

The Florida Senate  
**HOUSE MESSAGE SUMMARY**

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Prepared By: The Professional Staff of the Committee on Education Pre-K - 12

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BILL: CS/SB 602, 1st Eng.  
INTRODUCER: Appropriations Committee and Senators Gaetz and Others  
SUBJECT: Students With Disabilities  
DATE: April 24, 2015

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**I. Amendments Contained in Message:**

**House Amendment 1- 103497** (body with title)

**II. Summary of Amendments Contained in Message:**

**House Amendment 1** is a delete-all amendment that replaces the Senate version of the bill with a revised version of CS/HB 7095.

The House amendment is substantively similar to CS/SB 602 1<sup>st</sup> Eng. in that it:

- Authorizes 3 and 4 year olds with disabilities to participate in the Florida Personal Learning Scholarship Accounts program (PLSA).
- Reduces the Scholarship Funding Organization's (SFO) administrative fee for PLSA administrative agent from 5% to 3%.
- Authorizes PLSA funds to be used for Florida Prepaid College Savings Plans (529 plans).

The House amendment substantively differs from CS/SB 602, 1<sup>st</sup> Eng. in the following areas:

- **Accountability.** The House amendment does not include provisions that:
  - Require DOE to provide an annual report concerning PLSA program effectiveness, and for SFOs to provide an annual PLSA program report.
  - Expand authority for DOE to conduct investigations, and for the Commissioner to recover funds or withhold payments and to consider a student's, private school's or SFO's failure to reimburse improperly obtained funds when determining program eligibility.
- **Authorized Use of Funds.** The House amendment does not include provisions that:
  - Prohibit a SFO's administrative and application fee from reducing the amount of a student's scholarship award.
  - Authorize students to use PLSA funds for out-of-state providers and specialized services that are subject to similar in-state regulatory or approval requirements, training on and use of maintenance agreements for digital devices, specialized education programs, and transition services provided by jobs coaches, but does add provisions that authorize

PLSA funds to be used for full-time enrollment in a private tutoring program, a SFO's debit card fees, and additional evaluation options available to home-education students.

- PLSA Implementation. The House amendment does not include provisions that:
  - Revise the student application process, prioritize eligibility of returning students, wait-listed students, timely-filed applicants and late-filed applicants, or require notification that a new or revised matrix of services may be requested every year.
  - Authorize SFOs to reimburse a parent for authorized expenditures made before PLSA funds are deposited in the student's account, or specify that interest in a student's PLSA account does not constitute part of the award.
  - Authorize PLSA students to receive more than one degree from an eligible postsecondary institution or program offered by the institution or to take a temporary break from being enrolled in an eligible postsecondary institution or program offered by the institution.
  - Identify specific deadlines for the Department of Education and the Florida Prepaid Board to implement rules by certain dates.
  - Require the parent of a PLSA student in a home education program to maintain a portfolio of records for two years, and for the portfolio to include other documents required by DOE or the SFO.
- Prepaid Plans. The House amendment does not include provisions that:
  - Prohibit a beneficiary from being changed while plans contain PLSA funds, but does add a requirement for a parent to affirm he or she will comply with Prepaid rules.
  - Authorize funds in Prepaid plans to be used for fees of a program designed for students with disabilities offered by a postsecondary institution (e.g., a CTP program).
- Florida Tax Credit Scholarship (FTC) Program. Clarifies the disposition of FTC funds from a SFO that closes and removes from law a requirement that FTC contributions not carried forward must return to General Revenue.