6A-10.087, Postsecondary Education Benefits and Services for Students Who Have Been or are in Foster Care or are Experiencing Homelessness.

(1) Education Benefits and Services for Students Who Have Been or are in Foster Care.

(a) Exemption. For purposes of this rule, “institution” refers to Florida College System institutions, career centers authorized under Section 1001.44, F.S., and charter technical career center authorized under Section 1002.34. Pursuant to Section 1009.25, F.S., each institution shall exempt tuition and fees for the following eligible students who were the subject of a shelter proceeding, a dependency proceeding, or a termination of parental rights proceeding:

1. A student who is or was in out-of-home care at the time he or she reached 18 years of age.
2. A student who was adopted from the Department of Children and Families after May 5, 1997.
3. A student who is, or was at the time of reaching 18 years of age, placed in the custody of a relative or non-relative under Sections 39.5085, 39.6221, or 39.6225, F.S.
4. A student who after reaching 14 years of age and thereafter spending at least 18 months in out-of-home care, was reunited with his or her parent or parents who were the subject of the dependency proceeding before he or she reaches 18 years of age, including a student who is reunited under Section 39.8155, F.S. For a student to be eligible under this subparagraph, the student must be Pell Grant-eligible, which must be verified by the entity imposing the tuition and fees.

(b) Eligibility. Each institution must determine and verify student eligibility, including any necessary documentation to prove eligibility, including the Department of Children and Families Tuition and Fee Exemption form, CF-FSP 5220, herein incorporated by reference, or submission of official state documentation that the student received support from the Department of Children and Families in foster care. Students under subsection (1)(a)(4) must be eligible for the Pell Grant, as determined by the Free Application for Federal Student Aid.

(c) Implementation.

1. Tuition and Fees. Pursuant to Section 1009.25, F.S., students who meet the eligibility requirements are exempt from the payment of tuition and fees, including lab fees and fees associated with enrollment in applied academics for adult education instruction. The exemption remains valid until the student reaches 28 years of age.

2. Enrollment. A student receiving benefits under this rule must be enrolled according to the customary rules and requirements of the institution attended.

3. Liaisons. Pursuant to Section 409.1452, F.S., each institution at which a student is exempt from the payment of tuition and fees under Section 1009.25, F.S. must have, at minimum, a knowledgeable, accessible, and responsive employee who acts as a liaison and assists eligible students in resolving any problems related to such exemption. The liaisons shall provide students with on-campus support and must be employees of the program, institution, or university. The name and contact information of the liaison must be:

   a. Provided to each student who is exempt from the payment of tuition and fees and who is attending that program, institution, or school district.
   b. Published on the website of the program, institution, or school district.
   c. Provided to the department and each community-based care lead agency.

4. Records Retention. Pursuant to Section 409.1452(1)(b), F.S., each institution must maintain the original documentation submitted by the student regarding his or her eligibility for the tuition and fee exemption under Section 1009.25, F.S. and may not make additional requests for such documentation. Institutions must retain the documentation in accordance to the General Records Schedule Item #89 set forth by the Florida Department of State Division of Library & Information Services.

5. Campus Coaching Services. In accordance with Section 409.1452(2), F.S., each institution may also provide campus coaching services and other support to a student who is exempt from the payment of tuition and fees under Section 1009.25, F.S. to promote his or her successful completion of postsecondary education and transition to independent living.

6. Pursuant to Section 1009.285, F.S., a Florida College System student will be required to pay tuition at one hundred (100) percent of the full cost of instruction for upon the third attempt of a course unless the Florida College System institution has granted an exception due to extenuating circumstances.

(2) Education Benefits and Services for Students Experiencing Homelessness.

(a) Exemption. Each institution’s respective board shall adopt and implement policies or procedures to exempt tuition and fees for the following eligible students experiencing homelessness, including students who would otherwise meet the requirements of this paragraph, as determined by a college or university, but for their residence
in college or university dormitory housing:

1. Homeless children and youths who lack a fixed, regular, and adequate nighttime residence as defined in section 725 of the McKinney-Vento Homeless Assistance Act, 42 U.S.C. Section 11434a(2), herein incorporated by reference.
   a. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
   b. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of 42 U.S.C. Section 11302(a)(2)(C));
   c. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
   d. Migratory children (as such term is defined in 20 U.S.C. Section 6399) who qualify as homeless for the purposes of this part because the children are living in circumstances described in the clauses above.


(b) Eligibility. Each student shall submit Form FSH-1, Florida Student Homelessness Verification for Tuition and Fees Exemption Purposes (LINK) and associated documentation, if applicable, required to establish eligibility in a format determined by the institution. Form FSH-1 is incorporated by reference and made a part of this rule to become effective MONTH YEAR. A copy of Form FSH-1 may also be obtained by contacting the Division of Florida Colleges, 325 West Gaines Street, Tallahassee, Florida 32399. Each institution must determine and verify student eligibility, including any necessary documentation, if applicable, to prove eligibility.

1. Section 725 of the McKinney Vento Homeless Assistance Act Verification. Students who meet the definition in Section 725 of the McKinney Vento Homeless Assistance Act requirements shall only be required to submit Form FSH-1, Florida Student Homelessness Verification, for Tuition and Fees Exemption Purposes, as certified by authorized personnel. The following individuals are authorized to certify that homeless students meet the requirements for Section 725 of the McKinney Vento Homeless Assistance Act:
   a. The designated Florida school district’s liaison for homeless children and youths;
   c. The director of an emergency shelter program funded by the United States Department of Housing and Urban Development, or the director’s designee;
   d. The director of a runaway or homeless youth basic center or transitional living program funded by the United States Department of Health and Human Services, or a designee of the director; or
   e. A continuum of care lead agency, or its designee.

2. Homeless Students Eligible Under Section 11302(A)(1) of the McKinney-Vento Homeless Assistance Act or pursuant to standards under U.S.C. Section 1087uu-2a. Students who are eligible under Section 11302(A)(1) of the McKinney-Vento Homeless Assistance Act or pursuant to standards under U.S.C. Section 1087uu-2a shall be required to submit Form FSH-1, Florida Student Homelessness Verification for Tuition and Fees Exemption Purposes, and provide at least one document that meets the standards under 20 U.S.C. s. 1087uu-2(a). The following individuals are authorized to certify eligibility under Section 11302(A)(1) of the McKinney-Vento Homeless Assistance Act or pursuant to standards under U.S.C. Section 1087uu-2a:
   a. The director of an emergency or transitional shelter, street outreach program, homeless youth drop-in center, or other program serving individuals who are experiencing homelessness, or a designee of the director;
   b. The director of an emergency shelter program funded by the United States Department of Housing and Urban Development, or the director’s designee;
   c. The director of a project supported by a Federal TRIO program or a Gaining Early Awareness and Readiness for Undergraduate program grant under division 1 or 2 of subpart 2 of part A, or a designee of the director; or
   d. A financial aid administrator at another institution who documented the student’s circumstance in the same or a prior award year.

If a student is unable to provide documentation from any individual described in a. through d. of this subparagraph, institutions shall make a case-by-case determination, which shall be based on a written statement from, or a documented interview with, the student that confirms that the student is an unaccompanied homeless youth, or
unaccompanied, at risk of homelessness, and self-supporting; and made without regard to the reasons that the student is an unaccompanied homeless youth, or unaccompanied, at risk of homelessness, and self-supporting.

(c) Implementation.

1. Pursuant to Section 1009.25, F.S., students who meet the eligibility requirements are exempt from the payment of tuition and fees, including lab fees, except .

2. Any student who is determined to be experiencing homelessness for a preceding award year is presumed to be a homeless student for each subsequent year, unless the student informs the institution that the student’s circumstances have changed, or the institution has specific conflicting information about the student’s independence and has informed the student of this information.

3. A student receiving benefits under this rule must be enrolled according to the customary rules and requirements of the institution attended.

4. Liaisons. Each institution at which a student is exempt from the payment of tuition and fees under Section 1009.25, F.S. must have, at minimum, a knowledgeable, accessible, and responsive employee who acts as a liaison and assists eligible students in resolving any problems related to such exemption. The liaisons shall provide such students with on-campus support and must be employees of the program, institution, or university. The name and contact information of the liaison must be:

a. Provided to each student who is exempt from the payment of tuition and fees and who is attending that program, institution, or school district.

b. Published on the website of the program, institution, or school district.

c. Provided to the department and each community-based care lead agency.

5. Records Retention and Documentation. Each institution must maintain the original documentation submitted by the student regarding his or her eligibility for the tuition and fee exemption under Section 409.1452(1)(b), F.S. and pursuant to Section 1009.25(1)(c), F.S., may not make additional requests for such documentation. Institutions may request additional documentation if the student reenrolls after discontinuing enrollment for 12 consecutive months or more. Institutions must retain the documentation in accordance with the retention schedules set forth by the Florida Department of State Division of Library and Information Services.

6. Campus Coaching Services. Each institution may also provide campus coaching services and other support to a student who is exempt from the payment of tuition and fees under Section 1009.25, F.S. to promote his or her successful completion of postsecondary education and transition to independent living.

6. Pursuant to Section 1009.285, F.S., a student will be required to pay tuition at one hundred (100) percent of the full cost of instruction upon the third attempt of a course unless the Florida College System institution has granted an exception due to extenuating circumstances.

7. If fraud is suspected that a student, employee, or other individual has misreported information or altered documentation to fraudulently allow the student to obtain this tuition and fees exemption, the individual must report his or her suspicions and provide any evidence to the appropriate institutional authority.

Rulemaking Authority ss. 1001.02(1) and 1009.25(1)(f), FS. Law Implemented 409.1452, 1009.25, FS. History—New XX-XX-XX
Pursuant to Section 1009.25(1)(e), Florida Statutes (F.S.), each Florida College System institution’s board of trustees, each district school board with a career center authorized under Section 1001.44, F.S., and each board of directors for a charter technical career center authorized under Section 1002.34, F.S., shall adopt and implement policies or procedures to ensure the exemption of tuition and fees for eligible students experiencing homelessness while enrolled.

Section 1 shall be completed for certifying students under Section 725 McKinney-Vento Homeless Assistance Act eligibility. Section 2 shall be completed for students eligible under section 11302(a)(1) of the McKinney-Vento Homeless Assistance Act or pursuant to standards under United States Code (U.S.C.) section 1087uu-2a. All authorized personnel must complete either Section 1 or Section 2 (not both), and Section 3.

Any student who is determined to be a student experiencing homeless for a preceding award year is presumed to be homeless for each subsequent year unless the student informs the institution their circumstances have changed or the institution has specific conflicting information about the student’s independence and has informed the student of this information.

Pursuant to Rule 6A-10.087, Florida Administrative Code (F.A.C.), institutions may request additional documentation if the student reenrolls after discontinuing enrollment for 12 consecutive months or more.

SECTION 1: VERIFICATION FOR HOMELESS HOMELESS STUDENTS UNDER SECTION 725 OF THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

To be completed by the authorized personnel certifying McKinney-Vento Homeless Assistance Act eligibility only; if not applicable, skip this section and complete section 2. The authorized individuals should complete only one section.

☐ Not applicable. Skip to Section 2.

This form verifies that the student named above:
☐ As of today, _____/_____/_____, the student is “an individual who lacks a fixed, regular, and adequate nighttime residence” as defined in section 725 of the McKinney-Vento Homeless Assistance Act, 42 U.S.C. s 11434a(2) or Section 1009.25(1)(f), Florida Statutes; and

☐ Has been living in the following homeless situation during the________ to _______ school year; (check only one):
- ☐ sharing the housing of others due to loss of housing (doubled-up);
- ☐ hotel or motel due to lack of alternative accommodations;
- ☐ emergency or transitional shelter; or
- ☐ Unsheltered (car, park, public space, abandoned building, etc.);

and, if applicable
☐ Attended ___________________________________ in Florida during that school year.

Pursuant to Rule 6A-10.087, F.A.C., I am authorized to certify that this student meets the homeless definitions referenced above. My authorized role is (check only one):
- ☐ The designated Florida school district’s liaison for homeless children and youths, pursuant to 42 U.S.C. 11432(g)(1)(J)(ii);
- ☐ The director of an emergency shelter program funded by the United States Department of Housing and Urban Development, or the director’s designee;
- ☐ The director of a runaway or homeless youth basic center or transitional living program funded by the United States Department of Health and Human Services, or the director’s designee; or
- ☐ A continuum of care lead agency, or its designee.

SECTION 2: VERIFICATION FOR HOMELESS STUDENT ELIGIBLE UNDER SECTION 11302(A)(1) OF THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT OR PURSUANT TO STANDARDS UNDER U.S.C. SECTION 1087UU-2A.

Individuals who are qualified under Section 11302(A)(1) of the McKinney-Vento Homeless Assistance Act or pursuant to standards under U.S.C. section 1087uu-2a and lack a fixed, regular, and adequate nighttime residence must attach at least one document from the authorized personnel outlined below to determine eligibility, pursuant to 20 U.S.C. 1087uu-2. Such documentation must include:
1. Student’s name
2. Date of birth
3. Student’s status as homeless for the academic term in which they seek enrollment

To be completed by authorized personnel only.

This form verifies that the student named above:
As of today, _____ / _____ / 2023, the student is “an individual lacks a fixed, regular, and adequate nighttime residence” as defined in section 725 of the McKinney-Vento Homeless Assistance Act, 42 U.S.C. § 11434(a)(2)(A) or Section 1009.25(1)(f), Florida Statutes.

Pursuant to 20 U.S.C. 1087uu-2, I am authorized to certify that this student meets the homeless definitions referenced above. My authorized role is (check only one):

☐ The director of an emergency or transitional shelter, street outreach program, homeless youth drop-in center, or other program serving individuals who are experiencing homelessness, or a designee of the director;

☐ The director of an emergency shelter program funded by the United States Department of Housing and Urban Development, or the director’s designee;

☐ The director of a project supported by a Federal TRIO program or a Gaining Early Awareness and Readiness for Undergraduate program grant under division 1 or 2 of subpart 2 of part A, or a designee of the director; or

☐ The financial aid director at another institution who documented the student's circumstance in a prior award year.

SECTION 3: AUTHORIZED PERSONNEL SIGNATURE AND CONTACT

To be completed by the authorized personnel outlined above; only one section should be completed by the authorized individuals.

Pursuant to Rule 6A-10.087, F.A.C., each Florida College System institution's board of trustees, each district school board with a career center authorized under Section 1001.44, F.S., and each board of directors for a charter technical career center authorized under Section 1002.34, F.S., must accept this form as verification that the student identified above is eligible for the homeless tuition and fees exemption. Should you have additional questions about this student, please contact me via email or at the number provided below.

Signature:          Date:

Printed Name:          Phone:

Email:          

Title:          

Agency/Organization Name:

Pursuant to Rule 6A-10.087, F.A.C., if fraud is suspected that a student, employee, or other individual has misreported information or altered documentation to fraudulently allow the student to obtain this tuition and fees exemption, the individual must report his or her suspicions and provide any evidence to the appropriate institutional authority.