



827068

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/22/2014	.	
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The Committee on Appropriations (Gardiner) recommended the following:

Senate Amendment

Delete lines 377 - 504
and insert:

2. Receive applications and determine student eligibility in accordance with the requirements of this section. The agency shall notify the Department of Education of the applicants for the program by February 15 before the school year in which the student intends to participate and indicate how the student will comply with regular school attendance pursuant to ss.



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- 11 1003.01(13) and 1003.23.
- 12 3. Notify parents of their receipt of a scholarship on a
13 first-come, first-served basis based upon the funds provided for
14 this program in the General Appropriations Act.
- 15 4. Establish a date by which a parent must confirm initial
16 or continuing participation in the program and confirm the
17 establishment or continuance of a personal learning scholarship
18 account.
- 19 5. Establish a date and process by which students on the
20 wait list or late-filing applicants may be allowed to
21 participate in the program during the school year, within the
22 amount of funds provided for this program in the General
23 Appropriations Act.
- 24 6. Develop an ILSP, in consultation with the parent and the
25 educational consultant, which documents the following:
- 26 a. That the student has an eligible disability as defined
27 in paragraph (2) (d).
- 28 b. Learning goals and objectives for the student which are
29 linked directly to how program funds will be spent for
30 authorized services.
- 31 c. How attendance requirements in s. 1003.21 will be met.
- 32 d. How progress toward meeting the individual learning
33 goals and objectives will be assessed and documented for
34 purposes of continued participation in the program.
- 35 7. Assign a funding category for each student that
36 documents the nature and intensity of services that the student
37 will need to meet the learning outcomes specified in his or her
38 ILSP. The funding category determines the amount of the award
39 for the student.



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40 8. Receive an administrative fee of up to 10 percent from
41 the appropriation to operate the Florida Personal Learning
42 Scholarship Accounts.

43 9. Establish and maintain a separate account for each
44 eligible student.

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

47 11. Verify eligible expenditures prior to the distribution
48 of funds for any expenditures made pursuant to paragraphs (5) (a)
49 and (b). The review of expenditures for services in paragraphs
50 (5) (c) through (h) may be completed after the payment has been
51 made.

52 12. Develop a system for payment of benefits by electronic
53 funds transfer, including, but not limited to, debit cards,
54 electronic payment cards, or any other means of electronic
55 payment that the agency deems to be commercially viable or cost-
56 effective. Commodities or services related to the development of
57 such a system shall be procured by competitive solicitation
58 unless they are purchased from a state term contract pursuant to
59 s. 287.056.

60 (b) The agency may contract for services.

61 (14) FUNDING AND PAYMENT.—

62 (a) Funding for the Florida Personal Learning Scholarship
63 Accounts shall be provided in the General Appropriations Act,
64 which shall specify the annual amount per funding category for
65 public school students, private school students, home education
66 students, students receiving a scholarship pursuant to s.
67 1002.39 or s. 1002.395, and students participating in a private
68 tutoring program.



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69 (b) Upon an eligible student's graduation from an eligible
70 postsecondary educational institution or after any period of 4
71 consecutive years after high school graduation in which the
72 student is not enrolled in an eligible postsecondary educational
73 institution, the student's personal learning scholarship account
74 shall be closed, and any remaining funds shall revert to the
75 state.

76 (c) Moneys received pursuant to this section do not
77 constitute taxable income to the eligible student or the parent
78 of an eligible student.

79 (15) OBLIGATIONS OF THE AUDITOR GENERAL.—The Auditor
80 General shall conduct an annual financial and operational audit
81 of accounts and records of the Florida Personal Learning
82 Scholarship Accounts. As a part of this audit, the Auditor
83 General shall verify, at a minimum, the total amount of students
84 served and eligibility of reimbursement made by the agency and
85 transmit that information to the agency.

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

88 (17) SCOPE OF AUTHORITY.—This section does not expand the
89 regulatory authority of this state, its officers, or any school
90 district to impose additional regulation on participating
91 private schools, nonpublic postsecondary educational
92 institutions, and private providers beyond those reasonably
93 necessary to enforce requirements expressly set forth in this
94 section.

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



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98 (19) IMPLEMENTATION SCHEDULE FOR THE 2014-2015 SCHOOL
99 YEAR.—

100 (a) The Agency for Persons with Disabilities shall, in
101 consultation with an advisory work group, develop an ILSP and an
102 ILSP process, funding category requirements, a system for
103 payment of claims and providers, and a system to document and
104 assess progress toward meeting the individual learning goals and
105 objectives in the ILSP. The advisory work group shall make
106 specific recommendations to the agency by October 1, 2014. The
107 agency shall adopt rules to implement the recommendations of the
108 advisory group by December 31, 2014. The Commissioner of
109 Education, the executive director of the agency, the Chancellor
110 of the State University System, and the director of the Division
111 of Vocational Rehabilitation shall appoint staff to work on the
112 advisory group with stakeholders.

113 (b) Notwithstanding the provisions of this section related
114 to notification and eligibility timelines, the agency may enroll
115 parents in a statewide pilot program on a rolling schedule on a
116 first-come, first-served basis, no later than February 1, 2015,
117 within the amount of funds provided in the General
118 Appropriations Act.

119 (c) There is hereby appropriated for the 2014-2015 fiscal
120 year to the Agency for Persons with Disabilities a sum of \$18.4
121 million from the Operations and Maintenance Trust Fund for the
122 implementation of the Personal Learning Scholarship Accounts
123 Program. From these funds, \$1.5 million shall be allocated to
124 the Agency for Persons with Disabilities for startup costs for
125 planning and implementation of the pilot program. For the pilot
126 program in the 2014-2015 fiscal year, the agency shall provide



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127 awards for eligible students which range from \$5,000 to \$19,000
128 per recipient and shall be based on funding categories
129 established by the agency. Public school students and students
130 who receive a scholarship pursuant to ss. 1002.39 and 1002.395
131 shall receive 50 percent of the designated amount for the
132 student's funding category.