

By the Committee on Higher Education

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1 A bill to be entitled
2 An act relating to postsecondary education for
3 students with disabilities; creating s. 1004.6501,
4 F.S.; providing a short title; providing purposes and
5 legislative intent; defining terms; establishing
6 eligibility requirements for enrollment in the Florida
7 Postsecondary Comprehensive Transition Program;
8 requiring eligible institutions to make student
9 eligibility determinations; establishing the Florida
10 Center for Students with Unique Abilities; specifying
11 the duties of the center and the center director;
12 specifying application requirements for initial
13 approval and renewal of approval; requiring an
14 eligible institution with an approved program to
15 submit an annual report to the center by a specified
16 date; establishing a Florida Postsecondary
17 Comprehensive Transition Program Scholarship for
18 certain qualified students; specifying the
19 requirements for a student to maintain eligibility for
20 the scholarship; providing for the distribution of
21 scholarship funds; requiring an eligible institution
22 to report certain data and information to the center;
23 requiring an eligible institution to certify and
24 report the amount of funds disbursed and undisbursed
25 advances to the center by a specified date; requiring
26 the center, with the Board of Governors and the State
27 Board of Education, to identify program progress and
28 performance indicators; requiring an annual report to
29 the Governor, the President of the Senate, the Speaker

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30 of the House of Representatives, the Chancellor of the
31 State University System, and the Commissioner of
32 Education by a specified date; requiring the center,
33 with other stakeholders, to submit to the Governor,
34 the President of the Senate, and the Speaker of the
35 House of Representatives statutory or budget
36 recommendations for the program; requiring the Board
37 of Governors and the State Board of Education, in
38 consultation with the center, to adopt regulations and
39 rules; providing an effective date.

40
41 Be It Enacted by the Legislature of the State of Florida:

42
43 Section 1. Section 1004.6501, Florida Statutes, is created
44 to read:

45 1004.6501 Florida Postsecondary Comprehensive Transition
46 Program and the Florida Center for Students with Unique
47 Abilities.—

48 (1) SHORT TITLE.—This section shall be known and may be
49 cited as the "Florida Postsecondary Comprehensive Transition
50 Program Act."

51 (2) PURPOSE AND LEGISLATIVE INTENT.—The purpose of this
52 section is to increase independent living, inclusive and
53 experiential postsecondary education, and employment
54 opportunities for students with intellectual disabilities
55 through degree, certificate, or nondegree programs and to
56 establish statewide coordination of the dissemination of
57 information regarding programs and services for students with
58 disabilities. It is the intent of the Legislature that students

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59 with intellectual disabilities and students with disabilities
60 have access to meaningful postsecondary education credentials
61 and a meaningful campus experience.

62 (3) DEFINITIONS.—As used in this section, the term:

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

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

66 (c) "Eligible institution" means a state university; a
67 Florida College System institution; a career center; a charter
68 technical career center; or an independent college or university
69 that is located and chartered in this state, is not for profit,
70 is accredited by the Commission on Colleges of the Southern
71 Association of Colleges and Schools, and is eligible to
72 participate in the William L. Boyd, IV, Florida Resident Access
73 Grant Program.

74 (d) "Florida Postsecondary Comprehensive Transition Program
75 Scholarship" or "scholarship" means the scholarship established
76 under this section to provide state financial assistance awards
77 to students who meet the student eligibility requirements
78 specified in subsection (4) and are enrolled in an FPCTP.

79 (e) "FPCTP" means a Florida Postsecondary Comprehensive
80 Transition Program that is approved pursuant to paragraph (5)(b)
81 and offered by an eligible institution.

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

85 (4) STUDENT ELIGIBILITY.—To be eligible to enroll in an
86 FPCTP at an eligible institution, a student must, as determined
87 by the institution, based on guidelines established by the

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88 center:

89 (a) Be a "student with an intellectual disability" as that
90 term is defined in 20 U.S.C. s. 1140(2), including, but not
91 limited to, a transitional student.

92 (b) Physically attend the eligible institution.

93 (c) Submit to the eligible institution documentation
94 regarding his or her intellectual disability. Such documentation
95 may include, but not be limited to, a current individualized
96 plan for employment associated with an evaluation completed
97 pursuant to s. 413.20(3) or a diagnosis from a physician who is
98 licensed under chapter 458 or chapter 459 or a psychologist
99 licensed under chapter 490.

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

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

105 1. Education programs, services, and resources that are
106 available at eligible institutions.

107 2. Supports, accommodations, technical assistance, or
108 training provided by eligible institutions, the advisory council
109 established pursuant to s. 383.141, and regional autism centers
110 established pursuant to s. 1004.55.

111 3. Mentoring, networking, and employment opportunities.

112 (b) Coordinate and facilitate the statewide implementation
113 of this section. The director of the center shall oversee the
114 approval of the comprehensive transition programs.

115 Notwithstanding the program approval requirements of s. 1004.03,
116 the director shall review applications for the initial approval

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117 of an application for, or renewal of approval of, a
118 comprehensive transition program proposed by an eligible
119 institution. Within 30 days after receipt of an application, the
120 director shall issue his or her recommendation regarding
121 approval to the Chancellor of the State University System or the
122 Commissioner of Education, as applicable, or shall give written
123 notice to the applicant of any deficiencies in the application,
124 which the eligible institution must be given an opportunity to
125 correct. Within 15 days after receipt of a notice of
126 deficiencies, the eligible institution shall, if the eligible
127 institution seeks program approval, correct the application
128 deficiencies and return the application to the center. Within 30
129 days after receipt of a revised application, the director shall
130 recommend approval or disapproval of the revised application to
131 the chancellor or the commissioner, as applicable. Within 15
132 days after receipt of the director's recommendation for approval
133 or disapproval, the chancellor or the commissioner shall approve
134 or disapprove the recommendation. If the chancellor or the
135 commissioner does not take action on the director's
136 recommendation within 15 days after receipt of such
137 recommendation, the comprehensive transition program proposed by
138 the institution shall be considered an FPCTP by default.

139 Additionally, the director shall:

140 1. Consult and collaborate with the National Center and the
141 Coordinating Center, as identified in 20 U.S.C. s. 1140q,
142 regarding guidelines established by the center for effective
143 implementation of the programs for students with disabilities
144 and for students with intellectual disabilities which align with
145 the federal requirements and standards, quality indicators, and

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146 benchmarks identified by the National Center and the
147 Coordinating Center.

148 2. Consult and collaborate with the Higher Education
149 Coordinating Council to identify meaningful credentials for
150 FPCTPs and to engage businesses and stakeholders to promote
151 experiential training and employment opportunities for students
152 with intellectual disabilities.

153 3. Create the application for the initial approval and
154 renewal of approval as an FPCTP for use by an eligible
155 institution which, at a minimum, must align with the federal
156 comprehensive transition and postsecondary program application
157 requirements.

158 4. Establish requirements and timelines for the:

159 a. Submission and review of an application.

160 b. Approval or disapproval of an initial or renewal
161 application. Initial approval of an application for an FPCTP
162 that meets the requirements of subsection (6) is valid for the 3
163 academic years immediately following the academic year during
164 which the approval is granted. An eligible institution may
165 submit an application to the center requesting that the initial
166 approval be renewed. If the approval is granted and the FPCTP
167 continues to meet the requirements of this section, including,
168 but not limited to, program and student performance outcomes,
169 and federal requirements, a renewal is valid for the 5 academic
170 years immediately following the academic year during which the
171 renewal is initially granted.

172 c. Implementation of an FPCTP, beginning no later than the
173 academic year immediately following the academic year during
174 which the approval is granted.

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175 5. Administer scholarship funds.

176 6. Oversee and report on the implementation and
177 administration of this section by planning, advising, and
178 evaluating approved degree, certificate, and nondegree programs
179 and the performance of students and programs pursuant to
180 subsection (8).

181 (c) Provide technical assistance regarding programs and
182 services for students with intellectual disabilities to
183 administrators, instructors, staff, and others, as applicable,
184 at eligible institutions by:

185 1. Holding meetings and annual workshops to share
186 successful practices and to address issues or concerns.

187 2. Facilitating collaboration between eligible institutions
188 and school districts, private schools pursuant to s. 1002.42,
189 and parents of students enrolled in home education programs
190 pursuant to s. 1002.41 in assisting students with intellectual
191 disabilities and their parents to plan for the transition of
192 such students into an FPCTP or another program at an eligible
193 institution.

194 3. Assisting eligible institutions with state FPCTP and
195 federal comprehensive transition and postsecondary program
196 applications.

197 4. Assisting eligible institutions with the identification
198 of funding sources for an FPCTP and for student financial
199 assistance for students enrolled in an FPCTP.

200 5. Monitoring federal and state law relating to the
201 comprehensive transition program and notifying the Legislature,
202 the Governor, the Board of Governors, and the State Board of
203 Education of any change in law which may impact the

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204 implementation of this section.

205 (6) INSTITUTION ELIGIBILITY AND RESPONSIBILITIES.—

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

209 1. An application for approval of a comprehensive
210 transition program proposed by the eligible institution which
211 must be approved by the institution's governing board and must
212 address the requirements of the federal comprehensive transition
213 and postsecondary program under 20 U.S.C. s. 1140 and the
214 requirements of this section, including, but not limited to:

215 a. Identification of a credential associated with the
216 proposed program, which is awarded to a student with an
217 intellectual disability who meets the student eligibility
218 requirements specified in subsection (4) upon completion of the
219 FPCTP.

220 b. The program length and design, including, at a minimum,
221 inclusive and successful experiential education practices
222 relating to curricular, assessment, and advising structure and
223 internship and employment opportunities which must support
224 students with intellectual disabilities who are seeking to
225 continue academic, career and technical, and independent living
226 instruction at an eligible institution, including, but not
227 limited to, opportunities to earn industry certifications, to
228 prepare students for gainful employment. If offering a college
229 credit-bearing degree program, an institution shall be
230 responsible for maintaining the rigor and effectiveness of a
231 comprehensive transition degree program at the same level as
232 another comparable degree program offered by the institution

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233 pursuant to the applicable accreditation standards.

234 c. The plan for students with intellectual disabilities to
235 be integrated socially and academically with nondisabled
236 students, to the maximum extent possible, and to participate on
237 not less than a half-time basis, as determined by the eligible
238 institution, with such participation focusing on academic
239 components and occurring through one or more of the following
240 activities with nondisabled students:

241 (I) Regular enrollment in credit-bearing courses offered by
242 the institution.

243 (II) Auditing or participating in courses offered by the
244 institution for which the student does not receive academic
245 credit.

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

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

248 d. The plan for partnerships with businesses to promote
249 experiential training and employment opportunities for students
250 with intellectual disabilities.

251 e. Performance indicators pursuant to subsection (8) and
252 other requirements identified by the center.

253 f. A 5-year plan incorporating enrollment and operational
254 expectations for the program.

255 2. Documented evidence of a federally approved
256 comprehensive transition and postsecondary program that is
257 determined to be an eligible program for the federal student aid
258 programs and is currently offered at the institution, documented
259 evidence of the submission of an application for such federal
260 approval of a comprehensive transition and postsecondary program
261 proposed by the institution, or documentation demonstrating the

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262 commitment of the institution's governing board to submit an
263 application within the subsequent academic year for federal
264 approval of a comprehensive transition and postsecondary program
265 proposed by the institution pursuant to 20 U.S.C. s. 1140.

266 (b) An eligible institution may submit an application to
267 the center for approval pursuant to the requirements of this
268 section for implementation of the FPCTP no later than the
269 academic year immediately following the academic year during
270 which the approval is granted. An eligible institution must
271 submit a renewal application to the center no later than 3 years
272 following the year during which the approval is initially
273 granted.

274 (c) By August 1 of each year, an eligible institution that
275 has an FPCTP shall submit an annual report to the center which,
276 at minimum, for the prior academic year, addresses the following
277 performance indicators:

278 1. Efforts to recruit students in the FPCTP and the number
279 of students enrolled in the program.

280 2. Efforts to retain students in the FPCTP and the
281 retention rate of students in the program.

282 3. The completion rate of students enrolled in the FPCTP
283 and courses, as applicable.

284 4. Transition success of students who complete an FPCTP, as
285 measured by employment rates and salary levels at 1 year and 5
286 years after completion.

287 5. Other performance indicators identified by the center
288 pursuant to subsection (8).

289 (d) An eligible institution shall notify students with
290 intellectual disabilities and their parents of the student

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291 eligibility requirements specified in subsection (4) and the
292 scholarship requirements and eligibility requirements specified
293 in subsection (7).

294 (7) FLORIDA POSTSECONDARY COMPREHENSIVE TRANSITION PROGRAM
295 SCHOLARSHIP.—

296 (a) Beginning in the 2015-2016 academic year, the Florida
297 Postsecondary Comprehensive Transition Program Scholarship is
298 established for students who meet the student eligibility
299 requirements specified in subsection (4) and who are enrolled in
300 an FPCTP.

301 (b) To maintain eligibility to receive a scholarship, a
302 student must continue to meet the requirements of paragraph (a)
303 and must demonstrate satisfactory academic progress in the
304 FPCTP, as determined by the eligible institution that the
305 student attends, based on the indicators identified by the
306 center pursuant to subsection (8).

307 (c) Payment of scholarship funds shall be transmitted to
308 the director of the center, or to his or her designee, in
309 advance of the registration period. The director, or his or her
310 designee, shall disburse the scholarship funds to the eligible
311 institutions that are responsible for awarding the scholarship
312 to students who meet the requirements of paragraphs (a) and (b).

313 (d) During each academic term, by a date established by the
314 center, an eligible institution shall report to the center the
315 number and value of all scholarships awarded under this
316 subsection. Each eligible institution shall also report to the
317 center necessary demographic and eligibility data and other data
318 requested by the center for students who received the
319 scholarship awards.

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320 (e) By a date annually established by the center, each
321 eligible institution shall certify to the center the amount of
322 funds disbursed to each student and shall remit to the center
323 any undisbursed advances by June 1 of each year.

324 (f) Funding for the scholarship and the maximum allowable
325 award shall be as provided annually in the General
326 Appropriations Act. If funds appropriated are not adequate to
327 provide the maximum allowable award to each eligible student,
328 the awards may be prorated.

329 (8) ACCOUNTABILITY.—

330 (a) The center, in collaboration with the Board of
331 Governors and the State Board of Education, shall identify
332 indicators for the satisfactory progress of a student in an
333 FPCTP and for the performance of such programs. Each eligible
334 institution must address the indicators identified by the center
335 in its application for the approval of a proposed FPCTP and for
336 the renewal of an FPCTP and in the annual report that the
337 institution submits to the center.

338 (b) By October 1 of each year, the center shall provide to
339 the Governor, the President of the Senate, the Speaker of the
340 House of Representatives, the Chancellor of the State University
341 System, and the Commissioner of Education, a summary of
342 information including, but not limited to:

343 1. The status of the statewide coordination of FPCTPs and
344 the implementation of FPCTPs at eligible institutions including,
345 but not limited to:

346 a. The number of applications approved and disapproved and
347 the reasons for each disapproval and no action taken by the
348 chancellor or the commissioner.

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349 b. The number and value of all scholarships awarded to
350 students and undisbursed advances remitted to the center
351 pursuant to subsection (7).

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

355 3. The projected number of students with intellectual
356 disabilities who may be eligible to enroll in the FPCTPs within
357 the next academic year.

358 4. Education programs and services for students with
359 intellectual disabilities which are available at an eligible
360 institution.

361 (c) Beginning in the 2015-2016 fiscal year, the center, in
362 collaboration with the Board of Governors, State Board of
363 Education, Higher Education Coordinating Council, and other
364 stakeholders, by December 1 each year, shall submit to the
365 Governor, the President of the Senate, and the Speaker of the
366 House of Representatives statutory or budget recommendations for
367 improving the implementation and delivery of FPCTPs and other
368 education programs and services for students with disabilities.

369 (9) RULES.—The Board of Governors and the State Board of
370 Education, in consultation with the center, shall expeditiously
371 adopt the necessary regulations and rules, as applicable, to
372 allow the center to perform its responsibilities pursuant to
373 this section beginning in the 2015-2016 fiscal year.

374 Section 2. This act shall take effect upon becoming a law.