related to the delivery of high quality disability support services at institutions of higher education; and
- Reporting to the United State Secretary of Education an analysis of the condition of postsecondary success for students with disabilities.

The act also establishes a national coordinating center for institutions of higher education that offer inclusive CTP programs for students with intellectual disabilities, including those participating in TPSID grants.¹⁷ Think College, a project of the Institute for Community Inclusion at the University of Massachusetts – Boston, was selected in October 2010, to provide support, coordination, training and evaluation services to the TPSID grant recipients.¹⁸

State Law

Florida law provides for students with disabilities to be eligible for reasonable substitution of any requirement for admission to postsecondary educational institutions if the student can provide documentation that the failure to meet the requirement is related to the disability.¹⁹ While Florida law allows for "reasonable substitution for any requirement for graduation, for admission into a program of study, or for entry into the upper division", these substitutions may not constitute a fundamental alteration in the nature of the program.²⁰ Additionally, to be eligible for state student financial aid awards, students must meet specified eligibility criteria, which includes, minimum number of credit hours per term or the equivalent.²¹

Seventeen non-traditional postsecondary program options are available across Florida for students with documented developmental disabilities²² that provide activities such as auditing postsecondary courses, enrolling in vocational courses, participating in campus life, and job placement programs.²³ Of these programs:

- Nine are available to students who are no longer enrolled in district ESE programs. In the 2013-14 year, 222 students were enrolled and 125 graduated. Of these 125 graduates, 41 students,

¹⁵ 20 U.S.C. s. 1140q(a).

¹⁶ 20 U.S.C. s. 1140q(a)(4).

¹⁷ 20 U.S.C. s. 1140q(b) and i(b).

¹⁸ Think College! *National Coordinating Center and College Options for People with Intellectual Disabilities*, <http://www.thinkcollege.net> (last visited Feb. 16, 2015).

¹⁹ s. 1007.264, F.S.; Rule 6A-10.041, F.A.C. and Board of Governors Regulation 6.018.

²⁰ s. 1007.265, F.S.; Rule 6A-10.041, F.A.C. and Board of Governors Regulation 6.018.

²¹ s. 1009.40, F.S.

²² Developmental disability means "a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely." Section 393.063(9), F.S.

²³ Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Committee on Higher Education (Jan. 5, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/HE/MeetingRecords/MeetingPacket_2743_2.pdf at 15 of 29.

or 33 percent, were employed and another 6 students, or 8 percent, received industry certification, went on to other postsecondary options or pursued a GED. The cost to the student for these programs varies and can be as high as \$10,000.²⁴

- Eight are available to students through age 21 who are still receiving district ESE services. In the 2013-14 year, 85 students were enrolled and 14 graduated. Of these 14 graduates, 10 students, or 67 percent, were employed and another 2 students, or 13 percent, were enrolled in postsecondary education.²⁵ Since these students still receive district ESE services, there is no program cost to the student.

None of the 17 programs offered award college credit or a college degree, but some allow students to complete courses that can be applied toward a workforce credential.²⁶

Effect of Proposed Changes

The proposed committee bill creates the "Florida Postsecondary Comprehensive Transition Program Act" to increase independent living, inclusive and experiential postsecondary education, and employment opportunities for students with intellectual disabilities. Specifically, the proposed committee bill:

- establishes a process by which postsecondary institutions may voluntarily seek approval to offer a Florida Postsecondary Comprehensive Transition Program (FPCTP) for students with intellectual disabilities; and
- creates the Florida Center for Students with Unique Abilities (center) as the statewide coordinating center for the dissemination of information regarding programs and services available to students with disabilities and their families.

Florida Postsecondary Comprehensive Transition Program (FPCTP)

FPCTP's are established for students with intellectual disabilities. The proposed committee bill aligns the state approval requirements with federal requirements for comprehensive transition and postsecondary (CTP) programs. In addition to the federal requirements, an eligible institution²⁷ must submit to the center no later than the academic year immediately following the academic year in which federal approval was granted. An application must, at a minimum:

- Identification of a credential associated with the proposed program that is awarded to a student with an intellectual disability after the student completes the FPCTP;
- Program length and design that includes, at a minimum, inclusive and experiential education practices related to curricular, assessment, and advising structure and internship and employment opportunities and if a college credit-bearing degree program, at the same rigor and effectiveness of a comparable program offered by the institution;
- Plan for students with intellectual disabilities to be integrated socially and academically with nondisabled students;
- Plan for partnerships with businesses to promote experiential training and employment opportunities for students with intellectual disabilities;
- Identification of performance indicators and other requirements identified by the center; and

²⁴ Program costs reflect base tuition only and does not include the cost of a residential option which ranges from \$11,000-14,000 per year. Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Committee on Higher Education (Jan. 20, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/HE/MeetingRecords/MeetingPacket_2775.pdf at 21 of 85.

²⁵ Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Committee on Higher Education (Jan. 20, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/HE/MeetingRecords/MeetingPacket_2775.pdf at 22 of 85.

²⁶ Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Committee on Higher Education (Jan. 5, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/HE/MeetingRecords/MeetingPacket_2743_2.pdf at 13 of 29.

²⁷ PCB 15-02 defines eligible institution as a state university; a Florida College System (FCS) institution; a technical center; or an independent college or university that is located and chartered in Florida, is not for profit, is accredited by the Southern Association of Colleges and Schools (SACS), and is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program.

- A 5-year plan regarding enrollment and operational expectations.

To be eligible to enroll in a FPCTP program, a student must meet the definition of a "student with an intellectual disability" as defined in 20 U.S.C. s. 1140(2), physically attend the eligible institution, and submit to the institution documentation regarding his or her intellectual disability.

The Florida Center for Students with Unique Abilities

This proposed committee bill creates the Florida Center for Students with Unique Abilities (center) at the University of Central Florida. The responsibilities of the center include, but are not limited to disseminating information regarding education programs, services and resources available at eligible institutions; support, accommodations, technical assistance or training provided by eligible institutions, the advisory council or regional autism centers; and mentoring, networking and employment opportunities; and coordinating, facilitating and overseeing statewide implementation.

The director of the center shall consult and collaborate with the National Center and the Coordinating Center regarding guidelines for effective implementation of the programs which align with federal requirements and standards, quality indicators and benchmarks; consult and collaborate with the Higher Education Coordinating Council to identify meaningful credentials and engage businesses and stakeholders to promote experiential training and employment opportunities to students with intellectual disabilities; establish requirements and timelines for the submission and review of an application, approval or disapproval of an initial or renewal application, and implementation of an FPCTP, which must begin no later than the academic year immediately following the academic year during which the approval is granted; administer the scholarship funds; administer the FPCTP start-up and enhancement grants; and report on the implementation and administration by planning, advising, and evaluating approved degree, certificate, and nondegree programs and the performance of students and programs.

The center shall create the application for the initial approval and renewal of approval as an FPCTP for use by an eligible institution. Within 30 days after receipt of an application, the director shall make a recommendation regarding approval of state university programs to the State University System Chancellor and all other programs to the Commissioner of Education or give written notice to the applicant regarding any application deficiencies. In the event of notice of application deficiencies, the applicant has 15 days to correct the application and submit a revised application, at such time the director has 30 days from the time of receipt to make a recommendation. The State University System Chancellor or Commissioner of Education, as appropriate, has 15 days after receipt of the recommendation to approve or disapprove the recommendation. If no action is taken, the program will be considered an approved FPCTP by default.

The center shall provide technical assistance regarding programs and services for students with intellectual disabilities to administrators, instructors and staff at eligible institutions by holding meetings and annual workshops, facilitating collaboration between institutions and school districts, private schools, and parents of students enrolled in home education programs, assisting eligible institutions with applications, and monitoring federal and state law relating to the program.

The center, in collaboration with the Board of Governors and the State Board of Education, shall identify indicators for satisfactory academic progress and performance of FPCTP programs.

The center shall report to the Governor, President of the Senate, Speaker of the House of Representatives, Chancellor of the State University System and Commissioner of Education, by October 1 of each year, the following:

- Status of the statewide coordination and implementation of FPCTP's, including the number of applications approved and disapproved, reasons for each disapproval or no action taken by the Chancellor or Commissioner, number and value of all scholarships awarded and amount of all undisbursed funds;
- Indicators identified and performance of each eligible institution;

- Projected number of students with intellectual disabilities eligible to enroll within the next academic year; and
- Education programs and services for students with intellectual disabilities available at an eligible institution.

Beginning in the 2016-17 fiscal year, the center, in collaboration with the Board of Governors, State Board of Education, Higher Education Coordinating Council and other stakeholders, shall submit to the Governor, President of the Senate, and Speaker of the House of Representative, statutory or budget recommendations for improving the implementation and delivery of FPCTP's by December 1 of each year.

The Board of Governors and the State Board of Education, in consultation with the center, shall expeditiously adopt and necessary regulations and rules to allow the center to perform its responsibilities.

Institution Eligibility and Responsibilities

To offer an FPCTP, the president or executive director of an eligible institution must submit to the center, by a date determined by the center the following:

1. An application for approval of a comprehensive transition program proposed by the eligible institution, which must be approved by the institution's governing board and must address the requirements of the federal comprehensive transition and postsecondary program.
2. Documented evidence of a federally approved program that is determined to be eligible for federal student financial aid programs and is currently offered at the institution, documented evidence of the submission of an application for such federal approval, or documentation demonstrating the intent to submit an application within the subsequent academic year.

An institution submitting a renewal application must do so within 3 years following the year during which initial approval was granted.

Additional responsibilities of the institutions include the submission of an annual report by August 1st of each year. This report shall address, at a minimum, the program's efforts to recruit and retain students; enrollment, retention and completion data; transition success of completers as measured by employment rates and salary levels at 1 and 5 years after completion; and any other performance indicators identified by the center.

An eligible institution shall notify students with intellectual disabilities and their parents of the student eligibility requirements.

Florida Postsecondary Comprehensive Transition Program Scholarship

Beginning in the 2016-17 academic year, this scholarship is established for students meeting eligibility requirements to enroll in a FPCTP program. To remain eligible, a student must continue to meet eligibility requirements and demonstrate satisfactory academic progress, as determined by the institution and based on indicators identified by the center. Payment of the scholarship funds will be transmitted to the director of the center for disbursement to eligible institutions.

Eligible institutions must report to the center, during each academic term, the number and value of all scholarships awarded, including any necessary demographic and eligibility data for all students receiving the award. Additionally, each eligible institution must certify, by a date determined by the center, the amount of funds disbursed and remit to the center any undisbursed funds by June 1 of each year.

For the 2016-2017 academic year, the amount of annual scholarship shall be \$7,000 for each student who meets eligibility requirements. Funding and maximum award amounts for this program must be provided annually in the General Appropriations Act beginning in the 2017-2018 fiscal year.

Standard Student Attire

The 2015-2016 General Appropriations Act (GAA) established a \$10,000,000 Standard Student Attire Incentive Fund for school districts that implement a districtwide, standard student attire policy for all students in kindergarten through grade 8.²⁸ To qualify a district for the incentive payment, the district's school superintendent had to certify to the Commissioner of Education that the district school board implemented a policy meeting the requirements established in the GAA.²⁹ Qualifying districts would receive a payment of \$10 per each student in kindergarten through grade 8.³⁰

The policy must have covered all students in kindergarten through grade 8 across the district; required solid colored clothing and fabrics for pants, skirts, shorts, or similar clothing, and short or long sleeved shirts with collars; and allowed parents to opt their child out of the policy for religious purposes or because of a disability. In addition, policies could prohibit certain types or styles of clothing and authorize a small logo; however, the policy could not authorize a motto or slogan.³¹ In addition, the GAA required the Department of Education to establish guidelines for determining whether a school district's policy met the eligibility requirements.³²

The following school districts received incentive funds for the 2015-2016 school year for implementing qualifying policies:

Florida Department of Education 2015-16 Student Attire Allocation³³

District	K-8 Full-Time Equivalent Students	Allocation
Alachua	18,067.94	\$180,679
Bay	19,115.14	\$191,151
Miami-Dade	217,998.99	\$2,179,990
Flagler	8,651.34	\$86,513
Madison	1,658.47	\$16,585
Osceola	39,550.70	\$395,507
Polk	68,052.14	\$680,521
Taylor	2,022.98	\$20,230
Total	375,117.70	\$3,751,176

The 2015-2016 GAA granted school districts that implement a district-wide, K-8 standard student attire policy immunity from civil liability resulting from adoption of the policy.

The commissioner must report the status of the program to the Governor and Legislature by December 1, 2015, and, on June 30, 2016, submit a final report summarizing the program and its effect on student learning.³⁴

Effect of Proposed Changes

The bill codifies the standard student attire incentive fund in statute as the "Student's Attired for Education (SAFE) Act." The bill enumerates some of the benefits of standard student attire, which

²⁸ Specific Appropriation 105, s. 2, ch. 2015-232, L.O.F.

²⁹ The deadline for submitting certification of a qualifying policy to the commissioner was September 1, 2015. *Id.*

³⁰ *Id.* Language in the 2015 GAA allowed charter schools to participate and receive incentive funds but did not expressly authorize charter schools to certify a qualifying policy directly to the commissioner.

³¹ *Id.*

³² *Id.* See Florida Department of Education, *Memorandum, DPS 2015-111: District Certification for Standard Student Attire Incentive Fund – Due September 1, 2015* (July 24, 2015), on file with the Education Committee staff.

³³ Email, Florida Department of Education, Office of Governmental Relations (Nov. 4, 2015).

³⁴ Specific Appropriation 105, s. 2, ch. 2015-232, L.O.F.

encourages students to express their individuality through personality and academic achievements instead of outward appearances; enables students to focus on academics by projecting a neat, serious, studious image; minimizes discipline problems because students are not distracted by clothing; minimizes visible differences among students by using clothing that is more economical for parents; reduces time for correcting dress code violations through a readily available inventory of compliant attire; and eliminates social pressures to wear brand name clothing or colors that show gang affiliation, thereby easing financial pressure on parents and enhancing school safety.

The bill makes it easier for charter schools to receive incentive funds by expressly allowing a charter school to participate through its sponsoring district's qualifying policy or to certify directly to the commissioner that it has implemented a qualifying, schoolwide policy directly to the commissioner.

Consistent with the 2015-2016 GAA, a qualifying standard student attire policy must:

- Apply to all students in kindergarten through grade 8 in the school district or charter school.³⁵
- Prohibit certain types of clothing and require solid-colored clothing and fabrics for pants, skirts, shorts, or similar clothing and short- or long-sleeved shirts with collars.
- Allow reasonable accommodations based on a student's religion, disability, or medical condition.

Subject to appropriation, the bill provides qualifying school districts and charter schools with an annual award of at least \$10 per student in kindergarten through grade 8.³⁶ Certification must be received from the district school superintendent or charter school governing board by September 1 of each year. As of June 30 each year, any appropriated funds that have not been disbursed must revert to the fund from which they were appropriated.

The bill also grants district school boards and charter school governing boards that implement a districtwide or schoolwide policy, respectively, immunity from civil liability resulting from adoption of the policy in accordance with the bill.

Personal Learning Scholarship Account

The 2014 Legislature created the Florida Personal Learning Scholarship Account (PLSA) program to provide parents of students with disabilities more flexibility to customize their child's education.³⁷ Funds are distributed to qualified³⁸ Scholarship Funding Organizations (SFO) to establish accounts for eligible students.³⁹ Parents can use funds from their account to choose from a variety of approved items for their student including, but not limited to: specialized services, curriculum, instructional materials, tuition, and contracted services.⁴⁰ A total of \$55.0 million (\$53.4 million for scholarships and \$1.6 million for program administration) was allocated for the 2015-16 school year.⁴¹

Student Eligibility

Present Situation

The parent of a student, who is a resident of this state, may request and receive an account if the student:

³⁵ Any students in kindergarten through grade 8 served by a school are included, regardless of the school's grade configuration (e.g., kindergarten through grade 2 or grades 6 through 12).

³⁶ The bill does not establish a cap on the amount that may be appropriated for this purpose.

³⁷ Section 16, ch. 2014-184, L.O.F.

³⁸ Section 1002.385(2)(e), F.S.

³⁹ Section 1002.385, F.S.

⁴⁰ Section 1002.385(5), F.S.

⁴¹ Specific Appropriation 105, s. 2, ch.2015-232, L.O.F.

- Is eligible to enroll in kindergarten through 12th grade in a public school in this state;
- Has one of the following disabilities: autism, cerebral palsy, down syndrome, an intellectual disability, Prader-Willi syndrome, or spina bifida, Williams syndrome; or for a student in kindergarten, as a high-risk child⁴²; and
- Has an Individual Education Plan (IEP) written in accordance with rules of the state board or has received a diagnosis of one of the above disabilities from a licensed physician or a licensed psychologist.⁴³

A student is not eligible for the program:

- While enrolled in a public school;
- While enrolled in a Department of Juvenile Justice school commitment program;
- While receiving a scholarship from the Florida Tax Credit Scholarship Program or the McKay Scholarship for Students with Disabilities Program;
 - If the student or parent has accepted any payment, refund, or rebate from a program provider;
- If the Commissioner of Education has denied or revoked the student's participation in the program; or
- If the parent forfeits participation in the program by failing to comply with program requirements.⁴⁴

Parents must apply to an eligible SFO to participate in the program by February 1 before the school year in which the student wishes to participate or an alternative date set by the SFO. The SFO must notify the district and the Department of Education (DOE) of the parent's intent to participate.⁴⁵ The PLSA is provided on a first-come, first-served basis based upon the funding in the General Appropriations Act (GAA).

During the 2015A Special Session, the PLSA program was amended to increase student eligibility by expanding the definition of autism and including students with muscular dystrophy and 3- and 4-year-olds who are high-risk. Additionally, the renewing students were given first priority for re-enrollment the subsequent year.⁴⁶

Effect of Proposed Changes

The bill codifies the expanded definition of autism and the inclusion of students with muscular dystrophy and 3- and 4-year olds who are high-risk as well as giving priority to renewing students to continue participation in the subsequent year.

The current statutory definition of "autism" means a pervasive, neurologically based developmental disability of extended duration which causes severe learning, communication, and behavior disorders with age of onset during infancy or childhood. Individuals with autism exhibit impairment in reciprocal social interaction, impairment in verbal and nonverbal communication and imaginative ability, and a markedly restricted repertoire of activities and interests.⁴⁷ This definition requires that the individual exhibit severe and substantial deficits in certain areas.

The new definition of "autism spectrum disorder" as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5) includes autism, Asperger's syndrome, and any pervasive

⁴² Section 1002.385(2)(d), F.S.

⁴³ Section 1002.385(3)(a), F.S.

⁴⁴ Section 1002.385(4), F.S.

⁴⁵ Section 1002.385(3)(b), F.S.

⁴⁶ Section 5, ch. 2015-222, L.O.F.

⁴⁷ Section 393.063(3), F.S.

developmental disorder not otherwise specified. This broader definition allows students with an Autism Spectrum Disorder with lesser degrees of severity to be eligible for the program.⁴⁸

The bill clarifies that a high-risk child who reaches six years of age must have documentation of an eligible disability in order to continue in the program.

Scholarship Funding Organization Responsibilities

Present Situation

An eligible participating scholarship funding organization is a nonprofit scholarship funding organization that is approved by DOE to participate in the Florida Tax Credit Scholarship Program.⁴⁹ An SFO is required to:

- Receive applications, determine student eligibility, and notify the DOE of the applicants by March 1 the year prior to a student's participation.⁵⁰
- Notify parents of their receipt of a scholarship on a first-come, first-served basis.⁵¹
- Establish a date by which a parent must confirm initial or continuing program participation.⁵²
- Establish a date by which students on the wait list or late-filing applicants may participate, if funds are still available.⁵³
- Establish and maintain separate accounts for each student.⁵⁴
- Verify eligible expenditures.⁵⁵
- Return any unused funds to DOE when a student is no longer eligible for the program.⁵⁶

An SFO must verify that expenditures for curriculum and instructional materials are eligible before reimbursing a parent for such expenditures. However, an SFO can review expenditures made for all other services after the payment has been made.⁵⁷

Effect of Proposed Changes

The bill requires an SFO to maintain a record of accrued interest that can be retained in each student's account and used for authorized program purchases. Additionally, the SFO must verify that all expenditures are eligible prior to purchases being made.

The bill clarifies SFO program responsibilities and specifies that the SFO must review applications and award scholarship funds using the following priorities:

- Renewing students from the previous year;
- Students retained on the previous school year's wait list;
- Newly approved applicants; and
- Late-filed applicants.

The SFO must also notify parents about the availability of, and requirements associated with, requesting an initial IEP or IEP reevaluation every three years for each participating student.

⁴⁸ Email, Florida Department of Education, Independent Education and Parental Choice (March 6, 2015).

⁴⁹ Section 1002.385(2)(e), F.S.

⁵⁰ Section 1002.385(12)(a), F.S.

⁵¹ Section 1002.385(12)(b), F.S.

⁵² Section 1002.385(12)(c), F.S.

⁵³ Section 1002.385(12)(d), F.S.

⁵⁴ Section 1002.385(12)(e), F.S.

⁵⁵ Section 1002.385(12)(f), F.S.

⁵⁶ Section 1002.385(12)(g), F.S.

⁵⁷ Section 1002.385(9)(b), F.S.

The bill prohibits an SFO from charging an application fee for the program.

Allowable Expenditures

Present Situation

Program funds must be used to meet the individual educational needs of the student. Program funds may be spent for the following purposes:

- Instructional materials and curriculum.
- Specialized services, including but not limited to, applied behavior analysis, speech language pathologist, occupational therapy, physical therapy, and services provided by listening and spoken language specialists.
- Enrollment in, or tuition and fees for enrollment in an eligible private school or postsecondary education institution, a private tutoring program, or virtual education programs or courses.
- Fees for nationally standardized, norm-referenced achievement tests, Advanced Placement examinations, industry certification examinations, assessments related to postsecondary education, or other assessments.
- Contributions to the Stanley G. Tate Florida Prepaid College Program.
- Contracted services provided by a public school or school district, including classes.⁵⁸
- Tuition and fees for part-time tutoring services provided by an individual who has a valid Florida educator's certificate, an adjunct teaching certificate, or has demonstrated mastery of subject area knowledge.⁵⁹

Effect of Proposed Changes

The bill codifies that program funds must be used for the individual educational needs of the student and that funds may be used for part-time tutoring.

The bill expands the types of services available to program participants by including:

- Fees for the training on the use of and maintenance agreements for digital devices, digital periphery devices and assistive technology devices.
- Fees for an annual evaluation of educational progress for a home education student.
- Tuition and fees associated with enrollment in a home education program or a program offered by an eligible postsecondary institution.
- Contributions to the Florida College Savings Program.
- Fees for specialized summer or after-school education programs.
- Fees for transition services provided by job coaches.
- Fees for an annual evaluation utilized by home education students.
- Tuition and fees associated with programs offered by VPK education and school readiness providers.

Eligible Providers

Present Situation

Entities eligible to provide specialized services or educational programs include:

⁵⁸ Id.

⁵⁹ Section 5, ch. 2015-222, L.O.F.

- A provider approved by the Agency for Persons with Disabilities, a health care practitioner or a provider approved by the DOE.⁶⁰
- A postsecondary educational institution including a Florida College System institution, a state university, a school district technical center, a school district adult general education center, or an accredited, postsecondary educational institution which is licensed to operate in this state.⁶¹
- A private school that is located in this state, offers education to students in any grade from kindergarten to grade 12, meets all the requirements of a private school operating in Florida, and meets all the requirements of a private school participating in the John M. McKay Scholarship Program or the Florida Tax Credit Scholarship Program.⁶²

Eligible providers may not share, refund, or rebate any money from a student's Personal Learning Scholarship account with the parent or participating student.⁶³

Effect of Proposed Changes

The bill expands eligible providers to include an independent college or university that is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program.

Parent Responsibilities

Present Situation

Current law requires a parent to sign an agreement with an eligible SFO and annually submit a notarized, sworn compliance statement to the organization to:

- Affirm that the student participating in the PLSA program meets regular school attendance requirements.
- Affirm that program funds are used only for authorized purposes.
- Affirm that the student takes all appropriate standardized assessments, whether enrolled in a private school or a home education program.
- Notify the school district that the student is enrolled in the PLSA program, if the parent chooses to enroll in a home education program.
- Request participation in the program by the date established by the SFO.
- Affirm the student remains in good standing with the provider or school.
- Apply for admission of the student to a private school, if this option is chosen.
- Annually renew participation in the program.
- Affirm the parent will not transfer any college savings funds to another beneficiary.
- Affirm the parent will not take possession of any PLSA funds.
- Maintain a portfolio of records and materials which must be preserved for 2 years and made available for inspection by the district superintendent or designee upon 15 days' written notice.⁶⁴

Parents must submit one of the following verifiable documents in order for their application to be considered for approval:

- A filed public school withdrawal form;
- A letter of admission or enrollment in an eligible private school;
- Documentation verifying their intent to establish and maintain a home education program or a copy of the home education student's required annual educational evaluation; or

⁶⁰ Section 1002.385(2)(a), F.S.

⁶¹ Section 1002.385(2)(f), F.S.

⁶² Section 1002.385(2)(g), F.S.

⁶³ Section 1002.385(5), F.S.

⁶⁴ Section 1002.385(11)(a), F.S.

- A formal notice from an eligible private school that the student has withdrawn from the McKay Scholarship Program or the Florida Tax Credit Scholarship Program.

Timely filed, completed applications take precedence over late-filed, completed applications for purposes of creating a wait list.⁶⁵

Effect of Proposed Changes

The bill specifies that the parental agreement and sworn, notarized compliance form are not only for enrollment in the program, but are necessary to maintain program eligibility, including receiving and expending program payments.

The bill further clarifies the parent responsibilities by delineating what affirmations are included in the sworn compliance statement and what duties the parent must execute. The parent must submit the compliance statement to the organization to:

- Affirm that the student participating in the PLSA program meets regular school attendance requirements.
- Affirm that program funds are used only for authorized purposes.
- Affirm that the student takes all appropriate standardized assessments, whether enrolled in a private school, a home education program, or an eligible VPK education program provider.
- Affirm that the student remains in good standing with the selected provider or school.

Additionally, the parent must:

- File an application for initial program participation by specified deadlines.
- Notify the school district of the student's participation in PLSA, if the student chooses to enroll in a home education program to meet regular school attendance requirements.
- Enroll the student with an eligible VPK provider or school readiness provider, if either option is selected.
- Annually renew participation in the PLSA program.
- Procure the services necessary to educate the student.
- Cover all eligible expenses in excess of the PLSA award amount.
- Not transfer any prepaid college plan or college savings plan to another beneficiary if PLSA funds have been contributed to such plan.
- Not receive any payment, refund, or rebate from an approved provider of any services in the program.

The bill allows a parent to request that their student participate in statewide, standardized assessments and removes the requirement that all participants maintain a portfolio of records and materials. Only parents who choose to enroll their child in a home education program will have to maintain a portfolio in compliance with current home education law.

The bill no longer requires verifiable documents in order to approve an application, but provides a list of final verification documents that parents may submit in order to expedite the awarding of scholarship funds. The documents must consist of one of the following, applicable to the student:

- A withdrawal form from the school district, if the student was enrolled in public school.
- A letter of admission or enrollment from an eligible private school, and if applicable, verification of withdrawal from the John M. McKay Scholarship Program or Florida Tax Credit Scholarship Program.
- A notice that the parent intends to establish and maintain a home education program.

An applicant who submits final verification to DOE can be awarded a scholarship without waiting for the DOE verification check against public school files. This will expedite disbursement of funds to student's accounts and parents' ability to begin requesting reimbursements for expenditures.

Term of the Program

Present Situation

Program payments to a student's PLSA remain in effect until:

- A student participates in any of the prohibited activities outlined in law⁶⁶;
- The commissioner revokes funds;
- The student returns to public school; or
- The student graduates from high school or turns 22 years old, whichever occurs first.⁶⁷

A student's account shall be closed and any remaining funds revert to the state:

- When the student graduates from an eligible postsecondary educational institution; or
- After any period of 4 consecutive years after high school graduation in which the student is not enrolled in an eligible postsecondary educational institution.

Effect of Proposed Changes

The bill clarifies the conditions under which payments to an account cease and the conditions under which an account is closed and funds revert to the state.

Program payments to a student's PLSA remain in effect until:

- The parent does not renew program eligibility;
- The organization determines the student is ineligible;
- The commissioner suspends or revokes program participation or use of funds;
- The student's parent has forfeited participation in the program for failure to comply with program requirements;
- The student enrolls in a public school; or
- The student graduates from high school or attains 22 years of age, whichever occurs first.

The bill allows reimbursements for allowable expenditures to continue until the account balance is expended or the account is closed and all remaining funds revert to the state, which shall occur when:

- A student's program eligibility has been denied or revoked for fraud or abuse;
- A student does not enroll in an eligible postsecondary education institution or a program offered by the institution within 3 years after high school graduation or completion.

The bill requires the Commissioner of Education to notify the parent and the organization when a PLSA is closed and funds revert to the state.

DOE and Commissioner of Education Responsibilities

Present Situation

⁶⁶ Section 1002.385(4), F.S.

⁶⁷ Section 1002.385(6), F.S.

The DOE is required to:

- Maintain a list of approved providers.
- Require eligible SFOs to verify eligible expenditures.
- Investigate any written complaint of a program violation.
- Require quarterly reports from SFOs, with specified information.
- Compare lists of PLSA students against public school enrollment lists before payments to a PLSA account.⁶⁸

The commissioner is authorized to deny, suspend, or revoke a student's participation in the program or the use of program funds, if the health, safety, or welfare of the student is threatened or fraud is suspected.⁶⁹ Use of program funds can also be denied, suspended, or revoked for material failure to comply with program requirements.⁷⁰

The law identifies several factors that the commissioner may consider in determining whether to deny, suspend, or revoke an entity or its officers' participation in the program or ability to expend funds, including but not limited to:

- Acts or omissions that led to an entity's previous denial or revocation in an education scholarship program;
- Failure to reimburse an SFO for funds improperly received or retained by an entity;
- Imposition of a prior criminal sanction;
- Imposition of a civil fine or administrative fine, license revocation or suspension, or program eligibility suspension, termination, or revocation.

The commissioner may determine the length of, and conditions for lifting, a suspension or revocation; however, the suspension or revocation may not exceed 5 years, except in cases of fraud in which the penalty may not exceed 10 years. The commissioner may recover unexpended program funds or withhold payment of an equal amount of program funds to recover funds expended for unauthorized uses.

Effect of Proposed Changes

The bill provides the commissioner discretion to determine the length of suspensions and revocations by removing the statutory limitations as well as the authority to recover unexpended funds or withhold payment to cover any amount of program funds expended in violation of the program requirements. The bill specifically authorizes the commissioner to deny or terminate a student's participation if the parent forfeits the PLSA for violation of any program requirements.

The bill specifies that the commissioner's authority to deny, suspend, or revoke program participation or use of program funds applies to all of the following: students; SFOs; eligible private schools; eligible postsecondary institutions; approved providers; or any other appropriate party that violates program requirements.

The bill requires DOE to compare the list of PLSA students to those students participating in the Florida Tax Credit Scholarship Program, the John M. McKay Scholarship Program, and the VPK program throughout the year to avoid duplicate payments and confirm program eligibility.

Program Administration and Accountability

Present Situation

⁶⁸ Section 1002.385(9), F.S.

⁶⁹ Section 1002.385(10)(a)1. & 2., F.S.

⁷⁰ Section 1002.385(10)(a)3., F.S.

During the 2015A Special Session, the program was amended to require 100% of the appropriated funds for the PLSA program to be released to the DOE in the beginning of the first quarter of each fiscal year and to disburse funds to a student's account upon verification of a student's eligibility by an SFO that must have included one of the verifiable documents.⁷¹ SFOs were authorized retain and expend an administrative fee of three percent.⁷²

Effect of Proposed Changes

The bill codifies the release of 100% of funds to DOE at the beginning of the first quarter of each fiscal year and maintains the administrative fee of three percent.

Additionally, the bill provides that, for initial program eligibility, students determined eligible by:

- September 1 shall receive 100% of the total awarded funds.
- November 1 shall receive 75% of the total awarded funds.
- February 1 shall receive 50% of the total awarded funds.
- April 1 shall receive 25% of the total awarded funds.

The bill removes a duplicative requirement that the Auditor General conduct an annual financial audit of an SFO. Current law already requires an SFO to have an annual financial audit conducted by an independent certified public accountant.

The bill directs the Florida Prepaid College Board to adopt rules to allow parents to contribute PLSA funds, in conjunction with other funds, to purchase a prepaid college plan. PLSA funds must be tracked and accounted for separately from other funds and may be used only after private payments have been used for prepaid college plan expenditures. PLSA contributions and earnings to a college savings plan must revert to the state if the PLSA account is closed,

Finally, the bill removes obsolete language regarding the program implementation schedule for the 2014-2015 school year.

Florida Tax Credit Scholarship Program

Present Situation

In order to participate in the Florida Tax Credit (FTC) Scholarship Program, a SFO must meet a number of requirements, including securing a surety bond or letter of credit for a specified amount for initial approval⁷³ and a different specified amount for renewal.⁷⁴

If an SFO has participated in the FTC Scholarship Program for at least three years and did not have any negative financial findings in its most recent audit, it may use up to 3 percent of the eligible contributions received during the state fiscal year in which the contributions are collected for administrative expenses.⁷⁵

Finally, if an SFO is disapproved to participate in the scholarship program, all remaining funds held by that SFO revert to the Department of Revenue for redistribution to other eligible SFOs.⁷⁶

⁷¹ Section 5, ch. 2015-222, L.O.F.

⁷² Specific Appropriation 105, s. 2, ch. 2015-232, L.O.F.

⁷³ Section 1002.395(16)(a)10., F.S.

⁷⁴ Section 1002.395(16)(b)1., F.S.

⁷⁵ Section 1002.395(6)(j), F.S.

⁷⁶ Section 1002.395(16)(f), F.S.

The 2015A Special Session amendments clarified that claims against the surety bond or letter of credit may only be made by another eligible SFO to provide scholarships to eligible students and authorized an SFO that has operated a tax credit scholarship program for at least 3 years in any state and has not had any findings of material weakness or material noncompliance in its most recent audit to qualify for the 3 percent administrative fee. Additionally, any remaining funds held by a SFO that is disapproved from participation must go to other eligible SFOs to provide scholarships to eligible students who transferred from the ineligible SFO.⁷⁷

Effect of Proposed Changes

The bill codifies the surety bond language, the three percent administrative fee and the disbursement of funds held by an SFO that was determined ineligible.

Additionally, the bill prohibits a SFO from charging an application fee for the Florida Tax Credit Scholarship Program.

B. SECTION DIRECTORY:

Section 1. Creates s. 1004.6495, creating the Florida Postsecondary Comprehensive Transition Program and Florida Center for Students with Unique Abilities.

Section 2. Creates s. 1011.78, authorizing certain school districts and charter schools to be eligible to receive incentive payments for implementing a standard student attire policy; providing a short title and purpose; establishing eligibility requirements; providing for funding, subject to appropriation; requiring the district school superintendent or charter school governing board to certify certain information to the commissioner by a specified date; providing for reversion of the funds under certain circumstances; providing immunity from civil liability to a school district board or charter school governing board that establishes a standard student attire policy.

Section 3. Amends s. 1001.43; authorizing a district school board or charter school that implements a standard student attire policy to be eligible to receive incentive payments.

Section 4. Amends s. 1002.33; authorizing a charter school that implements a standard student attire policy to be eligible to receive incentive payments

Section 5. Amends s. 1002.385, F.S., to increase access and accountability and streamline administration of the Personal Learning Scholarships Account program.

Section 6. Amends s. 1002.395, F.S., to clarify language regarding surety bonds for nonprofit scholarship-funding organizations; to revise qualifications for a 3 percent administrative fee, and to clarify language regarding the disbursement of surety bonds or letters of credit for SFOs

Section 7. Amends s. 1009.971, F.S.; revising the duties of the Florida Prepaid College Board.

Section 8. Amends s. 1009.98, F.S., to provide implementation procedures for the Stanley G. Tate Florida Prepaid College Program and the Florida College Savings Program relating to plans purchased through the Personal Learning Scholarship Accounts Programs..

Section 9. Amends s. 1009.981, F.S., to provide implementation procedures for the Stanley G. Tate Florida Prepaid College Program and the Florida College Savings Program relating to plans purchased through the Personal Learning Scholarship Accounts Programs.

Section 10. Provides appropriations for the Personal Learning Scholarship Accounts Program, Standard Student Attire Incentive Program, and the Florida Postsecondary Comprehensive Transition Program.

Section 11. Provides an effective date of July 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

See FISCAL COMMENTS.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

The bill appropriates \$8 million in recurring general revenue to the Florida Center for Students with Unique Abilities, which includes \$1.5 million for center costs, \$3 million for start-up grants, and \$3.5 million for scholarships. For the 2016-2017 academic year, the amount of annual scholarship shall be \$7,000 for each student who meets eligibility requirements. Funding and maximum award amounts for this program must be provided annually in the General Appropriations Act beginning in the 2017-2018 fiscal year.

The bill appropriates \$14 million in recurring funds from the General Revenue Fund to the Department of Education for standard student attire incentive payments. Any unused funds as of June 30 each year revert back to the fund from which they were appropriated. In the 2014-15 school year, there were over 1.8 million K-8 students attending public schools.

The 2015-16 appropriation of \$53.4 million recurring general revenue would continue the funding for the first year cohort of students, 1,616 students through March 13, 2015. The PLSA is provided on a first-come, first-served basis based upon funding appropriated in the GAA. The bill appropriates \$71.2 million in recurring general revenue funding for scholarships for the 2016-17 fiscal year, which is an increase of \$18.3 million from the 2015-16 appropriation. Since total funding of \$71.2 million for scholarships is provided in the legislation there will not be a need to provide the base funding in the GAA for the 2016-17 fiscal year. It is unknown how many additional students will be served by the increased funding. The bill also appropriates \$2.1 million in recurring general revenue funding for a three percent administrative fee for administration of the scholarship program.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

BILL

ORIGINAL

YEAR

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

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ORIGINAL

YEAR

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

BILL

ORIGINAL

YEAR

53 | under certain circumstances; providing immunity from
 54 | civil liability to a school district board or charter
 55 | school governing board that establishes a standard
 56 | student attire policy; amending ss. 1001.43 and
 57 | 1002.33, F.S.; authorizing a district school board or
 58 | charter school that implements a standard student
 59 | attire policy to be eligible to receive incentive
 60 | payments; amending s. 1002.385, F.S.; revising terms
 61 | for purposes of the Florida Personal Learning
 62 | Scholarship Account Program; revising program
 63 | eligibility criteria and program prohibitions for such
 64 | accounts; authorizing a parent to submit a specified
 65 | document to receive scholarship funds before confirmed
 66 | eligibility; requiring that authorized program funds
 67 | be used to support the student's educational needs;
 68 | authorizing program funds to be spent for specified
 69 | fees and services; revising the terms of the program;
 70 | providing for the reversion of certain funds to the
 71 | state; revising the obligations of school districts,
 72 | parents, and the Department of Education with respect
 73 | to the program; revising the authority of the
 74 | Commissioner of Education to deny, suspend, or revoke
 75 | certain program participation and use of program
 76 | funds; specifying maximum periods for certain
 77 | suspensions and revocations; authorizing the
 78 | commissioner to recover program funds through certain

BILL

ORIGINAL

YEAR

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

BILL

ORIGINAL

YEAR

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

107

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

109

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

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

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

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

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

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

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ORIGINAL

YEAR

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

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

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

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

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

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

156 (a) Be a "student with an intellectual disability" as that

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ORIGINAL

YEAR

157 term is defined in 20 U.S.C. s. 1140(2), including, but not
 158 limited to, a transitional student.

159 (b) Physically attend the eligible institution.

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

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

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

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

174 2. Supports, accommodations, technical assistance, or
 175 training provided by eligible institutions, the advisory council
 176 established pursuant to s. 383.141, and regional autism centers
 177 established pursuant to s. 1004.55.

178 3. Mentoring, networking, and employment opportunities.

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

182 1. Consult and collaborate with the National Center and

BILL

ORIGINAL

YEAR

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

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

195 3. Establish requirements and timelines for the:

196 a. Submission and review of an application.

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

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

202 4. Administer scholarship funds.

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

BILL

ORIGINAL

YEAR

209 \$300,000 per institution.

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

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

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

BILL

ORIGINAL

YEAR

235 days after receipt of the director's recommendation, the
 236 chancellor or the commissioner shall approve or disapprove the
 237 recommendation. If the chancellor or the commissioner does not
 238 act on the director's recommendation within 15 days after
 239 receipt of such recommendation, the comprehensive transition
 240 program proposed by the institution shall be considered
 241 approved.

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

253 3. An application must, at a minimum:

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

257 b. Outline the program length and design, including, at a
 258 minimum, inclusive and successful experiential education
 259 practices relating to curricular, assessment, and advising
 260 structure and internship and employment opportunities, which

BILL

ORIGINAL

YEAR

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

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

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

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

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

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

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

BILL

ORIGINAL

YEAR

287 students with intellectual disabilities.
 288 e. Identify performance indicators pursuant to subsection
 289 (8) and other requirements identified by the center.
 290 f. Outline a 5-year plan incorporating enrollment and
 291 operational expectations for the program.
 292 (d) Provide technical assistance regarding programs and
 293 services for students with intellectual disabilities to
 294 administrators, instructors, staff, and others, as applicable,
 295 at eligible institutions by:
 296 1. Holding meetings and annual workshops to share
 297 successful practices and to address issues or concerns.
 298 2. Facilitating collaboration between eligible
 299 institutions and school districts, private schools operating
 300 pursuant to s. 1002.42, and parents of students enrolled in home
 301 education programs operating pursuant to s. 1002.41 in assisting
 302 students with intellectual disabilities and their parents to
 303 plan for the transition of such students into an FPCTP or
 304 another program at an eligible institution.
 305 3. Assisting eligible institutions with FPCTP and federal
 306 comprehensive transition and postsecondary program applications.
 307 4. Assisting eligible institutions with the identification
 308 of funding sources for an FPCTP and for student financial
 309 assistance for students enrolled in an FPCTP.
 310 5. Monitoring federal and state law relating to the
 311 comprehensive transition program and notifying the Legislature,
 312 the Governor, the Board of Governors, and the State Board of

BILL

ORIGINAL

YEAR

313 Education of any change in law which may impact the
 314 implementation of this section.

315 (6) INSTITUTION ELIGIBILITY AND RESPONSIBILITIES.—

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

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

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

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

BILL

ORIGINAL

YEAR

339 submit a renewal application to the center no later than 3 years
 340 following the year during which the approval is initially
 341 granted.

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

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

348 2. Efforts to retain students in the FPCTP and the
 349 retention rate of students in the program.

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

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

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

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

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

364 (a) Beginning in the 2016-2017 academic year, the Florida

BILL

ORIGINAL

YEAR

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

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

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

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

390 (e) By a date annually established by the center, each

BILL

ORIGINAL

YEAR

391 eligible institution shall certify to the center the amount of
 392 funds disbursed to each student and shall remit to the center
 393 any undisbursed advances by June 1 of each year.

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

404 (8) ACCOUNTABILITY.—

405 (a) The center, in collaboration with the Board of
 406 Governors and the State Board of Education, shall identify
 407 indicators for the satisfactory progress of a student in an
 408 FPCTP and for the performance of such programs. Each eligible
 409 institution must address the indicators identified by the center
 410 in its application for the approval of a proposed program and
 411 for the renewal of an FPCTP and in the annual report that the
 412 institution submits to the center.

413 (b) By October 1 of each year, the center shall provide to
 414 the Governor, the President of the Senate, the Speaker of the
 415 House of Representatives, the Chancellor of the State University
 416 System, and the Commissioner of Education a report summarizing

BILL

ORIGINAL

YEAR

417 information including, but not limited to:

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

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

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

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

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

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

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

BILL

ORIGINAL

YEAR

443 other education programs and services for students with
 444 disabilities.

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

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

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

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

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

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

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

468 (c) Minimizing disciplinary problems because students are

BILL

ORIGINAL

YEAR

469 | not distracted by clothing.

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

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

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

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

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

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

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

490 | (4) AWARD.—Subject to the appropriation of funds by the
 491 | Legislature, a qualified school district or charter school shall
 492 | receive an annual award of not less than \$10 per student in
 493 | kindergarten through grade 8, as specified in the General
 494 | Appropriations Act. Before the release of funds, but no later

BILL

ORIGINAL

YEAR

495 than September 1 of each year, the district school
 496 superintendent or the charter school governing board shall
 497 certify to the commissioner that the school district or charter
 498 school has implemented a districtwide or schoolwide standard
 499 student attire policy, respectively, in accordance with this
 500 section. A charter school may also qualify by participating in
 501 its sponsor's qualifying policy. The commissioner shall make
 502 payment of awards to school districts and charter schools in the
 503 order in which certifications are received. As of June 30 of
 504 each year, any funds provided pursuant to this section that have
 505 not been disbursed to qualified school districts and charter
 506 schools revert to the fund from which they were appropriated
 507 pursuant to s. 216.301.

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

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

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

519 (1) STUDENT MANAGEMENT.—The district school board may
 520 adopt programs and policies to ensure the safety and welfare of

BILL

ORIGINAL

YEAR

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

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

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

534 1002.33 Charter schools.—

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

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

BILL

ORIGINAL

YEAR

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

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

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

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

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

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

BILL

• ORIGINAL

YEAR

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

574 (f) "Eligible postsecondary educational institution" means
 575 a Florida College System institution; τ a state university; τ a
 576 school district technical center; τ a school district adult
 577 general education center; an independent college or university
 578 that is eligible to participate in the William L. Boyd, IV,
 579 Florida Resident Access Grant Program under s. 1009.89; τ 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

BILL

ORIGINAL

YEAR

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

601 (a) The student:

602 1. Is a resident of this state;

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

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

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

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

BILL

ORIGINAL

YEAR

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

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

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

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

644 (4) PROGRAM PROHIBITIONS.—

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

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

BILL

ORIGINAL

YEAR

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.† ~~or~~

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

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

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

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

BILL

ORIGINAL

YEAR

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

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

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

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

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

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

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

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

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

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

BILL

ORIGINAL

YEAR

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

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

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

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

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

BILL

ORIGINAL

YEAR

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

734 (i) Fees for specialized summer education programs.

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

736 (k) Transition services provided by job coaches.

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

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

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

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

BILL

ORIGINAL

YEAR

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

BILL

ORIGINAL

YEAR

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

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

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

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

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

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

BILL

ORIGINAL

YEAR

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

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

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

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

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

BILL

ORIGINAL

YEAR

833 correct a technical, typographical, or calculation error.

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

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

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

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

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

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

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

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

BILL

ORIGINAL

YEAR

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

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

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

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

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

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

BILL

ORIGINAL

YEAR

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

893

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

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

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

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

BILL

ORIGINAL

YEAR

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

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

BILL

ORIGINAL

YEAR

937 (a) The Commissioner of Education:

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

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

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

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

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

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

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

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

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

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

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

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

950 ~~under this section.~~

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

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

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

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

955 funds by the student or participation or eligibility of an

956 organization, eligible private school, eligible postsecondary

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

958 violation of this section.

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

960 lifting, a suspension or revocation specified in this

961 subsection.

962 3. May recover unexpended program funds or withhold

BILL

ORIGINAL

YEAR

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

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

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

988 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM

BILL

ORIGINAL

YEAR

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

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

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

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

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

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

BILL

ORIGINAL

YEAR

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

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

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

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

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

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

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

BILL

ORIGINAL

YEAR

1041 ~~8. Annually renew participation in the program.~~
 1042 ~~Notwithstanding any changes to the student's IEP, a student who~~
 1043 ~~was previously eligible for participation in the program shall~~
 1044 ~~remain eligible to apply for renewal as provided in subsection~~
 1045 ~~(6).~~

1046 ~~9. Affirm that the parent will not transfer any college~~
 1047 ~~savings funds to another beneficiary.~~

1048 ~~10. Affirm that the parent will not take possession of any~~
 1049 ~~funding provided by the state for the Florida Personal Learning~~
 1050 ~~Scholarship Accounts.~~

1051 ~~11. Maintain a portfolio of records and materials which~~
 1052 ~~must be preserved by the parent for 2 years and be made~~
 1053 ~~available for inspection by the district school superintendent~~
 1054 ~~or the superintendent's designee upon 15 days' written notice.~~
 1055 ~~This paragraph does not require the superintendent to inspect~~
 1056 ~~the portfolio. The portfolio of records and materials must~~
 1057 ~~consist of:~~

1058 ~~a. A log of educational instruction and services which is~~
 1059 ~~made contemporaneously with delivery of the instruction and~~
 1060 ~~services and which designates by title any reading materials~~
 1061 ~~used; and~~

1062 ~~b. Samples of any writings, worksheets, workbooks, or~~
 1063 ~~creative materials used or developed by the student.~~

1064 (b) The parent must file an application for initial
 1065 program participation with an organization by the dates
 1066 established pursuant to this section.

BILL

ORIGINAL

YEAR

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

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

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

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

BILL

ORIGINAL

YEAR

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

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

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

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

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

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

1118 (a) Receiving applications and determining student

BILL

ORIGINAL

YEAR

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

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

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

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

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

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

BILL

ORIGINAL

YEAR

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

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

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

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

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

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

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

1170 (13) FUNDING AND PAYMENT.—

BILL

ORIGINAL

YEAR

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

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

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

BILL

ORIGINAL

YEAR

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

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

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

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

BILL

ORIGINAL

YEAR

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

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

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

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

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

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

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

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

BILL

ORIGINAL

YEAR

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

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

1263 (14) OBLIGATIONS OF THE AUDITOR GENERAL.—

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

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ORIGINAL

YEAR

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

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

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

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

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

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

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ORIGINAL

YEAR

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

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

1306 1002.395 Florida Tax Credit Scholarship Program.—

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

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

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ORIGINAL

YEAR

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

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

BILL

ORIGINAL

YEAR

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

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

1359

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

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

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

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

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

BILL

ORIGINAL

YEAR

1379 organization.

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

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

1386 5. The organization's organizational chart.

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

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

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

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

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

BILL

ORIGINAL

YEAR

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

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

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

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

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

1430 4. An annual report that includes:

BILL

ORIGINAL

YEAR

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

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

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

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

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

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

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

1456 1009.971 Florida Prepaid College Board.—

BILL

ORIGINAL

YEAR

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

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

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

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

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

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

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

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

BILL

ORIGINAL

YEAR

1483 of funds being deposited in the plans; and

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

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

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

1491 (11) IMPLEMENTATION PROCEDURES.-

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

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

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

1506 1009.981 Florida College Savings Program.-

1507 (10) IMPLEMENTATION PROCEDURES.-

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

BILL

ORIGINAL

YEAR

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

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

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

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

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

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

BILL

ORIGINAL

YEAR

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

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

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

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

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

SUS Performance
Funding



BOARD *of* GOVERNORS

State University System of Florida

House Education Appropriations
Subcommittee

Performance Based Funding &
Preeminence Institutions
Marshall Criser, III

November 17, 2015
www.flbog.edu



Three-Part Accountability Framework



ANNUAL ACCOUNTABILITY REPORT:
Tracks performance on key metrics (past five years)

SYSTEM-WIDE STRATEGIC PLAN:
Provides a long-range roadmap for the System

UNIVERSITY WORK PLAN:
Provides a short-term plan of action (next three years)



Performance Funding Model

4 Guiding Principles:

- Use metrics that align with Strategic Plan goals
- Reward excellence or improvement
- Have a few clear, simple metrics
- Acknowledge the unique mission of the different institutions

Other Key Components:

- Funds allocated based on only 10 metrics
- No wholesale changes in any given year
- One metric chosen by the Board of Governors and one by the Board of Trustees
- Institutions evaluated on the excellence or improvement for each metric



Performance Funding Model

Points	EXCELLENCE <i>(Achieving System Goals)</i>					IMPROVEMENT <i>(Recognizing Annual Improvement)</i>				
	5	4	3	2	1	5	4	3	2	1
1 Percent of Bachelor's Graduates Employed and/or Continuing their Education Further 1 Yr after Graduation	80%	75%	70%	65%	60%	5%	4%	3%	2%	1%
2 Median Average Full-time Wages of Undergraduates Employed in Florida 1 Yr after Graduation	\$40,000	\$35,000	\$30,000	\$25,000	\$20,000	5%	4%	3%	2%	1%
3 Average Cost per Undergraduate Degree to the Institution	\$20,600	\$23,175	\$25,750	\$28,325	\$30,900	5%	4%	3%	2%	1%
4 Six Year Graduation Rate <i>Full-time and Part-time FTIC</i>	70%	67.5%	65%	62.5%	60%	5%	4%	3%	2%	1%
5 Academic Progress Rate <i>2nd Year Retention with GPA Above 2.0</i>	90%	87.5%	85%	82.5%	80%	5%	4%	3%	2%	1%
6 Bachelor's Degrees Awarded in Areas of Strategic Emphasis <i>(includes STEM)</i>	50%	45%	40%	35%	30%	5%	4%	3%	2%	1%
7 University Access Rate <i>Percent of Undergraduates with a Pell-grant</i>	30%	27.5%	25%	22.5%	20%	5%	4%	3%	2%	1%
8 Graduate Degrees Awarded in Areas of Strategic Emphasis <i>(includes STEM)</i>	60%	55%	50%	45%	40%	5%	4%	3%	2%	1%
Institution-Specific Metrics										
9 Board of Governors choice	Varies by metric					Varies by metric				
10 Board of Trustees choice	Varies by metric					Varies by metric				



2014-2015 Performance Funding Allocation - \$200 M

	Points	State Inv. (millions)	Institutional Inv.* (millions)	Total
FAMU	29	\$5.5	\$5.3	\$30.3
FGCU	30	\$3.3	\$4.8	\$13.1
FIU	34	\$7.1	\$11.4	\$45.7
FSU	33	\$16.4	\$15.4	\$66.5
UCF	34	\$16.7	\$14.1	\$57.7
UF	42	\$22.4	\$17.3	\$77.2
UNF	29	\$4.5	\$5.8	\$18.5
USF	37	\$17.1	\$14.0	\$58.9
Total		\$100.0	\$88.1	\$188.1

	Points	Institutional Inv. (millions)
FAU	24	\$6.9
NCF	25	\$1.1
UWF	21	\$3.8
Total		11.8

For 2014-15 three institutions scored 25 points or lower and submitted an improvement plan. Those improvement plans were successfully implemented and the institutional investment was restored.

* Includes \$20 M in performance funds and \$15 M in TEAm grant awards from 2013-14.



2015-2016 Performance Funding Allocation - \$400 M

	Points	State Inv. (millions)	Institutional Inv. (millions)	Total
FAU	37	\$11.4	\$18.9	\$30.3
FGCU	38	\$4.9	\$8.2	\$13.1
FIU	39	\$18.6	\$27.1	\$45.7
FSU	36	\$24.9	\$41.6	\$66.5
UCF	39	\$23.1	\$34.6	\$57.7
UF	44	\$30.6	\$46.6	\$77.2
UNF	36	\$6.9	\$11.6	\$18.5
USF	42	\$23.6	\$35.2	\$58.8
UWF	37	\$5.9	\$9.8	\$16.7
Total		\$150.0	\$233.5	\$383.5

	Points	Institutional Inv. (millions)
FAMU	26	\$14.0
NCF	35	\$2.5
Total		16.5

For 2015-16 all of the SUS institutions scored 26 points or higher so no base funds were at risk. Universities in the bottom 3 were not eligible for the State Investment.



University Response

Among all universities:

- ✓ **65+** new advisors to focus on student retention and graduation, offering mentoring, tutoring and other services.
- ✓ **7** revamped career services centers with a focus on student advising and establishing partnerships with local businesses.

- ✓ **300+** additional faculty in high-wage, high-need areas.
- ✓ **8** universities invested in software to target struggling students and improve graduation and retention rates.

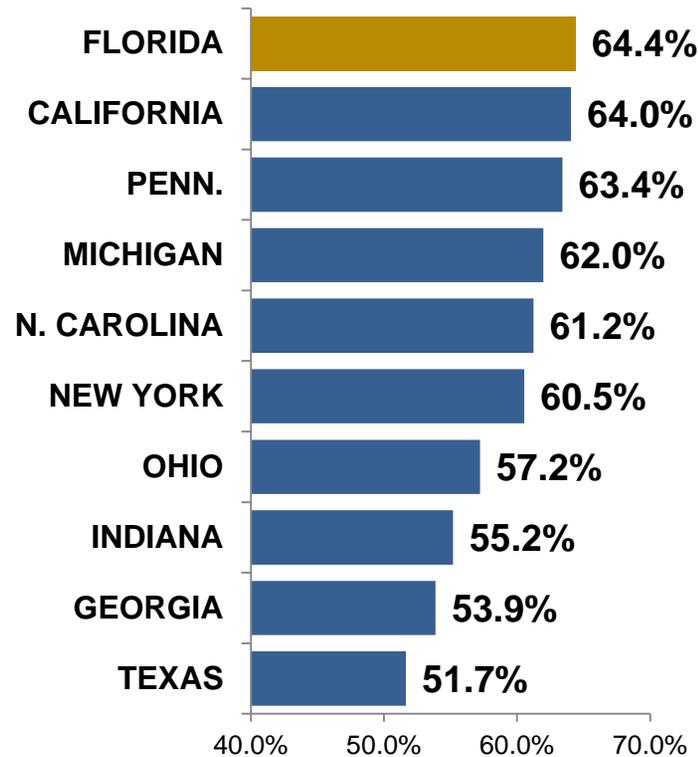




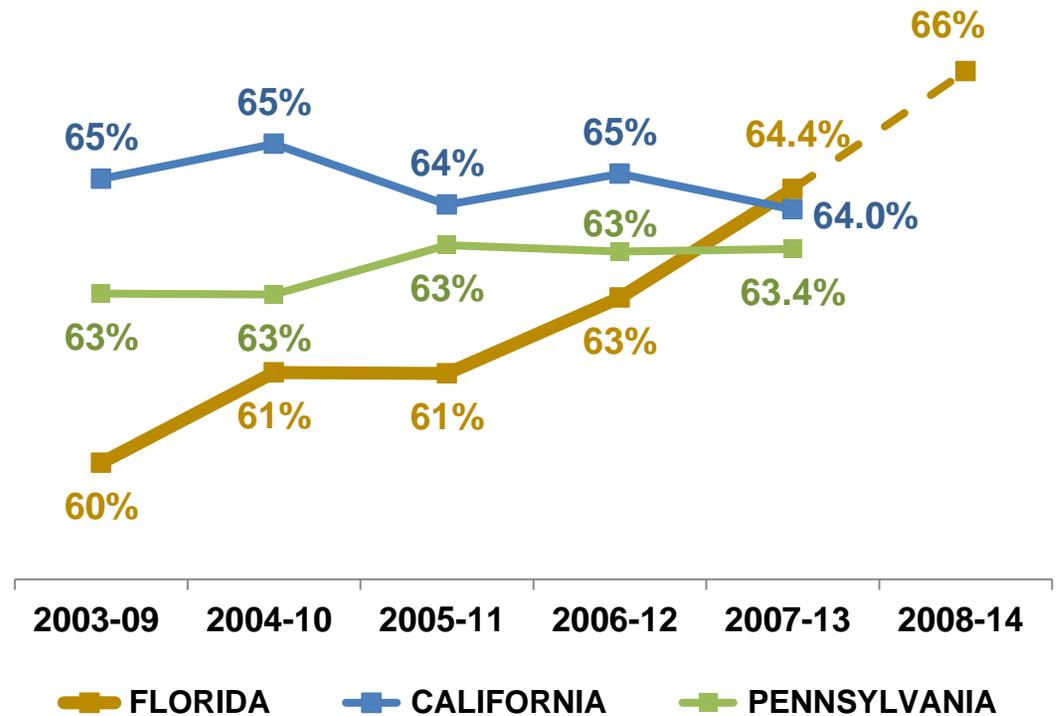
National Comparison of Graduation Rates

Among 10 Largest States for Public 4-Yr Universities

Six-Year FTIC Graduation Rates
(2007-2013)



Graduation Rate Trend
(for Top 3 States)



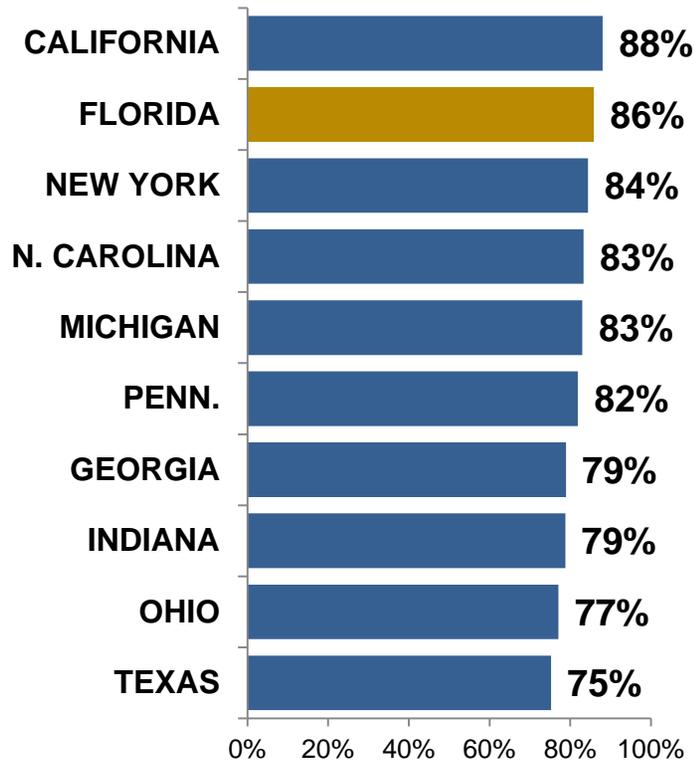
SOURCE: Board of Governors staff analysis of IPEDS.

Notes: Top 10 States based on 2012-13 undergraduate headcount. Data is based on rates for each university and excludes students who transferred to another institution within the same state.

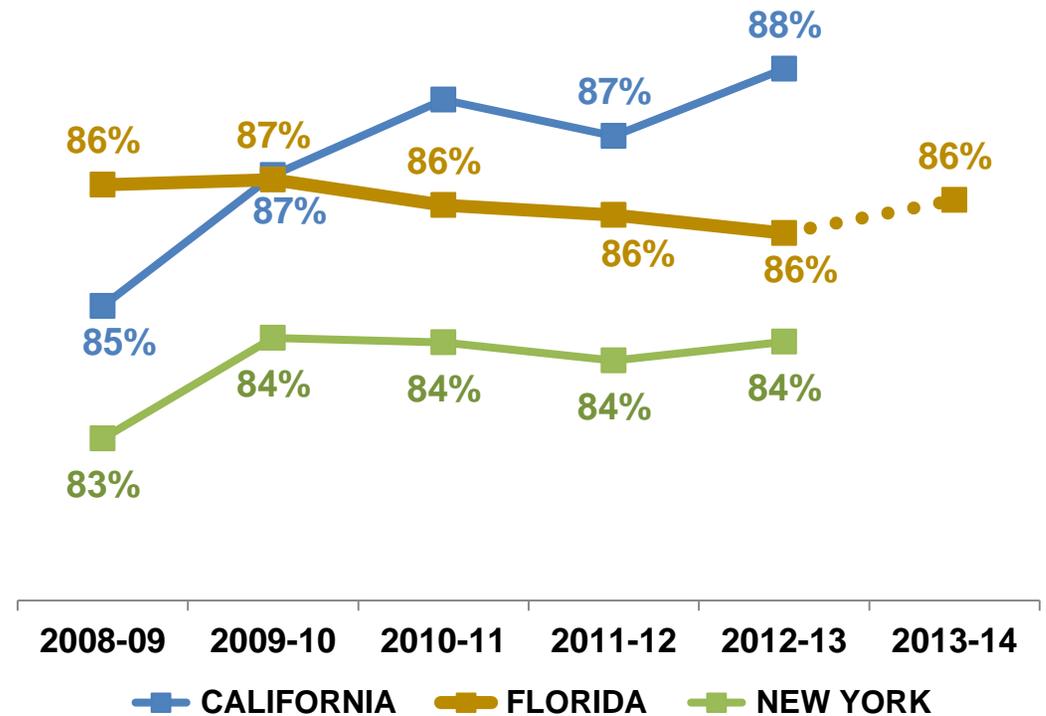


National Comparison of Retention Rates Among 10 Largest States for Public 4-Yr Universities

Two-Year FTIC Retention Rates
(2012-2013)



FTIC Retention Rate Trend
(for Top 3 States)



SOURCE: Board of Governors staff analysis of IPEDS.

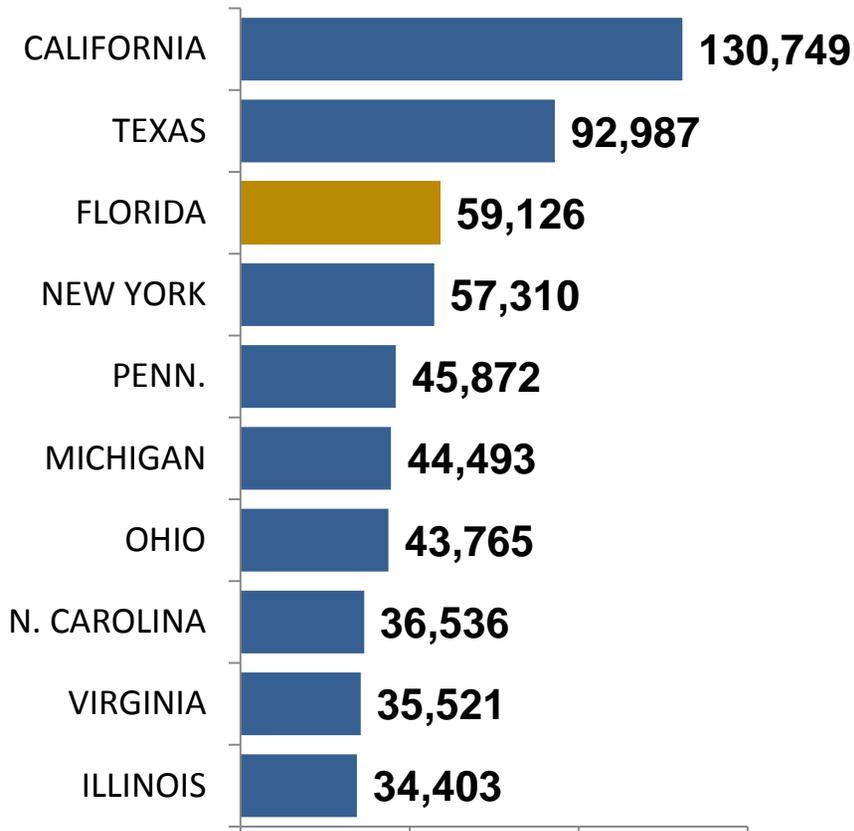
Notes: Top 10 States based on 2012-13 undergraduate headcount. Data is based on rates for each university and excludes students who transferred to another institution within the same state.



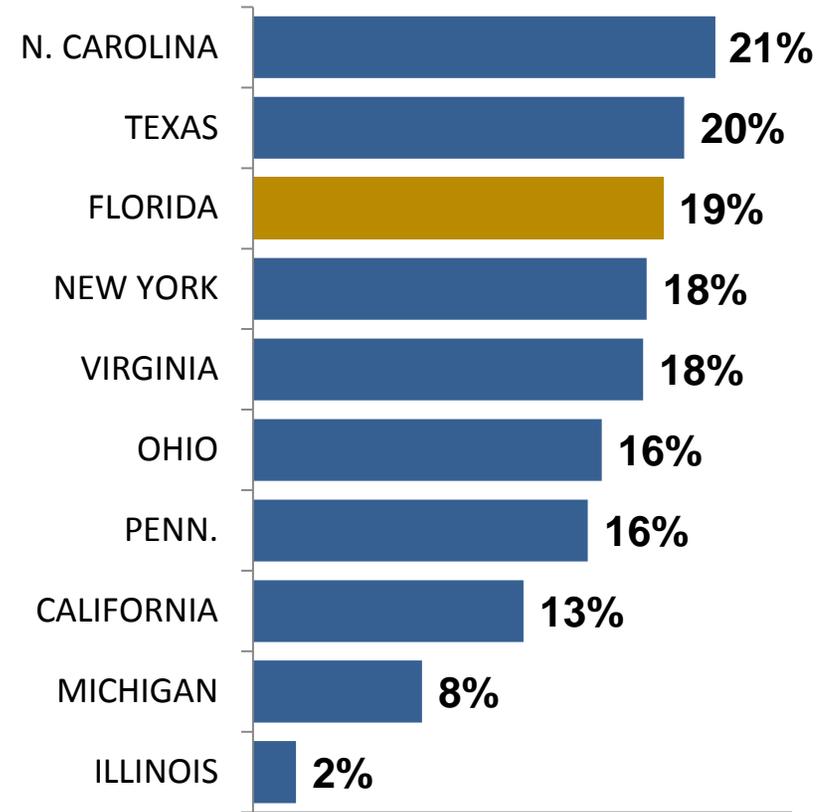
National Comparison of Degree Production

Among Ten Largest States for 4yr Public Universities

2012-13 Bachelor's Degrees



5yr Growth Rate in Bachelor's Degrees



SOURCE: Board of Governors staff analysis of IPEDS. Ten largest states based on the number of bachelor's degrees awarded in 2012-13.



Performance by Metric - 2014

Percent of Bachelor's graduates employed and/or continuing their education further 1 year after graduation	60%	70%	70%	67%	61%	44%	69%	63%	69%	69%	60%	75%
Median average full-time wages of undergraduates employed in Florida 1 year after graduation	\$30,000	\$34,900	\$32,900	\$35,100	\$30,300	\$21,200	\$33,700	\$33,100	\$24,200	\$34,600	\$31,000	\$40,000
Average cost per Undergraduate Degree to the Institution	\$37,950	\$32,430	\$29,240	\$26,730	\$25,500	\$74,640	\$21,010	\$24,940	\$29,350	\$24,340	\$31,080	\$20,000
Six Year Graduation Rate (Full-Time and Part-Time FTIC)	41%	40%	43%	50%	77%	66%	66%	86%	49%	62%	42%	70%
Academic Progress Rate (2nd Year Retention with GPA Above 2.0)	72%	70%	72%	78%	90%	81%	86%	96%	76%	87%	63%	90%
Bachelor's Degrees Awarded in Areas of Strategic Emphasis (includes STEM)	43%	40%	35%	40%	35%	56%	35%	47%	33%	46%	39%	50%
University Access Rate (Percent of Undergraduates with a Pell Grant)	65%	41%	35%	47%	30%	29%	38%	32%	36%	41%	39%	30%
Graduate Degrees Awarded in Areas of Strategic Emphasis (includes STEM) 8B - Freshman in Top 10% of Graduating High School Class (NCF Only)	39%	33%	36%	40%	31%	35%	47%	59%	34%	57%	29%	50%
Board of Governors Choice Metrics	31%	31%	74%	70%	11	4	60%	18	71%	56%	65%	80% FSU 25 UF 31 NCF 5
University Board of Trustees Choice Metrics	86%	42%	23%	5,851	115	100%	12,321	\$697 M	9%	300	32%	
Highest Benchmark for Board of Trustees Choice Metrics	80%	40%	20%	6,100	75	100%	12,300	Top 1/3 of AAU	7%	300	21%	



Performance by Metric - 2015

Percent of Bachelor's graduates employed and/or continuing their education further 1 year after graduation	69%	74%	74%	77%	69%	51%	74%	72%	76%	75%	67%	80%
Median average full-time wages of undergraduates employed in Florida 1 year after graduation	\$28,800	\$36,000	\$35,300	\$36,200	\$31,600	\$26,300	\$34,900	\$34,800	\$34,700	\$35,200	\$32,900	\$40,000
Average cost per Undergraduate Degree to the Institution	\$40,080	\$27,690	\$29,390	\$25,580	\$26,700	\$76,720	\$22,430	\$25,450	\$30,750	\$25,490	\$32,970	\$20,600
Six Year Graduation Rate (Full-Time and Part-Time FTIC)	39%	45%	49%	53%	79%	69%	69%	87%	55%	66%	51%	70%
Academic Progress Rate (2nd Year Retention with GPA Above 2.0)	70%	66%	72%	79%	91%	80%	85%	95%	78%	85%	65%	90%
Bachelor's Degrees Awarded in Areas of Strategic Emphasis (includes STEM)	51%	55%	45%	46%	38%	42%	49%	55%	45%	51%	50%	50%
University Access Rate (Percent of Undergraduates with a Pell Grant)	62%	41%	35%	51%	30%	29%	38%	32%	33%	42%	40%	30%
Graduate Degrees Awarded in Areas of Strategic Emphasis (includes STEM) 8B - Freshman in Top 10% of Graduating High School Class (NCF Only)	43%	55%	64%	52%	39%	41%	57%	70%	50%	69%	47%	8a 60%, 8b 50%
Board of Governors Choice Metrics	34%	73%	72%	68%	7	5	67%	20	71%	64%	66%	80% FSU 25 UF 31 NCF 5
University Board of Trustees Choice Metrics	80%	43%	452	6,221	119	100%	12,372	\$695 M	11%	289	32%	
Highest Benchmark for Board of Trustees Choice Metrics	80%	40%	452	6,100	75	100%	12,300	Top 1/3 of AAU	7%	300	21%	



Preeminence Institutions

Section 1001.7065 F.S.

- A collaborative partnership between the Board of Governors and the Legislature to elevate the academic and research preeminence of Florida's highest-performing state research universities.
- The Board of Governors shall designate each state research university that meets at least 11 of 12 academic & research standards set in statute.
- In June, 2013, the Board designated UF and FSU as Preeminent.

Appropriation Year	UF	FSU
2013-14*	\$15 M	\$15 M
2014-15	\$5 M	\$5 M
2015-16**	\$5 M	\$5 M
Total	\$25 M	\$25 M

*In addition, UF received \$5 M for the Preeminent Institute for Online Learning.

** \$3.4 M of the \$5 M appropriated is nonrecurring.



Preeminence and Performance Metrics

	Preeminence Metrics	Performance Funding Metrics
1	Average GPA and SAT Score for incoming freshman in Fall semester	Percent of Bachelor's Graduates Employed and/or Continuing their Education Further
2	Public University Ranking (in more than one national ranking)	Average Wages of Employed Baccalaureate Graduates
3	Freshman Retention Rate (Full-time, FTIC)	Cost per Undergraduate Degree
4	6-year Graduation Rate (Full-time, FTIC)	6-year Graduation Rate (Full-time and Part-time FTIC)
5	National Academy Memberships held by faculty	Academic Progress Rate (2nd Year Retention with GPA Above 2.0)
6	Total Annual Research Expenditures (Science & Engineering only)	Bachelor's Degrees Awarded in Areas of Strategic Emphasis (includes STEM)
7	Total Annual Research Expenditures in Diversified Non-Medical Sciences (Science & Engineering only)	University Access Rate (Percent of Undergraduates with a Pell-grant)
8	National Ranking in Research Expenditures National in at least 5 STEM disciplines as reported by NSF (includes public & private institutions)	Graduate Degrees Awarded in Areas of Strategic Emphasis (includes STEM) (NCF Excluded)
9	Patents Awarded (over 3 year period)	BOG Choice - UF/FSU Faculty Awards
10	Doctoral Degrees Awarded Annually (Does not include Professional degrees)	BOT Choice - UF Total Research Expenditures FSU National Rank Higher than Predicted by the Financial Resources Ranking Based on a US and World News Report
11	Number of Post-Doctoral Appointees	
12	Endowment Size	



FSU and UF Performance Funding Compliments Preeminence

FSU Performance Funding Quote: Targeted hiring in critical areas will help to address needs of the state of Florida. These investments are tied to research funding initiatives, and are expected to result in increases in national rankings of our programs and institution. We expect to maintain at least one field in the top 5, achieve two fields in the top 10, one in the top 15, two in top the 20, and move Engineering into the top 50. These advances in recognition of our programs will place FSU among the truly first-rate public universities and help us achieve our top 25 ranking among all public universities.

UF Performance Funding Quote: As UF compares itself to the top public universities in the nation, it finds that compensation levels are competitive in some areas, but are barely competitive or uncompetitive in others. This situation needs ongoing attention as UF seeks to attract and retain accomplished faculty. Since faculty are the heart of the university, they impact all of the Performance Funding metrics, but especially the ones that affect student progress, faculty awards, and research expenditures. Anticipated ROI: continued progress in UF's journey to become one of the nation's top public research universities.



Preeminence Metrics

	Benchmark	UF		FSU	
		2013	2015	2013	2015
1 Average GPA and SAT Score for incoming freshman in Fall semester	4.0 GPA; 1800 SAT	4.3 GPA; 1927 SAT	4.35 GPA; 1919 SAT	4.0 GPA; 1839 SAT	4.0 GPA; 1855 SAT
2 Public University Ranking (in more than one national ranking)	Top 50	4	10	3	5
3 Freshman Retention Rate (Full-time, FTIC)	>= 90%	95%	96%	92%	92%
4 6-year Graduation Rate (Full-time, FTIC)	>=70%	84%	88%	74%	79%
5 National Academy Memberships held by faculty	6	23	24	7	7
6 Total Annual Research Expenditures (Science & Engineering only)	>=\$200 M	\$686 M	\$652 M	\$217 M	\$231 M
7 Total Annual Research Expenditures in Diversified Non-Medical Sciences (Science & Engineering only)	>=\$150 M	\$508 M	\$480 M	\$208 M	\$226 M
8 National Ranking in Research Expenditures in at least 5 STEM disciplines as reported by NSF (includes public & private institutions)	Top 100	8	8	7	7
9 Patents Awarded (over 3 year period)	>=100	139	263	66	108
10 Doctoral Degrees Awarded Annually (Does not include Professional degrees)	>=400	713	796	428	410
11 Number of Post-Doctoral Appointees	>=200	597	625	258	218
12 Endowment Size	>\$500 M	\$1.3 B	\$1.52 B	\$525 M	\$625 M
Number of Metrics Met		12	12	11	12



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Student Loan Cohort
Default Rates

Loan Default Rates in Florida

FLORIDA COLLEGE ACCESS NETWORK

NOVEMBER 2015



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Florida College Access Network: Who We Are



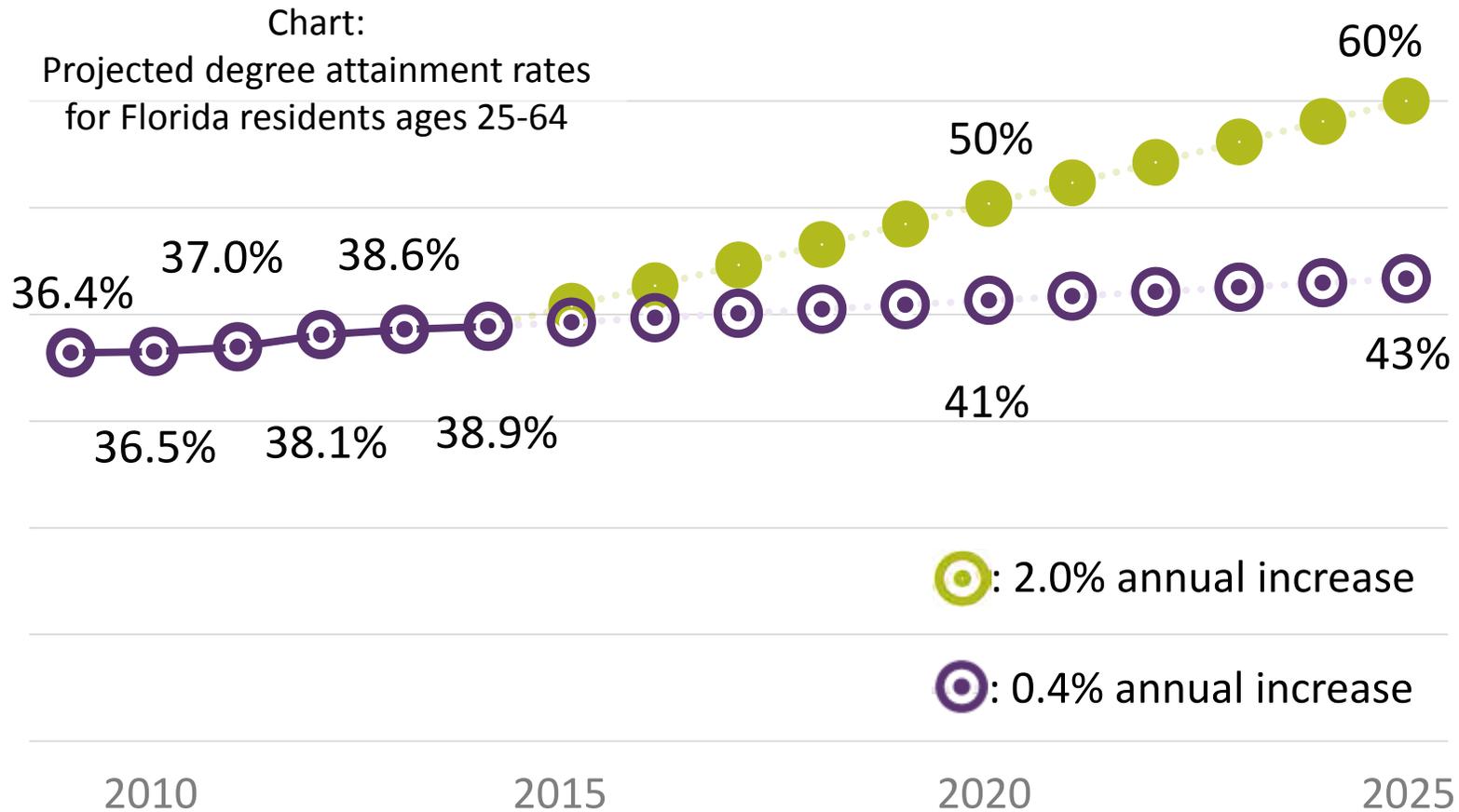
Our Mission: To create and strengthen a statewide network that catalyzes and supports communities to improve college and career readiness, access, and completion for all students.

Our Vision: At least 60% of working-age Floridians will hold a high-quality post-secondary degree or credential by the year 2025.



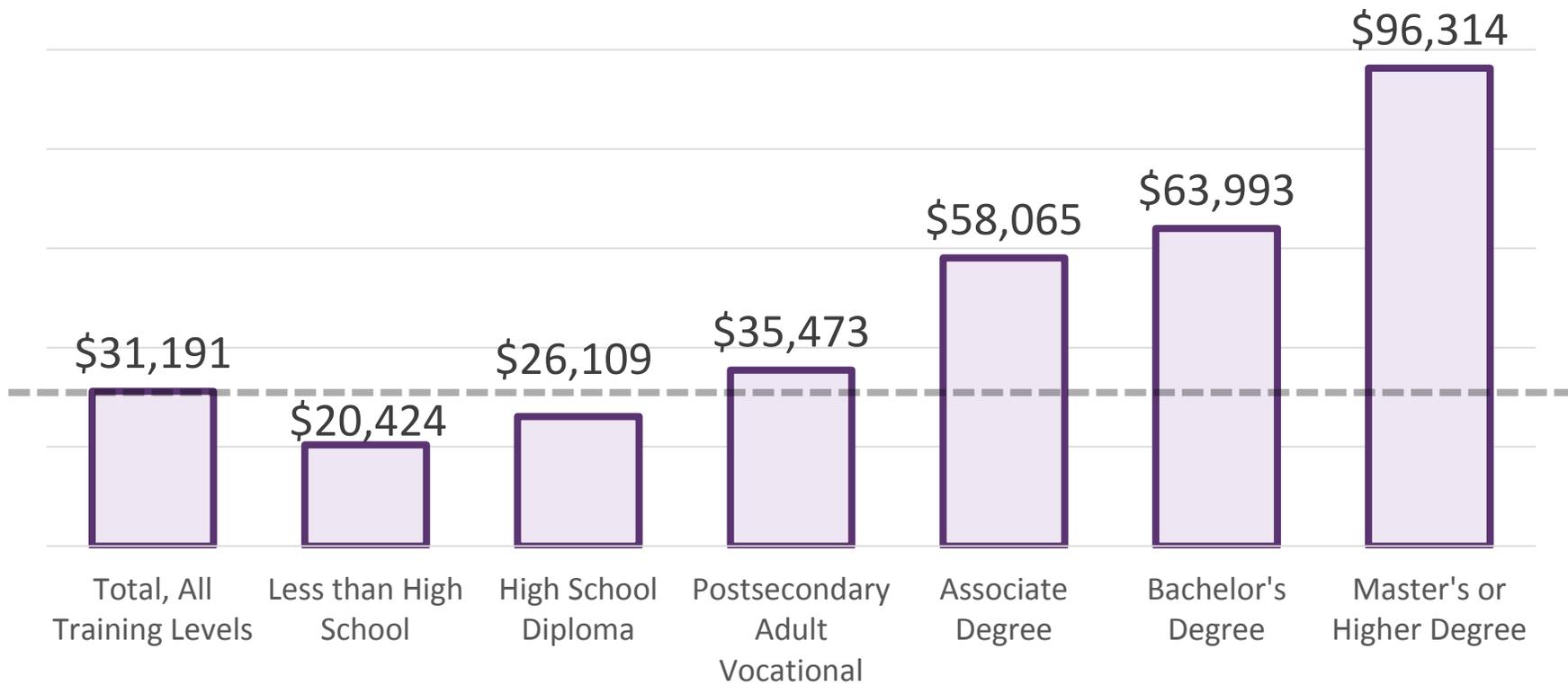


Where are we now?





Economic Opportunities through Education



Source: Florida Department of Economic Opportunity, Bureau of Labor Market Statistics



Overview of today's presentation



Loan Defaults in Florida

Overview of student loan default

Impact of defaulting on students

Overview of Florida loan default data

Best practices in default prevention



Definitions



Default:

Failure to make loan payment within 270 days (9 months) of terms agreed to in promissory note

Consequences of default to students:

1. Lose eligibility for additional federal student aid,
2. Lose eligibility for deferment, forbearance, and repayment plans
3. Loan will be assigned to collection agency
4. Loan will be reported as delinquent to credit bureaus, negatively impacting credit
5. Student loan debt will increase because of late fees, interest, court costs, collection fees and other costs associated with collection
6. Federal taxes may be withheld to collect student loan debt

Definitions



Deferment:

Repayment of loan is temporarily delayed (borrower's discretion)

Forbearance:

Repayment of loan is temporarily delayed (servicer's discretion)

Grace Period:

Period of time after borrower graduates, leaves school or drops below half-time before payments must be paid (typically 6 months)

Repayment:

Borrower is making payments according to agreed upon repayment plan



Definitions



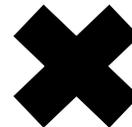
Default Rate:

Borrowers in cohort who
default within cohort default
period

(Numerator)

(Denominator)

Cohort of federal student
loan borrowers who enter
repayment during cohort
fiscal year



100



Cohort
Default Rate
(CDR)



Which default rates matter?

5% or lower

College may disburse loan proceeds in single installment to students studying abroad

15% or lower

May disburse loans in single installment

Three years of 30% or higher

College will lose Direct Loan and Pell Grant program eligibility

Current default rate is 40% or higher

College will lose Direct Loan program eligibility



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Definitions

2009	2010	2011	2012	2013	2014
2009 Cohort Default Period			<p>Data reporting, appeal period</p>		
2009 Cohort	Entered repayment in 2009, defaulted in 2009, 2010, 2011				
2010 Cohort Default Period					
2010 Cohort	Entered repayment in 2010, defaulted in 2010, 2011, 2012				
2011 Cohort Default Period			<p>3 year CDR began in 2012</p>		
2011 Cohort	Entered repayment in 2011, defaulted in 2011, 2012, 2013				
2012 Cohort Default Period					
2012 Cohort	Entered repayment in 2012, defaulted in 2012, 2013, 2014				

Source: studentaid.ed.gov



Recent Trends in Borrowing, Default



	FY 2010	FY 2011	FY 2012	Change
Borrowers				
Florida	184,441	237,995	274,818	49.0%
U.S.	3,908,508	4,624,913	5,076,508	29.9%

	FY 2010	FY 2011	FY 2012	Change
Default				
Florida	27,664	34,873	37,199	34.4%
U.S.	561,341	622,494	593,738	5.8%

	FY 2010	FY 2011	FY 2012	Change
CDR				
Florida	15.0%	14.7%	13.5%	-1.5%
U.S.	14.4%	13.5%	11.7%	-2.7%

Source: ed.gov, calculations by Florida College Access Network



Loan defaults in Florida



During these 3 reporting years, Florida...

Had 90,000 increase in borrowers (2nd most behind CA)

9,500 increase in defaulters (most in U.S.)

1.5% decline in CDR (30th in difference)



Loan defaults in Florida



	2012 Defaulters	2012 Borrowers	2012 CDR
FLORIDA	37,199	274,818	13.5%
Proprietary	10,471	58,786	17.8%
Private, Nonprofit	12,078	94,090	12.8%
Public	14,650	121,942	12.0%

Source: ed.gov, calculations by Florida College Access Network



Loan defaults in Florida

	2012 Defaulters	2012 Borrowers	2012 CDR
FLORIDA	37,199	274,818	13.5%
Private for-profit, 4-year or above	12,323	61,938	19.9%
Public, 2-year	1,520	7,641	19.9%
Private for-profit, less-than 2-year	2,023	10,965	18.4%
Private for-profit, 2-year	3,561	22,541	15.8%
Private not-for-profit, less 2-year	41	300	13.7%
(No sector given)	74	608	12.2%
Public, 4-year or above	13,130	114,301	11.5%
Private not-for-profit, 2-year	59	736	8.0%
Private not-for-profit, 4-year +above	4,468	55,788	8.0%

Source: ed.gov, calculations by Florida College Access Network



Loan defaults in Florida



What influences student loan default?

“The majority of research suggested that completing a postsecondary program is the strongest single predictor of not defaulting regardless of institution type.”

Gross, Cekic, Hossler & Hillman (2010)
Journal of Student Financial Aid





Loan defaults in Florida



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VALENCIA COMMUNITY COLLEGE						
Data Category	Data Sub-Category	Defaulters		Borrowers in Repayment		Default Rate
		# of Defaulters	% of all Defaulters	# of Borrowers	% of all Borrowers	
Total Students	Total number of students	639	100%	3670	100%	17.4%
Pell Grant Recipients	Received Pell Grant	438	69%	2338	64%	18.7%
	Did not receive Pell Grant	201	31%	1332	36%	15.1%
Dependent Status	Dependent students	359	56%	1781	49%	20.2%
	Independent students	280	44%	1889	51%	14.8%
Remediation	Took remedial courses	182	28%	968	26%	18.8%
	No remedial courses	457	72%	2702	74%	16.9%
Credit Completion	Completed at least 15 credits	77	12%	1152	31%	6.7%
	Completed fewer than 15 credits	562	88%	2518	69%	22.3%
Program Completion	Completed program	67	10%	1154	31%	5.8%
	<i>Did not complete</i>	572	90%	2516	69%	22.7%
	Did not complete: left between terms	562	88%	2471	67%	22.7%
	Did not complete: left in middle of term	10	2%	45	1%	22.2%
Timing of Enrollment	Last enrolled prior to 2007-08	258	40%	1315	36%	19.6%
	<i>Enrolled in 2007-08 or later</i>	381	60%	2355	64%	16.2%

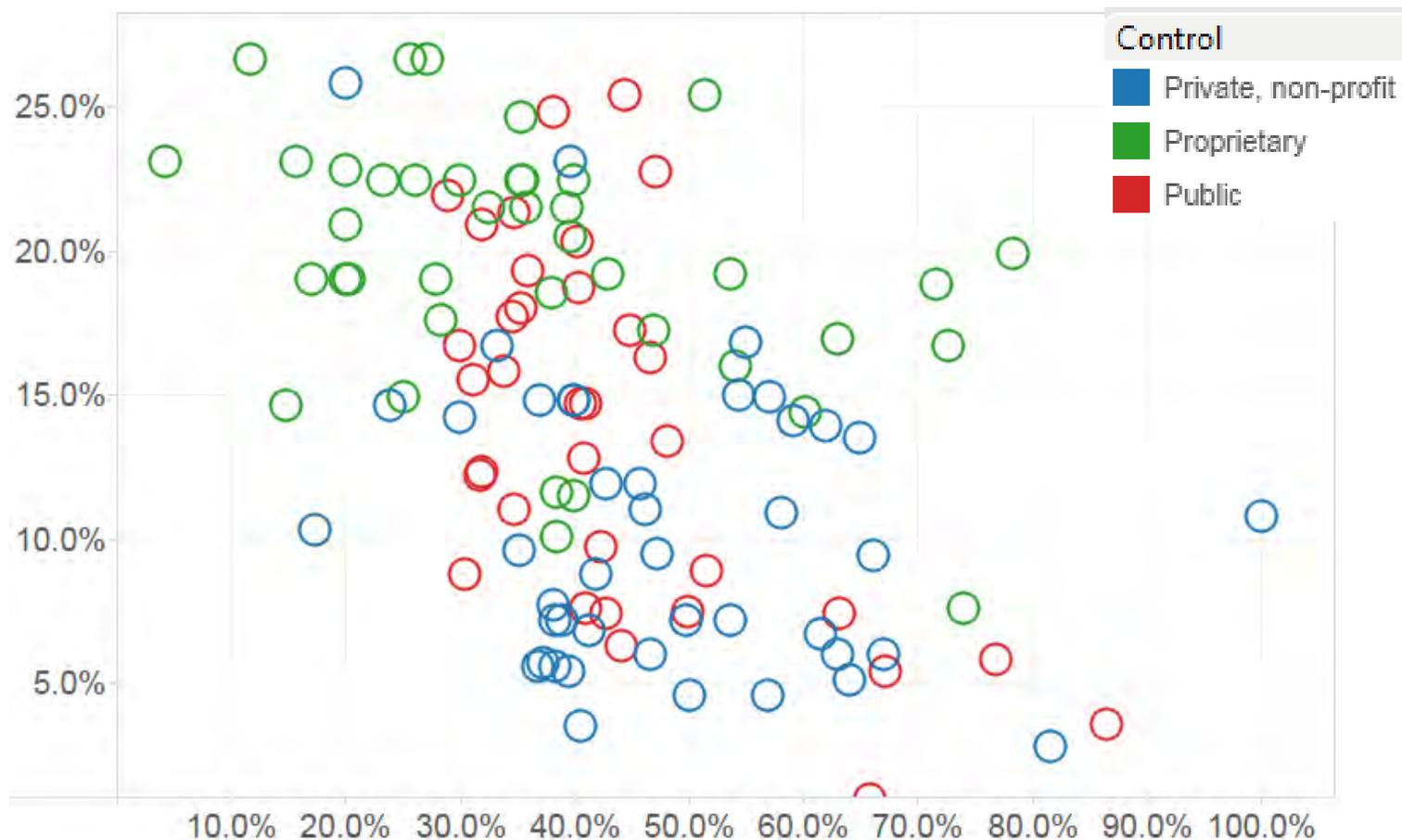
Source: Association of Community College Trustees/TICAS Report (2014)



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Loan defaults in Florida

Loan Default Rates

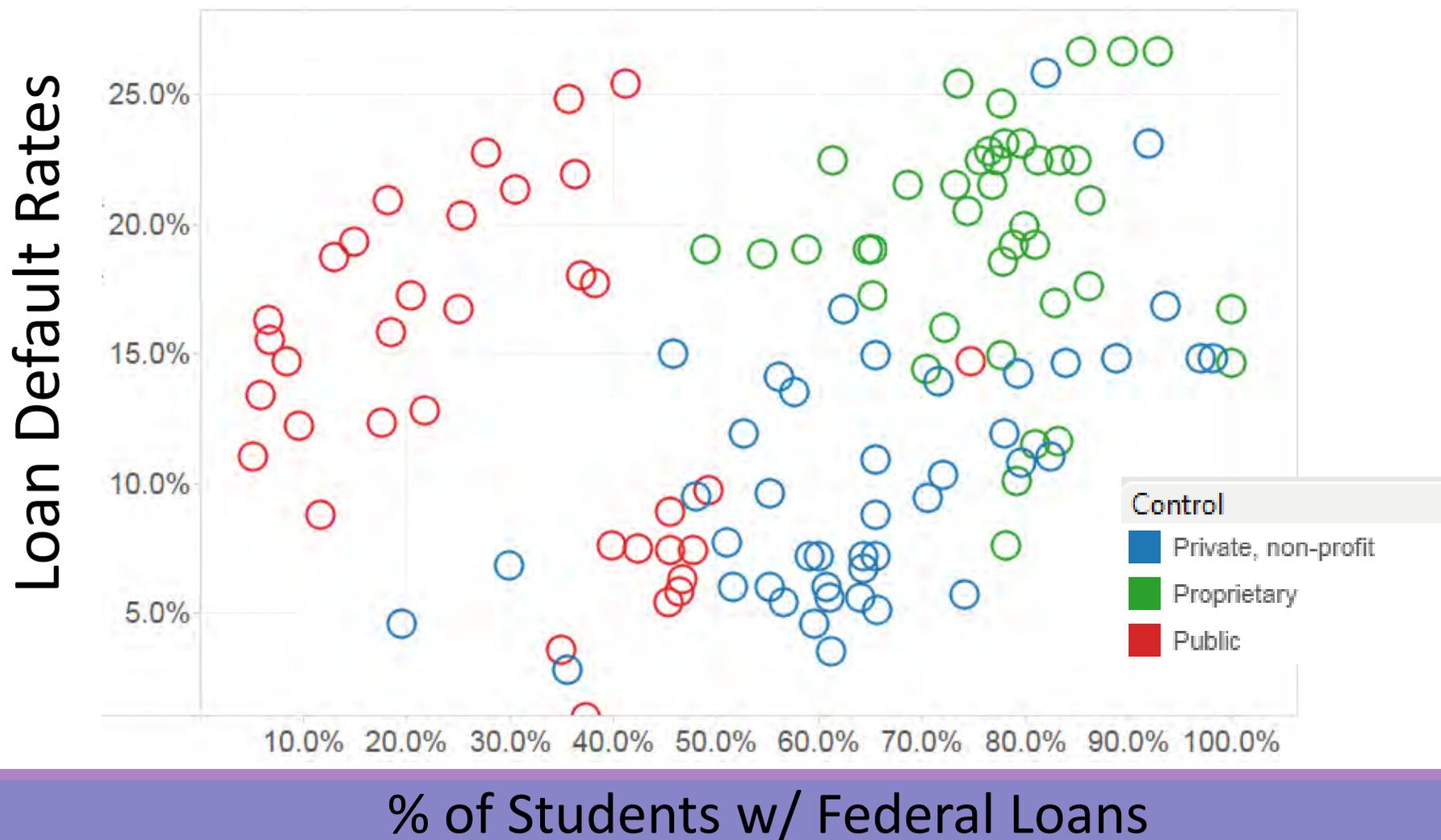


Graduation Rates



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Loan Defaults in Florida





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Loan Defaults in Florida

Loan Default Rates



Debt for Students Who Drop Out

Best Practices in Default Prevention



1. Borrower Communication
2. Financial Literacy for Borrowers
3. Communication Across Campus
4. Timely and Accurate Enrollment Reporting
5. Review NSLDS and School -Based Data
6. Servicer Relationship