

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

(1) Purpose. The purpose of this rule is to set forth the requirements related to tuition and fee exemptions, including lab fees, and services for students who have been or are in foster care and students experiencing homelessness.

(2) Definitions.

(a) "Campus coaching services" means the services that institutions may provide in accordance with Section 409.1452(2), Florida Statutes (F.S.), to assist students in their successful completion of postsecondary education and transition to independent living.

(b) "Institution" means a Florida College System institution, school district career center authorized under Section 1001.44, F.S., and charter technical career center authorized under Section 1002.34, F.S.

(c) "Liaison" means the institution's employee or employees who are responsible for providing on-campus support for students related to tuition and fee exemptions and related issues, as required by Section 409.1452(1), F.S., for institutions that have students exempt under Sections 1009.25(1)(c) and (1)(e), F.S., and this rule.

(d) "Students experiencing homelessness" means individuals who lack a fixed, regular, and adequate nighttime residence. This definition includes:

1. Individuals 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;

2. Individuals 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;

3. Individuals who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;

4. Migratory children who qualify as homeless for the purposes of 42 U.S.C. Sections 11431-11435; and

5. Individuals who would otherwise meet this definition but for their residence in college dormitory housing.

(e) "Students who have been or are in foster care" means students who were the subject of a shelter proceeding, a dependency proceeding, or a termination of parental rights proceeding and:

1. Who are or were in out-of-home care at the time they reached eighteen (18) years of age;

2. Who were adopted from the Department of Children and Families after May 5, 1997;

3. Who are, or were at the time of reaching eighteen (18) years of age, placed in the custody of a relative or nonrelative under Section 39.5085, 39.6221, or 39.6225, F.S.; or

4. Who after reaching fourteen (14) years of age and thereafter spending at least eighteen (18) months in out-of-home care, were reunited with his or her parent or parents who were the subject of the dependency proceeding before they reached eighteen (18) years of age, including students who were reunited under Section 39.8155, F.S.

(3) Exemption for students who have been or are in foster care. Each institution must exempt eligible students who have been or are in foster care from the payment of tuition and fees.

(a) Eligibility determination and verification. The institution must verify eligibility and maintain related documentation for each student in accordance with Sections 1009.25 and 409.1452, F.S. and this rule. Once eligibility is verified, the institution may not make additional requests for such documentation. Students under subparagraph (2)(e)4. must be eligible for the Pell Grant, as determined by the Free Application for Federal Student Aid and verified by the postsecondary institution.

(b) Tuition and Fees. Pursuant to Section 1009.25, F.S., students who meet the eligibility requirements under subsection (3) 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 twenty-eight (28) years of age.

(4) Exemption for students experiencing homelessness. Each institution must exempt students experiencing homelessness from the payment of tuition and fees, including lab fees.

(a) Eligibility determination and verification. The institution must verify eligibility and maintain related documentation for each student in accordance with Sections 1009.25 and 409.1452, F.S., and this rule. Once eligibility is verified, the institution may not make additional requests for such documentation, unless the student informs the institution their circumstances have changed, the institution receives conflicting information regarding a change in the student's independence status, or if the student reenrolls after discontinuing enrollment for twelve (12) consecutive months or more.

(b) Required documentation. Documentation must include Form FSH-1, Florida Student Homelessness Verification for Tuition and Fees Exemption Purposes. Form FSH-1 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15263>), effective April 2023, is hereby incorporated by reference and made part of this rule. Copies may be obtained from the Division of Florida Colleges, 325 West Gaines Street, Tallahassee, Florida 32399.

(c) Individuals authorized to certify eligibility. The following individuals are authorized to certify that students meet eligibility under this paragraph. Once a determination that the student is experiencing homelessness is made by one of the authorized individuals below, no further action is needed. Such documentation of the student's circumstances shall be considered adequate.

1. A designated Florida school district's liaison for homeless children and youth;
2. A director of an emergency shelter program funded by the United States Department of Housing and Urban Development, or the director's designee;
3. A 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;
4. A continuum of care lead agency, or its designee;
5. A 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 the director's designee;
6. The director of a project supported by a Federal TRIO program or a Gaining Early Awareness and Readiness for Undergraduate program grant under 20 U.S.C. sections 1070a-11 through 1070a-18 and 1070a-21 through 1070a-28, or the director's designee;
7. A financial aid administrator at the current postsecondary institution; or
8. A financial aid administrator at another institution who documented the student's circumstance in the same or a prior award year.

(d) Case-by-case determinations. If a student is unable to provide documentation from any individual described in paragraph (4)(c), institutions must make a case-by-case determination, which must 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.

(e) Tuition and fees. Pursuant to Section 1009.25, F.S., students who meet the eligibility requirements under subsection (4) are exempt from the payment of tuition and fees, including lab fees. The exemption remains valid until 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.

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

(6) Records retention. For purposes of these exemptions, institutions must retain the documentation in accordance with the Florida Department of State's General Records Schedule GS5 For Public Universities and Colleges, Item #89.

(7) Fraud. 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.

(8) Reporting requirements. Pursuant to Section 409.1452(3), F.S., the Division of Florida Colleges and the Division of Career and Adult Education are required to annually report specified data to the Department of Children and Families. Florida College System Institutions and school district career centers must maintain documentation and annually report in a format prescribed by the Chancellor of the Division of Florida Colleges and the Chancellor of the Division of Career and Adult Education, respectively, to the Florida Department of Education the following:

(a) Liaisons. The number of staff members acting as liaisons under Section 409.1452(1), F.S., how the liaisons' contact information is communicated; and the location of the liaisons' contact information on the institution's website.

(b) Student-progress data. The progress of students served by the liaisons, including data on academic progress, retention, financial aid status, and information required by the National Youth in Transition Database.

(c) Value of fee exemptions. The number and value of all fee exemptions granted annually.

(d) Campus coaching services. Whether the institution provides campus coaching services and other support to exempt students who are attending the institution to promote his or her successful completion of postsecondary education and transition to

independent living, and if so, the type of services and support provided.

*Rulemaking Authority 1001.02(1), (6), 1009.25(1)(e) FS. Law Implemented 1001.02(6)(e), (h), (i), 1009.25, 1009.285 FS. History—New 4-25-23.*