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LEGISLATIVE ACTION

Senate

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House

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Senator Galvano moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (6) is added to section 215.61,
Florida Statutes, to read:

215.61 State system of public education capital outlay
bonds.—

(6) Pursuant to s. 9(a)(2), Art. XII of the State
Constitution and s. 203.01(1)(c)2., all revenues collected from
gross receipts taxes are deposited into the Public Education



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12 Capital Outlay and Debt Service Trust Fund. Such revenues
13 deposited into the trust fund are pledged and required to first
14 be used for the payment of principal and interest on bonds
15 secured by gross receipts tax revenues as provided in s.
16 9(a)(2), Art. XII of the State Constitution. The State Board of
17 Education shall at least once per month, from gross receipts tax
18 revenues available in the Public Education Capital Outlay and
19 Debt Service Trust Fund, deposit into a separate account within
20 such trust fund one-sixth of the amount due on the next interest
21 payment date and one-twelfth of the amount due on the next
22 principal payment date for all outstanding bonds secured by a
23 pledge of gross receipts taxes. If there are insufficient funds
24 to make the required deposit, the State Board of Education shall
25 deposit an amount equal to the funds available into the separate
26 account and in the following month, add an amount equal to the
27 previous month's shortfall to the required deposit. The State
28 Board of Education shall transfer funds deposited into the
29 separate account to the State Board of Administration, as the
30 trustee for bondholders, by the 20th day of the month before a
31 principal or interest payment on bonds issued pursuant to s.
32 9(a)(2), Art. XII of the State Constitution is due.

33 Section 2. On or before June 30, 2014, the State Board of
34 Education shall transfer two-sixths of the amount due on the
35 next interest payment date and two-twelfths of the amount due on
36 the next principal payment date for all outstanding bonds issued
37 pursuant to s. 9(a)(2), Art. XII of the State Constitution from
38 cash balances in the Public Education Capital Outlay and Debt
39 Service Trust Fund, to the separate account within the trust
40 fund provided for in s. 215.61(6), Florida Statutes, to be



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41 reserved for the payment of debt service due on the outstanding
42 bonds.

43 Section 3. Subsection (15) of section 1001.03, Florida
44 Statutes, is amended to read:

45 1001.03 Specific powers of State Board of Education.—

46 (15) FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE
47 DEGREE PROGRAMS.—The State Board of Education shall provide for
48 the review and approval of proposals by Florida College System
49 institutions to offer baccalaureate degree programs pursuant to
50 s. 1007.33. A Florida College System institution, as defined in
51 s. 1000.21, that is approved to offer baccalaureate degrees
52 pursuant to s. 1007.33 remains under the authority of the State
53 Board of Education and the Florida College System institution's
54 board of trustees. The State Board of Education may not approve
55 Florida College System institution baccalaureate degree program
56 proposals from March 31, 2014, through May 31, 2015.

57 Section 4. Subsection (4) of section 1007.33, Florida
58 Statutes, is amended to read:

59 1007.33 Site-determined baccalaureate degree access.—

60 (4) A Florida College System institution may:

61 (a) Offer specified baccalaureate degree programs through
62 formal agreements between the Florida College System institution
63 and other regionally accredited postsecondary educational
64 institutions pursuant to s. 1007.22.

65 (b) Offer baccalaureate degree programs that were
66 authorized by law prior to July 1, 2009.

67 (c) Beginning July 1, 2009, establish a first or subsequent
68 baccalaureate degree program for purposes of meeting district,
69 regional, or statewide workforce needs if approved by the State



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70 Board of Education under this section.
71
72 Beginning July 1, 2009, the Board of Trustees of the St.
73 Petersburg College is authorized to establish one or more
74 bachelor of applied science degree programs based on an analysis
75 of workforce needs in Pinellas, Pasco, and Hernando Counties and
76 other counties approved by the Department of Education. For each
77 program selected, St. Petersburg College must offer a related
78 associate in science or associate in applied science degree
79 program, and the baccalaureate degree level program must be
80 designed to articulate fully with at least one associate in
81 science degree program. The college is encouraged to develop
82 articulation agreements for enrollment of graduates of related
83 associate in applied science degree programs. The Board of
84 Trustees of the St. Petersburg College is authorized to
85 establish additional baccalaureate degree programs if it
86 determines a program is warranted and feasible based on each of
87 the factors in paragraph (5)(d). However, the Board of Trustees
88 of the St. Petersburg College may not establish any new
89 baccalaureate degree programs from March 31, 2014, through May
90 31, 2015. Prior to developing or proposing a new baccalaureate
91 degree program, St. Petersburg College shall engage in need,
92 demand, and impact discussions with the state university in its
93 service district and other local and regional, accredited
94 postsecondary providers in its region. Documentation, data, and
95 other information from inter-institutional discussions regarding
96 program need, demand, and impact shall be provided to the
97 college's board of trustees to inform the program approval
98 process. Employment at St. Petersburg College is governed by the



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99 same laws that govern Florida College System institutions,
100 except that upper-division faculty are eligible for continuing
101 contracts upon the completion of the fifth year of teaching.
102 Employee records for all personnel shall be maintained as
103 required by s. 1012.81.

104 Section 5. Paragraph (d) of subsection (3) of section
105 1009.22, Florida Statutes, is amended to read:

106 1009.22 Workforce education postsecondary student fees.—

107 (3)

108 (d) Beginning with the 2008-2009 fiscal year and in the
109 fall semester of each year thereafter, the rate for the tuition
110 and the out-of-state fee per contact hour shall ~~be increase at~~
111 the beginning of each fall semester at a rate equal to
112 inflation, unless otherwise provided in the General
113 Appropriations Act. If the rate is not provided in the General
114 Appropriations Act The Office of Economic and Demographic
115 Research shall report the rate of inflation to the President of
116 the Senate, the Speaker of the House of Representatives, the
117 Governor, and the State Board of Education each year prior to
118 March 1. For purposes of this paragraph, the rate of inflation
119 shall be defined as the rate of the 12-month percentage change
120 in the Consumer Price Index for All Urban Consumers, U.S. City
121 Average, All Items, or successor reports as reported by the
122 United States Department of Labor, Bureau of Labor Statistics,
123 or its successor for December of the previous year. In the event
124 the percentage change is negative, the tuition and out-of-state
125 fee must ~~shall~~ remain at the same level as the prior fiscal
126 year.

127 Section 6. Paragraph (c) of subsection (3) of section



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128 1009.23, Florida Statutes, is amended to read:

129 1009.23 Florida College System institution student fees.-

130 (3)

131 (c) Beginning with the 2008-2009 fiscal year and in the
132 fall semester of each year thereafter, the rate for the tuition
133 and the out-of-state fee shall ~~be increase at the beginning of~~
134 each fall semester at a rate equal to inflation, unless
135 otherwise provided in the General Appropriations Act. If the
136 rate is not provided in the General Appropriations Act ~~The~~
137 ~~Office of Economic and Demographic Research shall report the~~
138 ~~rate of inflation to the President of the Senate, the Speaker of~~
139 ~~the House of Representatives, the Governor, and the State Board~~
140 ~~of Education each year prior to March 1. For purposes of this~~
141 ~~paragraph, the rate of inflation shall be defined as the rate of~~
142 ~~the 12-month percentage change in the Consumer Price Index for~~
143 ~~All Urban Consumers, U.S. City Average, All Items, or successor~~
144 ~~reports as reported by the United States Department of Labor,~~
145 ~~Bureau of Labor Statistics, or its successor for December of the~~
146 ~~previous year. In the event the percentage change is negative,~~
147 the tuition and the out-of-state fee per credit hour must shall
148 remain at the same levels as the prior fiscal year.

149 Section 7. Paragraph (b) of subsection (4) and paragraph
150 (b) of subsection (16) of section 1009.24, Florida Statutes, are
151 amended to read:

152 1009.24 State university student fees.-

153 (4)

154 (b) Beginning with the 2008-2009 fiscal year and in the
155 fall semester of each year thereafter, the rate for the resident
156 undergraduate tuition per credit hour shall ~~be increase at the~~



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157 ~~beginning of each fall semester at a rate equal to inflation,~~
158 ~~unless otherwise~~ provided in the General Appropriations Act. If
159 the rate is not provided in the General Appropriations Act ~~The~~
160 ~~Office of Economic and Demographic Research shall report the~~
161 ~~rate of inflation to the President of the Senate, the Speaker of~~
162 ~~the House of Representatives, the Governor, and the Board of~~
163 ~~Governors each year prior to March 1. For purposes of this~~
164 ~~paragraph, the rate of inflation shall be defined as the rate of~~
165 ~~the 12-month percentage change in the Consumer Price Index for~~
166 ~~All Urban Consumers, U.S. City Average, All Items, or successor~~
167 ~~reports as reported by the United States Department of Labor,~~
168 ~~Bureau of Labor Statistics, or its successor for December of the~~
169 ~~previous year. In the event the percentage change is negative,~~
170 the resident undergraduate tuition must ~~shall~~ remain at the same
171 level as the prior fiscal year.

172 (16) Each university board of trustees may establish a
173 tuition differential for undergraduate courses upon receipt of
174 approval from the Board of Governors. The tuition differential
175 must ~~shall~~ promote improvements in the quality of undergraduate
176 education and shall provide financial aid to undergraduate
177 students who exhibit financial need.

178 (b) Each tuition differential is subject to the following
179 conditions:

180 1. The tuition differential may be assessed on one or more
181 undergraduate courses or on all undergraduate courses at a state
182 university.

183 2. The tuition differential may vary by course or courses,
184 campus or center location, and by institution. Each university
185 board of trustees shall strive to maintain and increase



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186 enrollment in degree programs related to math, science, high
187 technology, and other state or regional high-need fields when
188 establishing tuition differentials by course.

189 3. For each state university that has total research and
190 development expenditures for all fields of at least \$100 million
191 per year as reported annually to the National Science
192 Foundation, the aggregate sum of tuition and the tuition
193 differential may not be increased by more than 6 ~~15~~ percent of
194 the total charged for the aggregate sum of these fees in the
195 preceding fiscal year. For each state university that has total
196 research and development expenditures for all fields of less
197 than \$100 million per year as reported annually to the National
198 Science Foundation, the aggregate sum of tuition and the tuition
199 differential may not be increased by more than 6 ~~15~~ percent of
200 the total charged for the aggregate sum of these fees in the
201 preceding fiscal year.

202 4. The aggregate sum of undergraduate tuition and fees per
203 credit hour, including the tuition differential, may not exceed
204 the national average of undergraduate tuition and fees at 4-year
205 degree-granting public postsecondary educational institutions.

206 5. The tuition differential may ~~shall~~ not be included in
207 any award under the Florida Bright Futures Scholarship Program
208 established pursuant to ss. 1009.53-1009.538.

209 6. Beneficiaries having prepaid tuition contracts pursuant
210 to s. 1009.98(2)(b) which were in effect on July 1, 2007, and
211 which remain in effect, are exempt from the payment of the
212 tuition differential.

213 7. The tuition differential may not be charged to any
214 student who was in attendance at the university before July 1,



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215 2007, and who maintains continuous enrollment.

216 8. The tuition differential may be waived by the university
217 for students who meet the eligibility requirements for the
218 Florida public student assistance grant established in s.
219 1009.50.

220 9. Subject to approval by the Board of Governors, the
221 tuition differential authorized pursuant to this subsection may
222 take effect with the 2009 fall term.

223 Section 8. Subsection (1) and paragraph (a) of subsection
224 (2) of section 1009.55, Florida Statutes, are amended to read:

225 1009.55 Rosewood Family Scholarship Program.—

226 (1) There is created a Rosewood Family Scholarship Program
227 for the direct descendants of the Rosewood families, not to
228 exceed 50 ~~25~~ scholarships per year.

229 (2) The Rosewood Family Scholarship Program shall be
230 administered by the Department of Education. The State Board of
231 Education shall adopt rules for administering this program which
232 shall at a minimum provide for the following:

233 (a) The annual award to a student shall be up to \$6,100
234 ~~\$4,000~~ but should not exceed an amount in excess of tuition and
235 registration fees.

236 Section 9. Section 1009.893, Florida Statutes, is created
237 to read:

238 1009.893 Florida National Merit Scholar Incentive Program.—

239 (1) As used in this section, the term:

240 (a) "Department" means the Department of Education.

241 (b) "Incentive program" means the Florida National Merit
242 Scholar Incentive Program.

243 (2) The Florida National Merit Scholar Incentive Program is



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244 created to reward any Florida high school graduate who receives
245 recognition as a National Merit Scholar or National Achievement
246 Scholar and who initially enrolls in the 2014-2015 academic
247 year, or later, in a degree program, certificate program, or
248 applied technology program at an eligible Florida public or
249 independent postsecondary educational institution.

250 (3) The department shall administer the incentive program
251 according to rules and procedures established by the State Board
252 of Education. The department shall advertise the availability of
253 the incentive program and notify students, teachers, parents,
254 certified school counselors, and principals or other relevant
255 school administrators of the criteria and application
256 procedures.

257 (4) In order to be eligible for an award under the
258 incentive program, a student must:

259 (a) Be a state resident as defined in s. 1009.40 and rules
260 of the State Board of Education.

261 (b) Earn a standard Florida high school diploma or its
262 equivalent pursuant to s. 1003.428, s. 1003.4281, s. 1003.4282,
263 or s. 1003.435 unless:

264 1. The student completes a home education program according
265 to s. 1002.41; or

266 2. The student earns a high school diploma from a non-
267 Florida school while living with a parent or guardian who is on
268 military or public service assignment away from this state.

269 (c) Be accepted by and enroll in a Florida public or
270 independent postsecondary educational institution that meets the
271 eligibility requirements specified in s. 1009.533.

272 (d) Be enrolled for at least 6 semester credit hours or the



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273 equivalent in quarter hours or clock hours.

274 (5) (a) An eligible student who is a National Merit Scholar
275 or National Achievement Scholar and who attends a public
276 postsecondary educational institution must receive an incentive
277 award equal to the institutional cost of attendance minus the
278 sum of the student's Florida Bright Futures Scholarship and
279 National Merit Scholarship or National Achievement Scholarship.

280 (b) An eligible student who is a National Merit Scholar or
281 National Achievement Scholar and who attends an independent
282 postsecondary educational institution must receive an incentive
283 award equal to the highest cost of attendance at a Florida
284 public university, as reported by the Board of Governors of the
285 State University System, minus the sum of the student's Florida
286 Bright Futures Scholarship and National Merit Scholarship or
287 National Achievement Scholarship.

288 (6) (a) To be eligible for a renewal award, a student must
289 meet the renewal requirements for the Florida Bright Futures
290 Scholarship Program set forth in s. 1009.532(1) (a) and for the
291 Florida Academic Scholars award set forth in s. 1009.534(3).

292 (b) A student may receive the incentive award for a maximum
293 of 100 percent of the number of credit hours required to
294 complete an associate degree program or a baccalaureate degree
295 program or receive an award for a maximum of 100 percent of the
296 credit hours or clock hours required to complete up to 90 credit
297 hours of a program that terminates in a career certificate.

298 (7) The department shall annually issue awards from the
299 incentive program. Before the registration period each semester,
300 the department shall transmit payment for each award to the
301 president or director of the postsecondary educational



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302 institution, or his or her representative, except that the
303 department may withhold payment if the receiving institution
304 fails to report or to make refunds to the department as required
305 in this section.

306 (a) Each institution shall certify to the department the
307 eligibility status of each student to receive a disbursement
308 within 30 days before the end of its regular registration
309 period, inclusive of a drop and add period. An institution is
310 not required to reevaluate the student eligibility after the end
311 of the drop and add period.

312 (b) An institution that receives funds from the incentive
313 program must certify to the department the amount of funds
314 disbursed to each student and remit to the department any
315 undisbursed advances within 60 days after the end of regular
316 registration.

317 (c) If funds appropriated are not adequate to provide the
318 maximum allowable award to each eligible student, awards must be
319 prorated using the same percentage reduction.

320 (8) Funds from any award within the incentive program may
321 not be used to pay for remedial coursework or developmental
322 education.

323 (9) A student may use an award for a summer term if funds
324 are available and appropriated by the Legislature.

325 (10) Funds appropriated by the Legislature for the
326 incentive program awards may be deposited into the State Student
327 Financial Assistance Trust Fund. Notwithstanding s. 216.301 and
328 pursuant to s. 216.351, any balance in the trust fund at the end
329 of any fiscal year which has been allocated to the incentive
330 program must remain in the incentive program and shall be



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331 available for carrying out the purposes of this section. The
332 department shall allocate funds to the appropriate institutions
333 and collect and maintain data regarding the incentive program
334 within the student financial assistance database as specified in
335 s. 1009.94.

336 (11) The State Board of Education shall adopt rules
337 necessary to administer this section.

338 (12) Subsection (4) of s. 1009.40 does not apply to awards
339 issued under this section.

340 Section 10. Section 1002.385, Florida Statutes, is created
341 to read:

342 1002.385 Florida Personal Learning Scholarship Accounts.—

343 (1) ESTABLISHMENT OF PROGRAM.—The Florida Personal Learning
344 Scholarship Accounts is established to provide the option for a
345 parent to better meet the individual educational needs of his or
346 her eligible child.

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

348 (a) "Agency" means the Agency for Persons with
349 Disabilities.

350 (b) "Approved provider" means a provider approved by the
351 Agency for Persons with Disabilities, a health care practitioner
352 as defined in s. 456.001(4), or a provider approved by the
353 Department of Education pursuant to s. 1002.66.

354 (c) "Curriculum" means a complete course of study for a
355 particular content area or grade level, including any required
356 supplemental materials.

357 (d) "Disability" means, for a student in kindergarten to
358 grade 12, autism, as defined in s. 393.063(3); cerebral palsy,
359 as defined in s. 393.063(4); Down syndrome, as defined in s.



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360 393.063(13); an intellectual disability, as defined in s.
361 393.063(21); Prader-Willi syndrome, as defined in s.
362 393.063(25); Spina bifida, as defined in s. 393.063(36); for a
363 student in kindergarten, being a high-risk child, as defined in
364 s. 393.063(20)(a); or Williams syndrome.

365 (e) "Eligible postsecondary educational institution" means
366 a Florida College System institution, a state university, a
367 school district technical center, a school district adult
368 general education center, or an accredited nonpublic
369 postsecondary educational institution, as defined in s. 1005.02,
370 which is licensed to operate in the state pursuant to
371 requirements specified in part III of chapter 1005.

372 (f) "Eligible private school" means a private school, as
373 defined in s. 1002.01, which is located in this state, which
374 offers an education to students in any grade from kindergarten
375 to grade 12, and which meets the requirements of:

- 376 1. Sections 1002.42 and 1002.421; and
377 2. A scholarship program under s. 1002.39 or s. 1002.395,
378 as applicable, if the private school participates in a
379 scholarship program under s. 1002.39 or s. 1002.395.

380 (g) "ILSP" means an individual learning services plan that
381 is developed for a student who participates in the program.

382 (h) "Parent" means a resident of this state who is a
383 parent, as defined in s. 1000.21.

384 (i) "Program" means the Florida Personal Learning
385 Scholarship Accounts established in this section.

386 (3) PROGRAM ELIGIBILITY.—A parent of a student with a
387 disability may request and receive from the state a Florida
388 personal learning scholarship account for the purposes specified



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389 in subsection (5) if:

390 (a) The student:

391 1. Is a resident of this state;

392 2. Is eligible to enroll in kindergarten through grade 12
393 in a public school in this state;

394 3. Has a disability as defined in paragraph (2)(d) and
395 meets the agency's eligibility criteria;

396 4. Has an ILSP developed by the agency in consultation with
397 the parent and written in accordance with rules of the Agency
398 for Persons with Disabilities; and

399 5. Complies with regular school attendance pursuant to s.
400 1003.01(13); and

401 (b) The parent has applied to the agency to participate in
402 the program by February 1 prior to the school year in which the
403 student will participate or an alternate date adopted by the
404 agency in rule for any vacant, funded slots. The request must be
405 communicated directly to the agency in a manner that creates a
406 written or electronic record of the request and the date of
407 receipt of the request. The agency must notify the school
408 district and the Department of Education of the parent's intent
409 upon receipt of the parent's request.

410 (4) PROGRAM PROHIBITIONS.—A student is not eligible for the
411 program if:

412 (a) The student or student's parent has accepted any
413 payment, refund, or rebate, in any manner, from a provider of
414 any services received pursuant to subsection (5);

415 (b) The student's participation in the program has been
416 denied or revoked by the executive director of the Agency for
417 Persons with Disabilities pursuant to subsection (10); or



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418 (c) The student's parent has forfeited participation in the
419 program for failure to comply with requirements pursuant to
420 subsection (11).

421 (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds may be
422 spent for the following purposes, according to the goals and
423 objectives identified in the student's ILSP:

424 (a) Instructional materials, including digital devices,
425 digital periphery devices, and assistive technology devices that
426 allow a student to access instruction or instructional content.

427 (b) Curriculum as defined in paragraph (2)(c).

428 (c) Specialized services by approved providers that are
429 selected by the parent and specified in the student's ILSP.
430 These specialized services may include, but are not limited to:

431 1. Applied behavior analysis services as provided in ss.
432 627.6686 and 641.31098.

433 2. Services provided by speech-language pathologists as
434 defined in s. 468.1125.

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

436 4. Services provided by physical therapists as defined in
437 s. 486.021.

438 5. Services provided by listening and spoken language
439 specialists and an appropriate acoustical environment for a
440 child who is deaf or hard of hearing and who has received an
441 implant or assistive hearing device.

442 (d) Enrollment in, or tuition or fees associated with
443 enrollment in, an eligible private school, an eligible
444 postsecondary educational institution, a private tutoring
445 program authorized under s. 1002.43, a virtual program offered
446 by a department-approved private online provider that meets the



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447 provider qualifications specified in s. 1002.45(2)(a), or an
448 approved online course offered pursuant to s. 1003.499 or s.
449 1004.0961.

450 (e) Fees for nationally standardized, norm-referenced
451 achievement tests, Advanced Placement examinations, industry
452 certification examinations, assessments related to postsecondary
453 education, or other assessments specified in the student's ILSP.

454 (f) Contributions to a Coverdell education savings
455 established pursuant to 26 U.S.C. s. 530 of the Internal Revenue
456 Code for the benefit of the eligible student.

457 (g) Contributions to the Stanley G. Tate Florida Prepaid
458 College Program pursuant to s. 1009.98, for the benefit of the
459 eligible student.

460 (h) Contracted services provided by a public school or
461 school district, including classes for the services specified in
462 the ILSP or additional services. A student who receives services
463 under a contract under this paragraph shall not be considered to
464 be enrolled in a public school for eligibility purposes as
465 specified in subsection (3).

466
467 A specialized service provider, eligible private school,
468 eligible postsecondary educational institution, private tutoring
469 program provider, online or virtual program provider, public
470 school, school district, or other entity receiving payments
471 pursuant to this subsection may not share, refund, or rebate any
472 moneys from a Florida personal learning scholarship account with
473 the parent or participating student in any manner.

474 (6) TERM OF THE PROGRAM.—For purposes of continuity of
475 educational choice, the program payments made under this section



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476 shall remain in force until a student participating in the
477 program participates in any of the prohibited activities
478 specified in subsection (4), has funds revoked by the agency
479 pursuant to subsection (10), graduates from high school, or
480 reaches 22 years of age, whichever occurs first.

481 (7) SCHOOL DISTRICT OBLIGATIONS.—The school district
482 retains all current duties, authority, and responsibilities as
483 specified in the Florida K-20 Education Code.

484 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
485 shall:

486 (a) Maintain a list of eligible private schools as defined
487 in paragraph (2)(f) and private tutoring programs pursuant to s.
488 1002.43.

489 (b) Compare the list of students participating in the
490 program with the public school enrollment lists before each
491 program payment to avoid duplicate payments.

492
493 The department retains all current duties, authority, and
494 responsibilities as specified in the Florida K-20 Education
495 Code.

496 (9) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—
497 The Commissioner of Education retains all current duties,
498 authority, and responsibilities as specified in the Florida K-20
499 Education Code.

500 (10) AUTHORITY AND OBLIGATIONS OF THE EXECUTIVE DIRECTOR OF
501 THE AGENCY FOR PERSONS WITH DISABILITIES.—

502 (a) The executive director:

503 1. Shall deny, suspend, or revoke a student's participation
504 in the program if the health, safety, or welfare of the student



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505 is threatened or fraud is suspected.

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

509 3. May deny, suspend, or revoke an authorized use of
510 program funds for material failure to comply with this section
511 and applicable agency rules if the noncompliance is correctable
512 within a reasonable period of time. Otherwise, the executive
513 director shall deny, suspend, or revoke an authorized use for
514 failure to materially comply with the law and rules adopted
515 under this section.

516 4. Shall require compliance by the appropriate party by a
517 date certain for all nonmaterial failures to comply with this
518 section and applicable agency rules. The executive director may
519 deny, suspend, or revoke program participation under this
520 section thereafter.

521 (b) In determining whether to deny, suspend, or revoke in
522 accordance with this subsection, the executive director may
523 consider factors that include, but are not limited to, acts or
524 omissions by a participating entity which led to a previous
525 denial or revocation of participation in an education
526 scholarship program under this chapter; failure to reimburse the
527 agency for program funds improperly received or retained by the
528 entity; imposition of a prior criminal sanction related to the
529 entity or its officers or employees; imposition of a civil fine
530 or administrative fine, license revocation or suspension, or
531 program eligibility suspension, termination, or revocation
532 related to an entity's management or operation; or other types
533 of criminal proceedings in which the entity or its officers or



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534 employees were found guilty of, regardless of adjudication, or
535 entered a plea of nolo contendere or guilty to, any offense
536 involving fraud, deceit, dishonesty, or moral turpitude.

537 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
538 PARTICIPATION.—A parent who applies for program participation
539 under this section is exercising his or her parental option to
540 determine the appropriate placement or services that best meet
541 the needs of his or her student. To enroll an eligible student
542 in the program, the parent must sign an agreement with the
543 agency and annually submit a notarized, sworn compliance
544 statement to the agency to:

545 (a) Affirm that the student is enrolled in a school or
546 program that meets minimum student attendance requirements as
547 provided in s. 1003.21.

548 (b) Comply with the ILSP and use the program funds only for
549 authorized purposes to meet the student's goals and objectives
550 in the ILSP as described in subsection (2).

551 (c) Provide for an appropriate assessment that documents
552 the student's demonstration of educational progress at a level
553 commensurate with her or his ability, in accordance with the
554 requirements for the academic program selected by the parent who
555 enrolls the student in a private school pursuant to paragraph
556 (2) (f), a home education program pursuant to s. 1002.41, or a
557 scholarship program pursuant to s. 1002.39 or s. 1002.395.

558 (d) Affirm that the student takes all appropriate
559 assessments as specified in the student's ILSP. The parent is
560 responsible for transporting the student to the assessment site
561 designated by the school district if the parent selects a
562 statewide, standardized assessment pursuant to s. 1008.22.



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563 (e) Notify the school district that the student is
564 participating in the program if the parent chooses to enroll the
565 student in an eligible private school pursuant to paragraph
566 (2)(g), a home education program pursuant to s. 1002.41, a
567 scholarship program pursuant to this chapter, or a private
568 tutoring program authorized under s. 1002.43.

569 (f) Request participation in the program at least 60 days
570 before the date of the first program payment.

571 (g) Affirm that the student remains in good standing with
572 the provider or school if those options are selected by the
573 parent.

574 (h) Apply for admission of his or her child if the private
575 school option is selected by the parent.

576 (i) Annually renew participation in the program.

577 (j) Be responsible for the payment of all eligible expenses
578 in excess of the amount of the personal learning scholarship
579 account.

580 (k) Affirm that the parent will not transfer any college
581 savings funds to another beneficiary.

582 (l) Affirm that the parent will not take possession of any
583 funding contributed by the state.

584 (m) Maintain a portfolio of records and materials which
585 must be preserved by the parent for 2 years and be made
586 available for inspection by the district school superintendent
587 or the superintendent's designee upon 15 days' written notice.
588 This paragraph does not require the superintendent to inspect
589 the portfolio. The portfolio of records and materials consists
590 of:

591 1. A log of educational instruction and services which is



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592 made contemporaneously with delivery of the instruction and
593 services and which designates by title any reading materials
594 used; and

595 2. Samples of any writings, worksheets, workbooks, or
596 creative materials used or developed by the student.

597
598 A parent who fails to comply with this subsection forfeits the
599 personal learning scholarship account.

600 (12) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An
601 eligible private school as defined in paragraph (2)(f) must:

602 (a) Comply with all requirements for private schools in ss.
603 1002.42 and 1002.421. A private school participating in a
604 scholarship program under s. 1002.39 or s. 1002.395 must also
605 comply with the requirements of that scholarship program.

606 (b) Provide to the agency, upon request, all documentation
607 required for the student's participation, including the private
608 school's and student's fee schedules.

609 (c) Be academically accountable to the parent for meeting
610 the educational needs of the student.

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

614
615 The inability of a private school to meet the requirements of
616 this subsection shall constitute a basis for the ineligibility
617 of the private school to participate in the scholarship program
618 as determined by the Department of Education.

619 (13) AGENCY FOR PERSONS WITH DISABILITIES OBLIGATIONS.—

620 (a) The agency shall:



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- 621 1. Monitor and provide oversight for the program.
- 622 2. Receive applications and determine student eligibility
623 in accordance with the requirements of this section. The agency
624 must notify the Department of Education of the applicants for
625 the program by February 1 prior to the school year in which the
626 student intends to participate and indicate how the student will
627 comply with regular school attendance pursuant to ss.
628 1003.01(13) and 1003.23.
- 629 3. Notify parents of their receipt of a scholarship on a
630 first-come, first-served basis based upon the funds provided for
631 this program in the General Appropriations Act.
- 632 4. Establish a date by which a parent must confirm initial
633 or continuing participation in the program and confirm the
634 establishment or continuance of a personal learning scholarship
635 account.
- 636 5. Establish a date and process by which students on the
637 wait list or late-filing applicants may be allowed to
638 participate in the program during the school year, within the
639 amount of funds provided for this program in the General
640 Appropriations Act.
- 641 6. Develop an ILSP, in consultation with the parent, which
642 documents the following:
- 643 a. That the student has an eligible disability.
- 644 b. Learning goals and objectives for the student which are
645 linked directly to how program funds will be spent for
646 authorized services.
- 647 c. How attendance requirements in s. 1003.21 will be met.
- 648 d. How progress towards meeting the individual learning
649 goals and objectives will be assessed and documented for



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650 purposes of continued participation in the program.

651 7. Assign a level of services category for each student
652 that documents the nature and intensity of services that the
653 student will need to meet the learning outcomes specified in his
654 or her ILSP. The level of services determines the amount of the
655 award for the student.

656 8. Receive an administrative fee of up to 10 percent from
657 the appropriation to operate the Florida Personal Learning
658 Scholarship Accounts.

659 9. Establish and maintain a separate account for each
660 eligible student.

661 10. Establish and maintain a list of approved providers
662 pursuant to paragraph (2) (b) .

663 11. Verify eligible expenditures prior to the distribution
664 of funds for any expenditures made pursuant to paragraphs (5) (a)
665 and (b). The review of expenditures for services in paragraphs
666 (5) (c) through (h) may be completed after the payment has been
667 made.

668 12. Develop a system for payment of benefits by electronic
669 funds transfer, including, but not limited to, debit cards,
670 electronic payment cards, or any other means of electronic
671 payment that the agency deems to be commercially viable or cost-
672 effective. Commodities or services related to the development of
673 such a system shall be procured by competitive solicitation
674 unless they are purchased from a state term contract pursuant to
675 s. 287.056.

676 (b) The agency may contract for services.

677 (14) FUNDING AND PAYMENT.—

678 (a) Funding for the Florida Personal Learning Scholarship



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679 Accounts shall be provided in the General Appropriations Act
680 which shall specify the annual amount per service level for
681 public school students, private school students, home education
682 students, students receiving a scholarship pursuant to s.
683 1002.39 or s. 1002.395, and students participating in a private
684 tutoring program.

685 (b) Upon an eligible student's graduation from an eligible
686 postsecondary educational institution or after any period of 4
687 consecutive years after high school graduation in which the
688 student is not enrolled in an eligible postsecondary educational
689 institution, the student's personal learning scholarship account
690 shall be closed, and any remaining funds shall revert to the
691 state.

692 (c) Moneys received pursuant to this section do not
693 constitute taxable income to the parent of an eligible student.

694 (15) OBLIGATIONS OF THE AUDITOR GENERAL.—The Auditor
695 General shall conduct an annual financial and operational audit
696 of accounts and records of the Florida Personal Learning
697 Scholarship Accounts. As a part of this audit, the Auditor
698 General shall verify, at a minimum, the total amount of students
699 served and eligibility of reimbursement made by the agency and
700 transmit that information to the agency.

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

703 (17) SCOPE OF AUTHORITY.—This section does not expand the
704 regulatory authority of this state, its officers, or any school
705 district to impose additional regulation on participating
706 private schools, nonpublic postsecondary educational
707 institutions, and private providers beyond those reasonably



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708 necessary to enforce requirements expressly set forth in this
709 section.

710 (18) RULES.—The Agency for Persons with Disabilities shall
711 adopt rules pursuant to ss. 120.536(1) and 120.54 to administer
712 this section.

713 (19) IMPLEMENTATION SCHEDULE FOR THE 2014-2015 SCHOOL
714 YEAR.—

715 (a) The Agency for Persons with Disabilities shall, in
716 consultation with an advisory work group, develop an ILSP,
717 levels of services requirements, a system for payment of claims
718 and providers, and a system to document and assess progress
719 toward meeting the individual learning goals and objectives in
720 the ILSP. The advisory work group shall make specific
721 recommendations by October 1, 2014, to the agency. The agency
722 shall adopt rules to implement the recommendations of the
723 advisory group by December 31, 2014. The Commissioner of
724 Education, the executive director of the agency, the Chancellor
725 of the State University System, and the director of the Division
726 of Vocational Rehabilitation shall appoint staff to work on the
727 advisory group with representatives from the Center for Autism
728 and Related Disabilities (CARD) and the Florida Diagnostic and
729 Learning Resources System (FDLRS).

730 (b) Notwithstanding the provisions of this section related
731 to notification and eligibility timelines, the agency may enroll
732 parents in a statewide pilot program on a rolling schedule on a
733 first-come, first-served basis, no later than January 31, 2015,
734 within the amount of funds provided in the General
735 Appropriations Act.

736 (c) There is hereby appropriated for the 2014-2015 fiscal



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737 year to the Agency for Persons with Disabilities a sum of
738 \$18,400,000 from the Operations and Maintenance Trust Fund for
739 the implementation of the Personal Learning Scholarship Accounts
740 Program. From these funds, \$1,500,000 shall be allocated to the
741 Agency for Persons with Disabilities for startup costs for
742 planning and implementation of the pilot program. For the pilot
743 program in the 2014-2015 fiscal year, the agency shall provide
744 awards for eligible students which range from \$5,000 to \$19,000
745 per recipient and shall be based on service levels established
746 by the agency. Public school students and students who receive a
747 scholarship pursuant to ss. 1002.39 and 1002.395 shall receive
748 50 percent of the designated amount for the student's service
749 level.

750 Section 11. Present subsection (10) of section 1003.4282,
751 Florida Statutes, is renumbered as subsection (11), and a new
752 subsection (10) is added to that section, to read:

753 1003.4282 Requirements for a standard high school diploma.—

754 (10) STUDENTS WITH DISABILITIES.—Beginning with students
755 entering grade 9 in the 2014-2015 school year, this subsection
756 applies to a student with a disability for whom the IEP team has
757 determined that the Florida Alternate Assessment is the most
758 appropriate measure of the student's skills.

759 (a) A parent of the student with a disability shall, in
760 collaboration with the individual education plan team pursuant
761 to s. 1003.5716, declare an intent for the student to graduate
762 from high school with either a standard high school diploma or a
763 certificate of completion. A student with a disability who does
764 not satisfy the standard high school diploma requirements
765 pursuant to this section shall be awarded a certificate of



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766 completion.

767 (b) The following options, in addition to the other options
768 specified in this section, may be used to satisfy the standard
769 high school diploma requirements, as specified in the student's
770 individual education plan:

771 1. A combination of course substitutions, assessments,
772 industry certifications, and other acceleration options
773 appropriate to the student's unique skills and abilities that
774 meet the criteria established by State Board of Education rule.

775 2. A portfolio of quantifiable evidence that documents a
776 student's mastery of academic standards through rigorous metrics
777 established by State Board of Education rule. A portfolio may
778 include, but is not limited to, documentation of work
779 experience, internships, community service, and postsecondary
780 credit.

781 (c) A student with a disability who meets the standard high
782 school diploma requirements in this section may defer the
783 receipt of a standard high school diploma if the student:

784 1. Has an individual education plan that prescribes special
785 education, transition planning, transition services, or related
786 services through age 21; and

787 2. Is enrolled in accelerated college credit instruction
788 pursuant to s. 1007.27, industry certification courses that lead
789 to college credit, a collegiate high school program, courses
790 necessary to satisfy the Scholar designation requirements, or a
791 structured work-study, internship, or preapprenticeship program.

792 (d) A student with a disability who receives a certificate
793 of completion and has an individual education plan that
794 prescribes special education, transition planning, transition



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795 services, or related services through 21 years of age may
796 continue to receive the specified instruction and services.

797 (e) Any waiver of the statewide, standardized assessment
798 requirements by the individual education plan team, pursuant to
799 s. 1008.22(3)(c), must be approved by the parent and is subject
800 to verification for appropriateness by an independent reviewer
801 selected by the parent as provided for in s. 1003.572.

802 Section 12. Effective July 1, 2015, section 1003.438,
803 Florida Statutes, is repealed.

804 Section 13. Section 1003.5716, Florida Statutes, is created
805 to read:

806 1003.5716 Transition to postsecondary education and career
807 opportunities.—All students with disabilities who are 3 years of
808 age to 21 years of age have the right to a free, appropriate
809 public education. As used in this section, the term "IEP" means
810 individual education plan.

811 (1) To ensure quality planning for a successful transition
812 of a student with a disability to postsecondary education and
813 career opportunities, an IEP team shall begin the process of,
814 and develop an IEP for, identifying the need for transition
815 services before the student with a disability attains the age of
816 14 years in order for his or her postsecondary goals and career
817 goals to be identified and in place when he or she attains the
818 age of 16 years. This process must include, but is not limited
819 to:

820 (a) Consideration of the student's need for instruction in
821 the area of self-determination and self-advocacy to assist the
822 student's active and effective participation in an IEP meeting;
823 and



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824 (b) Preparation for the student to graduate from high
825 school with a standard high school diploma pursuant to s.
826 1003.4282 with a Scholar designation unless the parent chooses a
827 Merit designation.

828 (2) Beginning not later than the first IEP to be in effect
829 when the student turns 16, or younger, if determined appropriate
830 by the parent and the IEP team, the IEP must include the
831 following statements that must be updated annually:

832 (a) A statement of intent to pursue a standard high school
833 diploma and a Scholar or Merit designation, pursuant to s.
834 1003.4285, as determined by the parent.

835 (b) A statement of intent to receive a standard high school
836 diploma before the student reaches the age of 22 and a
837 description of how the student will fully meet the requirements
838 in s. 1003.428 or s. 1003.4282, as applicable, including, but
839 not limited to, a portfolio pursuant to s. 1003.4282(10)(b) that
840 meets the criteria specified in State Board of Education rule.
841 The IEP must also specify the outcomes and additional benefits
842 expected by the parent and the IEP team at the time of the
843 student's graduation.

844 (c) A statement of appropriate measurable long-term
845 postsecondary education and career goals based upon age-
846 appropriate transition assessments related to training,
847 education, employment, and, if appropriate, independent living
848 skills and the transition services, including courses of study
849 needed to assist the student in reaching those goals.

850 (3) Any change in the IEP for the goals specified in
851 subsection (2) must be approved by the parent and is subject to
852 verification for appropriateness by an independent reviewer



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853 selected by the parent as provided in s. 1003.572.

854 (4) If a participating agency responsible for transition
855 services, other than the school district, fails to provide the
856 transition services described in the IEP, the school district
857 shall reconvene the IEP team to identify alternative strategies
858 to meet the transition objectives for the student that are
859 specified in the IEP. However, this does not relieve any
860 participating agency of the responsibility to provide or pay for
861 any transition service that the agency would otherwise provide
862 to students with disabilities who meet the eligibility criteria
863 of that agency.

864 Section 14. Subsection (3) of section 1003.572, Florida
865 Statutes, is amended to read:

866 1003.572 Collaboration of public and private instructional
867 personnel.—

868 (3) Private instructional personnel who are hired or
869 contracted by parents to collaborate with public instructional
870 personnel must be permitted to observe the student in the
871 educational setting, collaborate with instructional personnel in
872 the educational setting, and provide services in the educational
873 setting according to the following requirements:

874 (a) The student's public instructional personnel and
875 principal consent to the time and place.

876 (b) The private instructional personnel satisfy the
877 requirements of s. 1012.32 or s. 1012.321.

878
879 For the purpose of implementing this subsection, a school
880 district may not impose any requirements beyond those
881 requirements specified in this subsection or charge any fees.



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882 Section 15. Section 1008.2121, Florida Statutes, is created
883 to read:

884 1008.2121 Students with severe cognitive or physical
885 disabilities; permanent exemption.—Based on information that a
886 reasonably prudent person would rely upon, including, but not
887 limited to, facts contained within an individual education plan
888 under s. 1008.212, documentation from an appropriate health care
889 provider, or certification from the district school board
890 superintendent, the Commissioner of Education shall
891 perfunctorily grant a permanent exemption to a student who
892 suffers from such a severe cognitive disability or physical
893 disability that the student permanently lacks the capacity to
894 take statewide, standardized assessments. The State Board of
895 Education shall adopt rules to administer this section,
896 including, but not limited to, expediting the exemption process
897 to demonstrate the utmost compassion and consideration for
898 meeting the parent's and student's needs.

899 Section 16. Paragraph (c) of subsection (5) and paragraph
900 (b) of subsection (6) of section 1008.25, Florida Statutes, are
901 amended to read:

902 1008.25 Public school student progression; remedial
903 instruction; reporting requirements.—

904 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

905 (c) The parent of any student who exhibits a substantial
906 deficiency in reading, as described in paragraph (a), must be
907 notified in writing of the following:

908 1. That his or her child has been identified as having a
909 substantial deficiency in reading.

910 2. A description of the current services that are provided



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911 to the child.

912 3. A description of the proposed supplemental instructional
913 services and supports that will be provided to the child that
914 are designed to remediate the identified area of reading
915 deficiency.

916 4. That if the child's reading deficiency is not remediated
917 by the end of grade 3, the child must be retained unless he or
918 she is exempt from mandatory retention for good cause.

919 5. Strategies for parents to use in helping their child
920 succeed in reading proficiency.

921 6. That the Florida Comprehensive Assessment Test (FCAT) is
922 not the sole determiner of promotion and that additional
923 evaluations, portfolio reviews, and assessments are available to
924 the child to assist parents and the school district in knowing
925 when a child is reading at or above grade level and ready for
926 grade promotion.

927 7. The district's specific criteria and policies for a
928 portfolio as provided in subparagraph (6)(b)4. and the evidence
929 required for a student to demonstrate mastery of Florida's
930 academic standards for English Language Arts. A parent of a
931 student in grade 3 who is identified anytime during the year as
932 being at risk of retention may request that the school
933 immediately begin collecting evidence for a portfolio.

934 ~~8.7.~~ The district's specific criteria and policies for
935 midyear promotion. Midyear promotion means promotion of a
936 retained student at any time during the year of retention once
937 the student has demonstrated ability to read at grade level.

938 (6) ELIMINATION OF SOCIAL PROMOTION.—

939 (b) The district school board may only exempt students from



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940 mandatory retention, as provided in paragraph (5)(b), for good
941 cause. A student who is promoted to grade 4 with a good cause
942 exemption shall be provided intensive reading instruction and
943 intervention that include specialized diagnostic information and
944 specific reading strategies to meet the needs of each student so
945 promoted. The school district shall assist schools and teachers
946 with the implementation of reading strategies for students
947 promoted with a good cause exemption which research has shown to
948 be successful in improving reading among students that have
949 reading difficulties. Good cause exemptions shall be limited to
950 the following:

951 1. Limited English proficient students who have had less
952 than 2 years of instruction in an English for Speakers of Other
953 Languages program.

954 2. Students with disabilities whose individual education
955 plan indicates that participation in the statewide assessment
956 program is not appropriate, consistent with the requirements of
957 State Board of Education rule.

958 3. Students who demonstrate an acceptable level of
959 performance on an alternative standardized reading or English
960 Language Arts assessment approved by the State Board of
961 Education.

962 4. A student who demonstrates through a student portfolio
963 that he or she is performing at least at Level 2 on FCAT Reading
964 or the common core English Language Arts assessment, as
965 applicable under s. 1008.22.

966 5. Students with disabilities who participate in FCAT
967 Reading or the common core English Language Arts assessment, as
968 applicable under s. 1008.22, and who have an individual



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969 education plan or a Section 504 plan that reflects that the
970 student has received intensive remediation in reading and
971 English Language Arts for more than 2 years but still
972 demonstrates a deficiency and was previously retained in
973 kindergarten, grade 1, grade 2, or grade 3.

974 6. Students who have received intensive reading
975 intervention for 2 or more years but still demonstrate a
976 deficiency in reading and who were previously retained in
977 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
978 years. A student may not be retained more than once in grade 3.

979 ~~7.6.~~ Students who have received intensive remediation in
980 reading and English Language Arts, as applicable under s.
981 1008.22, for 2 or more years but still demonstrate a deficiency
982 and who were previously retained in kindergarten, grade 1, grade
983 2, or grade 3 for a total of 2 years. Intensive instruction for
984 students so promoted must include an altered instructional day
985 that includes specialized diagnostic information and specific
986 reading strategies for each student. The district school board
987 shall assist schools and teachers to implement reading
988 strategies that research has shown to be successful in improving
989 reading among low-performing readers.

990 Section 17. Effective July 1, 2015, paragraph (c) of
991 subsection (1) of section 120.81, Florida Statutes, is amended
992 to read:

993 120.81 Exceptions and special requirements; general areas.—

994 (1) EDUCATIONAL UNITS.—

995 (c) Notwithstanding s. 120.52(16), any tests, test scoring
996 criteria, or testing procedures relating to student assessment
997 which are developed or administered by the Department of



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998 Education pursuant to s. 1003.428, s. 1003.429, ~~s. 1003.438~~, s.
999 1008.22, or s. 1008.25, or any other statewide educational tests
1000 required by law, are not rules.

1001 Section 18. Effective July 1, 2015, paragraph (a) of
1002 subsection (2) of section 409.1451, Florida Statutes, is amended
1003 to read:

1004 409.1451 The Road-to-Independence Program.—

1005 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

1006 (a) A young adult is eligible for services and support
1007 under this subsection if he or she:

1008 1. Was living in licensed care on his or her 18th birthday
1009 or is currently living in licensed care; or was at least 16
1010 years of age and was adopted from foster care or placed with a
1011 court-approved dependency guardian after spending at least 6
1012 months in licensed care within the 12 months immediately
1013 preceding such placement or adoption;

1014 2. Spent at least 6 months in licensed care before reaching
1015 his or her 18th birthday;

1016 3. Earned a standard high school diploma or its equivalent
1017 pursuant to s. 1003.428, s. 1003.4281, s. 1003.429, or s.
1018 1003.435, ~~or s. 1003.438~~;

1019 4. Has been admitted for enrollment as a full-time student
1020 or its equivalent in an eligible postsecondary educational
1021 institution as provided in s. 1009.533. For purposes of this
1022 section, the term "full-time" means 9 credit hours or the
1023 vocational school equivalent. A student may enroll part-time if
1024 he or she has a recognized disability or is faced with another
1025 challenge or circumstance that would prevent full-time
1026 attendance. A student needing to enroll part-time for any reason



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1027 other than having a recognized disability must get approval from
1028 his or her academic advisor;

1029 5. Has reached 18 years of age but is not yet 23 years of
1030 age;

1031 6. Has applied, with assistance from the young adult's
1032 caregiver and the community-based lead agency, for any other
1033 grants and scholarships for which he or she may qualify;

1034 7. Submitted a Free Application for Federal Student Aid
1035 which is complete and error free; and

1036 8. Signed an agreement to allow the department and the
1037 community-based care lead agency access to school records.

1038 Section 19. Effective July 1, 2015, subsection (4) of
1039 section 1007.263, Florida Statutes, is amended to read:

1040 1007.263 Florida College System institutions; admissions of
1041 students.—Each Florida College System institution board of
1042 trustees is authorized to adopt rules governing admissions of
1043 students subject to this section and rules of the State Board of
1044 Education. These rules shall include the following:

1045 (4) A student who has been awarded ~~a special diploma as~~
1046 ~~defined in s. 1003.438~~ or a certificate of completion as defined
1047 in s. 1003.428(7)(b) is eligible to enroll in certificate career
1048 education programs.

1049
1050 Each board of trustees shall establish policies that notify
1051 students about developmental education options for improving
1052 their communication or computation skills that are essential to
1053 performing college-level work, including tutoring, extended time
1054 in gateway courses, free online courses, adult basic education,
1055 adult secondary education, or private provider instruction.



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1056 Section 20. Subsection (10) of section 1009.98, Florida
1057 Statutes, is amended to read:

1058 1009.98 Stanley G. Tate Florida Prepaid College Program.—

1059 (10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—

1060 (a) As used in this subsection, the term:

1061 1. "Actuarial reserve" means the amount by which the
1062 expected value of the assets exceeds ~~exceed~~ the expected value
1063 of the liabilities of the trust fund.

1064 2. "Dormitory fees" means the fees included under advance
1065 payment contracts pursuant to paragraph (2)(d).

1066 3. "Fiscal year" means the fiscal year of the state
1067 pursuant to s. 215.01.

1068 4. "Local fees" means the fees covered by an advance
1069 payment contract provided pursuant to subparagraph (2)(b)2.

1070 5. "Tuition differential" means the fee covered by advance
1071 payment contracts sold pursuant to subparagraph (2)(b)3. The
1072 base rate for the tuition differential fee for the 2012-2013
1073 fiscal year is established at \$37.03 per credit hour. The base
1074 rate for the tuition differential in subsequent years is the
1075 amount assessed ~~paid by the board~~ for the tuition differential
1076 for the preceding year adjusted pursuant to subparagraph (b)2.

1077 (b) Effective with the 2009-2010 academic year and
1078 thereafter, and notwithstanding the provisions of s. 1009.24,
1079 the amount paid by the board to any state university on behalf
1080 of a qualified beneficiary of an advance payment contract whose
1081 contract was purchased before July 1, 2024 ~~2009~~, shall be:

1082 1. As to registration fees, if the actuarial reserve is
1083 less than 5 percent of the expected liabilities of the trust
1084 fund, the board shall pay the state universities 5.5 percent



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1085 above the amount assessed for registration fees in the preceding
1086 fiscal year. If the actuarial reserve is between 5 percent and 6
1087 percent of the expected liabilities of the trust fund, the board
1088 shall pay the state universities 6 percent above the amount
1089 assessed for registration fees in the preceding fiscal year. If
1090 the actuarial reserve is between 6 percent and 7.5 percent of
1091 the expected liabilities of the trust fund, the board shall pay
1092 the state universities 6.5 percent above the amount assessed for
1093 registration fees in the preceding fiscal year. If the actuarial
1094 reserve is equal to or greater than 7.5 percent of the expected
1095 liabilities of the trust fund, the board shall pay the state
1096 universities 7 percent above the amount assessed for
1097 registration fees in the preceding fiscal year, whichever is
1098 greater.

1099 2. As to the tuition differential, if the actuarial reserve
1100 is less than 5 percent of the expected liabilities of the trust
1101 fund, the board shall pay the state universities 5.5 percent
1102 above the base rate for the tuition differential fee in the
1103 preceding fiscal year. If the actuarial reserve is between 5
1104 percent and 6 percent of the expected liabilities of the trust
1105 fund, the board shall pay the state universities 6 percent above
1106 the base rate for the tuition differential fee in the preceding
1107 fiscal year. If the actuarial reserve is between 6 percent and
1108 7.5 percent of the expected liabilities of the trust fund, the
1109 board shall pay the state universities 6.5 percent above the
1110 base rate for the tuition differential fee in the preceding
1111 fiscal year. If the actuarial reserve is equal to or greater
1112 than 7.5 percent of the expected liabilities of the trust fund,
1113 the board shall pay the state universities 7 percent above the



1114 base rate for the tuition differential fee in the preceding
1115 fiscal year.

1116 3. As to local fees, the board shall pay the state
1117 universities 5 percent above the amount assessed for local fees
1118 in the preceding fiscal year.

1119 4. As to dormitory fees, the board shall pay the state
1120 universities 6 percent above the amount assessed for dormitory
1121 fees in the preceding fiscal year.

1122 5. Qualified beneficiaries of advance payment contracts
1123 purchased before July 1, 2007, are exempt from paying any
1124 tuition differential fee.

1125 (c) Notwithstanding the amount assessed for registration
1126 fees, the tuition differential fee, or local fees, the amount
1127 paid by the board to any state university on behalf of a
1128 qualified beneficiary of an advance payment contract purchased
1129 before July 1, 2024, may not exceed 100 percent of the amount
1130 charged by the state university for the aggregate sum of those
1131 fees.

1132 (d) Notwithstanding the amount assessed for dormitory fees,
1133 the amount paid by the board to any state university on behalf
1134 of a qualified beneficiary of an advance payment contract
1135 purchased before July 1, 2024, may not exceed 100 percent of the
1136 amount charged by the state university for dormitory fees.

1137 (e) ~~(e)~~ The board shall pay state universities the actual
1138 amount assessed in accordance with law for registration fees,
1139 the tuition differential, local fees, and dormitory fees for
1140 advance payment contracts purchased on or after July 1, 2024
1141 2009.

1142 (f) ~~(d)~~ The board shall annually evaluate or cause to be



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1143 evaluated the actuarial soundness of the trust fund.

1144 Section 21. In order to implement Specific Appropriations 9
1145 and 96 of the 2014-2015, General Appropriations Act, paragraph
1146 (f) of subsection (1) and paragraphs (a) and (c) of subsection
1147 (9) of section 1011.62, Florida Statutes, are amended to read:

1148 1011.62 Funds for operation of schools.—If the annual
1149 allocation from the Florida Education Finance Program to each
1150 district for operation of schools is not determined in the
1151 annual appropriations act or the substantive bill implementing
1152 the annual appropriations act, it shall be determined as
1153 follows:

1154 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
1155 OPERATION.—The following procedure shall be followed in
1156 determining the annual allocation to each district for
1157 operation:

1158 (f) *Supplemental academic instruction; categorical fund.*—

1159 1. There is created a categorical fund to provide
1160 supplemental academic instruction to students in kindergarten
1161 through grade 12. This paragraph may be cited as the
1162 “Supplemental Academic Instruction Categorical Fund.”

1163 2. Categorical funds for supplemental academic instruction
1164 shall be allocated annually to each school district in the
1165 amount provided in the General Appropriations Act. These funds
1166 are ~~shall be~~ in addition to the funds appropriated on the basis
1167 of FTE student membership in the Florida Education Finance
1168 Program and shall be included in the total potential funds of
1169 each district. These funds shall be used to provide supplemental
1170 academic instruction to students enrolled in the K-12 program.
1171 For the ~~2012-2013, 2013-2014, and~~ 2014-2015 fiscal year ~~years~~,



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1172 each school district that has one or more of the 300 ~~400~~ lowest-
1173 performing elementary schools based on the state reading
1174 assessment shall use these funds, together with the funds
1175 provided in the district's research-based reading instruction
1176 allocation and other available funds, to provide an additional
1177 hour of instruction beyond the normal school day for each day of
1178 the entire school year for intensive reading instruction for the
1179 students in each of these schools. This additional hour of
1180 instruction must be provided only by teachers or reading
1181 specialists who are effective in teaching reading. Students
1182 enrolled in these schools who have level 5 assessment scores may
1183 participate in the additional hour of instruction on an optional
1184 basis. Exceptional student education centers are ~~shall~~ not ~~be~~
1185 included in the 300 ~~400~~ schools. After this requirement has been
1186 met, supplemental instruction strategies may include, ~~but are~~
1187 ~~not limited to~~: modified curriculum, reading instruction, after-
1188 school instruction, tutoring, mentoring, class size reduction,
1189 extended school year, intensive skills development in summer
1190 school, and other methods for improving student achievement.
1191 Supplemental instruction may be provided to a student in any
1192 manner and at any time during or beyond the regular 180-day term
1193 identified by the school as being the most effective and
1194 efficient way to best help that student progress from grade to
1195 grade and to graduate.

1196 3. ~~Effective with the 1999-2000 fiscal year,~~ Funding on the
1197 basis of FTE membership beyond the 180-day regular term shall be
1198 provided in the FEFP only for students enrolled in juvenile
1199 justice education programs or in education programs for
1200 juveniles placed in secure facilities or programs under s.



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1201 985.19. Funding for instruction beyond the regular 180-day
1202 school year for all other K-12 students shall be provided
1203 through the supplemental academic instruction categorical fund
1204 and other state, federal, and local fund sources with ample
1205 flexibility for schools to provide supplemental instruction to
1206 assist students in progressing from grade to grade and
1207 graduating.

1208 4. The Florida State University School, as a lab school, is
1209 authorized to expend from its FEFP or Lottery Enhancement Trust
1210 Fund allocation the cost to the student of remediation in
1211 reading, writing, or mathematics for any graduate who requires
1212 remediation at a postsecondary educational institution.

1213 5. ~~Beginning in the 1999-2000 school year,~~ Dropout
1214 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
1215 (b), and (c), and 1003.54 shall be included in group 1 programs
1216 under subparagraph (d)3.

1217 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

1218 (a) The research-based reading instruction allocation is
1219 created to provide comprehensive reading instruction to students
1220 in kindergarten through grade 12. For the ~~2012-2013, 2013-2014,~~
1221 ~~and~~ 2014-2015 fiscal year ~~years~~, in each school district that
1222 has one or more of the 300 ~~100~~ lowest-performing elementary
1223 schools based on the state reading assessment, priority shall be
1224 given to providing an additional hour per day of intensive
1225 reading instruction beyond the normal school day for each day of
1226 the entire school year for the students in each school. Students
1227 enrolled in these schools who have level 5 assessment scores may
1228 participate in the additional hour of instruction on an optional
1229 basis. Exceptional student education centers are ~~shall~~ not ~~be~~



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1230 included in the 300 ~~400~~ schools. The intensive reading
1231 instruction delivered in this additional hour and for other
1232 students shall include: research-based reading instruction that
1233 has been proven to accelerate progress of students exhibiting a
1234 reading deficiency; differentiated instruction based on student
1235 assessment data to meet students' specific reading needs;
1236 explicit and systematic reading development in phonemic
1237 awareness, phonics, fluency, vocabulary, and comprehension, with
1238 more extensive opportunities for guided practice, error
1239 correction, and feedback; and the integration of social studies,
1240 science, and mathematics-text reading, text discussion, and
1241 writing in response to reading. For the 2012-2013 and 2013-2014
1242 fiscal years, a school district may not hire more reading
1243 coaches than were hired during the 2011-2012 fiscal year unless
1244 all students in kindergarten through grade 5 who demonstrate a
1245 reading deficiency, as determined by district and state
1246 assessments, including students scoring Level 1 or Level 2 on
1247 FCAT Reading, are provided an additional hour per day of
1248 intensive reading instruction beyond the normal school day for
1249 each day of the entire school year.

1250 (c) Funds allocated under this subsection must be used to
1251 provide a system of comprehensive reading instruction to
1252 students enrolled in the K-12 programs, which may include the
1253 following:

1254 1. The provision of an additional hour per day of intensive
1255 reading instruction to students in the 300 ~~400~~ lowest-performing
1256 elementary schools by teachers and reading specialists who are
1257 effective in teaching reading.

1258 2. Kindergarten through grade 5 reading intervention



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1259 teachers to provide intensive intervention during the school day
1260 and in the required extra hour for students identified as having
1261 a reading deficiency.

1262 3. The provision of highly qualified reading coaches to
1263 specifically support teachers in making instructional decisions
1264 based on student data, and improve teacher delivery of effective
1265 reading instruction, intervention, and reading in the content
1266 areas based on student need.

1267 4. Professional development for school district teachers in
1268 scientifically based reading instruction, including strategies
1269 to teach reading in content areas and with an emphasis on
1270 technical and informational text.

1271 5. The provision of summer reading camps for all students
1272 in kindergarten through grade 2 who demonstrate a reading
1273 deficiency as determined by district and state assessments, and
1274 students in grades 3 through 5 who score at Level 1 on FCAT
1275 Reading.

1276 6. The provision of supplemental instructional materials
1277 that are grounded in scientifically based reading research.

1278 7. The provision of intensive interventions for students in
1279 kindergarten through grade 12 who have been identified as having
1280 a reading deficiency or who are reading below grade level as
1281 determined by the FCAT.

1282 Section 22. A student may not take a district-developed
1283 assessment, a district-selected assessment, or a district-
1284 mandated assessment within the 2 weeks before or the 2 weeks
1285 after taking a statewide, standardized assessment. However, a
1286 student may, within the 2 weeks before or the 2 weeks after
1287 taking a statewide, standardized assessment:



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1288 (1) Take a college entrance examination, an Advanced
1289 Placement examination, an International Baccalaureate
1290 examination, an Advanced International Certificate of Education
1291 examination, or an industry-approved examination to earn
1292 national industry certifications identified in the Industry
1293 Certification Funding List; or

1294 (2) Retake a statewide, standardized assessment.

1295 Section 23. Except as otherwise expressly provided in this
1296 act, this act shall take effect upon becoming a law and shall
1297 apply retroactively to March 31, 2014.

1298
1299 ===== T I T L E A M E N D M E N T =====

1300 And the title is amended as follows:

1301 Delete everything before the enacting clause
1302 and insert:

1303 A bill to be entitled
1304 An act relating to education; amending s. 215.61,
1305 F.S.; requiring deposit of a certain amount of funds
1306 into a separate account within the Public Education
1307 Capital Outlay and Debt Service Trust Fund; requiring
1308 transfer of such funds to the State Board of
1309 Administration for the timely payment of principal and
1310 interest on bonds; requiring the State Board of
1311 Education to transfer a specified amount of funds into
1312 a separate account within the Public Education Capital
1313 Outlay and Debt Service Trust Fund for the payment of
1314 debt service on certain bonds; amending s. 1001.03,
1315 F.S.; prohibiting the State Board of Education from
1316 approving proposals for baccalaureate degree programs



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1317 at Florida College System institutions during a
1318 specified period; amending s. 1007.33, F.S.;

1319 prohibiting the Board of Trustees of the St.
1320 Petersburg College from establishing new baccalaureate
1321 degree programs during a specified period; amending s.
1322 1009.22, F.S.; deleting a provision relating to the
1323 automatic rate of inflation increase in tuition and
1324 out-of-state fee per contact hour for workforce
1325 education programs; deleting a requirement that the
1326 Office of Economic and Demographic Research annually
1327 report the rate of inflation to the Governor, the
1328 Legislature, and the State Board of Education;

1329 deleting the definition of the term "rate of
1330 inflation"; amending s. 1009.23, F.S.; deleting a
1331 provision relating to the automatic rate of inflation
1332 increase in tuition and out-of-state fees at Florida
1333 College System institutions; deleting a requirement
1334 that the Office of Economic and Demographic Research
1335 annually report the rate of inflation to the Governor,
1336 the Legislature, and the State Board of Education;

1337 deleting the definition of the term "rate of
1338 inflation"; amending s. 1009.24, F.S.; deleting a
1339 provision relating to the automatic rate of inflation
1340 increase in resident undergraduate tuition per credit
1341 hour at state universities; deleting a requirement
1342 that the Office of Economic and Demographic Research
1343 annually report the rate of inflation to the Governor,
1344 the Legislature, and the Board of Governors; deleting
1345 the definition of the term "rate of inflation";



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1346 revising the annual percentage increase allowed in the
1347 aggregate sum of tuition and the tuition differential
1348 at state universities; amending s. 1009.55, F.S.;
1349 increasing the annual maximum number of scholarships
1350 that may be awarded in the Rosewood Family Scholarship
1351 Program; increasing the annual maximum award amount
1352 per student; creating s. 1009.893, F.S.; creating the
1353 Florida National Merit Scholar Incentive Program;
1354 defining terms; providing the purpose of the incentive
1355 program; requiring the Department of Education to
1356 administer the incentive program, advertise the
1357 availability of the incentive program, and notify
1358 students, teachers, parents, and school administrators
1359 about the incentive program's criteria and application
1360 procedures; providing eligibility requirements for the
1361 incentive program; requiring certain students who are
1362 National Merit Scholars or National Achievement
1363 Scholars to receive certain incentive awards;
1364 providing eligibility requirements to renew an award;
1365 authorizing a student to receive an incentive award
1366 for certain maximum percentage amounts of the number
1367 of credit hours required to complete an associate
1368 degree, a baccalaureate degree, or a career
1369 certificate; requiring the department to issue awards
1370 from the incentive program and to transmit payment for
1371 each award; authorizing the department to withhold
1372 payment under certain circumstances; requiring
1373 institutions to certify to the department the
1374 eligibility status of each student to receive a



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1375 disbursement of an award during a specified time;
1376 requiring the institution to certify to the department
1377 the disbursement amounts to each student and remit to
1378 the department undisbursed funds; providing for
1379 proration of funds; prohibiting use of funds for
1380 remedial coursework or developmental education;
1381 authorizing a student to use funds during the summer
1382 term under certain circumstances; authorizing
1383 incentive program funds appropriated by the
1384 Legislature to be deposited in the State Student
1385 Financial Assistance Trust Fund; providing for use of
1386 any remaining balance of appropriated funds in the
1387 trust fund; requiring the department to allocate funds
1388 to appropriate institutions and collect and maintain
1389 certain data regarding the incentive program;
1390 requiring the State Board of Education to adopt rules;
1391 providing for retroactive application; creating s.
1392 1002.385, F.S.; establishing the Florida Personal
1393 Learning Scholarship Accounts; defining terms;
1394 specifying criteria for students who are eligible to
1395 participate in the program; identifying certain
1396 students who are not eligible to participate in the
1397 program; authorizing the use of awarded funds for
1398 specific purposes; prohibiting specific providers,
1399 schools, institutions, school districts, and other
1400 entities from sharing, refunding, or rebating program
1401 funds; specifying the terms of the program; providing
1402 that the school district retains all duties,
1403 authority, and responsibilities specified in the



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1404 Florida K-20 Education Code; specifying the duties of
1405 the Department of Education relating to the program;
1406 providing that the Commissioner of Education retains
1407 all current duties, authority, and responsibilities as
1408 specified in the Florida K-20 Education Code;
1409 requiring the executive director of the Agency for
1410 Persons with Disabilities to deny, suspend, or revoke
1411 participation in the program or use of program funds
1412 under certain circumstances; providing additional
1413 factors under which the executive director may deny,
1414 suspend, or revoke a participation in the program or
1415 program funds; requiring a parent to sign an agreement
1416 with the Agency for Persons with Disabilities to
1417 enroll his or her child in the program which specifies
1418 the responsibilities of a parent or student for using
1419 funds in a personal learning scholarship account and
1420 for submitting a compliance statement to the agency;
1421 providing that a parent who fails to comply with the
1422 responsibilities of the agreement forfeits the
1423 personal learning scholarship account; providing
1424 eligibility requirements and obligations for private
1425 schools under the program; specifying agency
1426 obligations under the program; authorizing the agency
1427 to contract for services; providing for funding and
1428 payment; providing the Auditor General's obligations
1429 under the program; providing that the state is not
1430 liable for the use of awarded funds; providing for the
1431 scope of authority; requiring the agency to adopt
1432 rules; providing for implementation of the program in



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1433 a specified school year; providing an appropriation;
1434 amending s. 1003.4282, F.S.; providing standard high
1435 school diploma requirements for certain students with
1436 disabilities; authorizing certain students with
1437 disabilities to continue to receive certain
1438 instructions and services; requiring an independent
1439 review and a parent's approval to waive statewide,
1440 standardized assessment requirements by the individual
1441 education plan (IEP) team; repealing s. 1003.438,
1442 F.S., relating to special high school graduation
1443 requirements for certain exceptional students;
1444 creating s. 1003.5716, F.S.; providing that certain
1445 students with disabilities have a right to free,
1446 appropriate public education; requiring an IEP team to
1447 begin the process of, and to develop an IEP for,
1448 identifying transition services needs for a student
1449 with a disability before the student attains a
1450 specified age; providing requirements for the process;
1451 requiring certain statements to be included and
1452 annually updated in the IEP; providing that changes in
1453 the goals specified in an IEP are subject to
1454 independent review and parental approval; requiring
1455 the school district to reconvene the IEP team to
1456 identify alternative strategies to meet transition
1457 objectives if a participating agency fails to provide
1458 transition services specified in the IEP; providing
1459 that the agency's failure does not relieve the agency
1460 of the responsibility to provide or pay for the
1461 transition services that the agency otherwise would



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1462 have provided; amending s. 1003.572, F.S.; prohibiting
1463 a school district from imposing additional
1464 requirements on private instructional personnel or
1465 charging fees; creating s. 1008.2121, F.S.; requiring
1466 the Commissioner of Education to permanently exempt
1467 certain students with disabilities from taking
1468 statewide, standardized assessments; requiring the
1469 State Board of Education to adopt rules; amending s.
1470 1008.25, F.S.; requiring written notification relating
1471 to portfolios to a parent of a student with a
1472 substantial reading deficiency; requiring a student
1473 promoted to a certain grade with a good cause
1474 exemption to receive intensive reading instruction and
1475 intervention; requiring a school district to assist
1476 schools and teachers with the implementation of
1477 reading strategies; revising good cause exemptions;
1478 amending ss. 120.81, 409.1451, and 1007.263, F.S.;
1479 conforming cross-references; amending s. 1009.98,
1480 F.S.; redefining the term "tuition differential";
1481 revising the purchase date of an advance payment
1482 contract as it relates to the amount paid by the
1483 Florida Prepaid College Board to a state university on
1484 behalf of a qualified beneficiary; prohibiting the
1485 amount of the aggregate sum of registration fees, the
1486 tuition differential fee, and local fees paid by the
1487 board to a state university on behalf of a qualified
1488 beneficiary of an advance payment contract from
1489 exceeding a certain percentage of the amount charged
1490 by the state university for the aggregate sum of those



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1491 fees; prohibiting the amount of the dormitory fees
1492 paid for by the board to a state university on behalf
1493 of a qualified beneficiary of an advance payment
1494 contract from exceeding a certain percentage of the
1495 amount charged by the state university for those fees;
1496 conforming provisions to changes made by the act;
1497 amending s. 1011.62, F.S.; increasing the number of
1498 schools eligible for categorical funding for
1499 supplemental academic instruction and for the
1500 research-based reading instruction allocation;
1501 prohibiting a student from taking certain local
1502 assessments during a specified time; providing
1503 exceptions for certain examinations; providing
1504 effective dates.