

By Representative Rojas

1 A bill to be entitled
2 An act relating to postsecondary education;
3 amending ss. 240.404, 240.4021, 240.4093,
4 240.4095, 240.4097, and 240.605, F.S.;
5 authorizing state financial aid to students
6 attending private, independent nonprofit
7 institutions meeting specified licensing and
8 accrediting requirements; reenacting ss.
9 240.4063(2)(a) and 240.414(2), F.S., relating
10 to scholarship programs, to incorporate the
11 amendment to s. 240.605, F.S., in references;
12 providing an effective date.

13

14 Be It Enacted by the Legislature of the State of Florida:

15

16 Section 1. Paragraph (a) of subsection (1) of section
17 240.404, Florida Statutes, is amended to read:18 240.404 General requirements for student eligibility
19 for state financial aid.--20 (1)(a) The general requirements for eligibility of
21 students for state financial aid awards consist of the
22 following:23 1. Acceptance at a state university or community
24 college; a nursing diploma school approved by the Florida
25 Board of Nursing; a Florida college, university, or community
26 college which is accredited by a member of the Commission on
27 Recognition of Postsecondary Accreditation; any Florida
28 institution the credits of which are acceptable for transfer
29 to state universities; any area technical center; ~~or~~ any
30 private vocational-technical institution accredited by a
31 member of the Commission on Recognition of Postsecondary

1 Accreditation; or a private, independent, nonprofit
2 institution that has been licensed by the State of Florida for
3 at least 5 years and licensed and chartered as a nonprofit
4 institution by its domestic state or the Internal Revenue
5 Service for at least 10 years and is accredited by either the
6 Southern Association of Colleges and Schools, the Middle
7 States Association of Colleges and Schools, the Northwest
8 Association of Colleges and Schools, the North Central
9 Association of Colleges and Schools, the New England
10 Association of Colleges and Schools, or the Western
11 Association of Colleges and Schools.

12 2. Participation in the college-level communication
13 and computation skills testing program. This requirement is
14 limited to students seeking associate's or bachelor's degrees.

15 3. Residency in this state for no less than 1 year
16 preceding the award of aid for a program established pursuant
17 to s. 240.402, s. 240.4021, s. 240.4085, s. 240.409, s.
18 240.4093, s. 240.4095, s. 240.4097, s. 240.412, s. 240.4125,
19 s. 240.413, s. 240.4987, s. 240.605, or s. 240.606. Residency
20 in this state must be for purposes other than to obtain an
21 education. Resident status for purposes of receiving state
22 financial aid awards shall be determined in the same manner as
23 resident status for tuition purposes pursuant to s. 240.1201
24 and rules of the State Board of Education.

25 4. Compliance with Selective Service System
26 registration requirements pursuant to s. 240.4045.

27 5. Submission of certification attesting to the
28 accuracy, completeness, and correctness of information
29 provided to demonstrate a student's eligibility to receive
30 state financial aid awards. Falsification of such information
31 shall result in the denial of any pending application and

1 revocation of any award currently held to the extent that no
2 further payments shall be made. Additionally, students who
3 knowingly make false statements in order to receive state
4 financial aid awards shall be guilty of a misdemeanor of the
5 second degree subject to the provisions of s. 837.06 and shall
6 be required to return all state financial aid awards
7 wrongfully obtained.

8 Section 2. Paragraph (c) of subsection (3) of section
9 240.4021, Florida Statutes, is amended to read:

10 240.4021 Vocational Gold Seal Endorsement Scholarship
11 Program.--

12 (3) The department is authorized to make awards to a
13 student who:

14 (c) Enrolls as a full-time certificate-seeking or
15 degree-seeking student at:

16 1. A public state university, community college, or
17 area vocational-technical school authorized by law; ~~or~~

18 2. A nonpublic postsecondary school or college under
19 the jurisdiction of the State Board of Independent
20 Postsecondary Vocational, Technical, Trade, and Business
21 Schools or the State Board of Independent Colleges and
22 Universities. To be eligible, a licensed school or college
23 must have been in continuous operation for at least 5 years
24 and must have held a biennial or regular license for at least
25 2 years, must not have been the subject of a finding of
26 probable cause and subsequent disciplinary action by either
27 board, must not be required by the Federal Government to apply
28 for reimbursement for Title IV funding, and must be located in
29 and chartered by the state. A licensed school or college or a
30 school or college exempt from licensure must be accredited by
31 the Career College Association, the Accrediting Bureau of

1 Health Education Schools, or the Southern Association of
2 Colleges and Schools and must never have had its accreditation
3 removed; or ~~and~~

4 3. A private, independent, nonprofit institution that
5 has been licensed by the State of Florida for at least 5 years
6 and licensed and chartered as a nonprofit institution by its
7 domestic state or the Internal Revenue Service for at least 10
8 years and is accredited by either the Southern Association of
9 Colleges and Schools, the Middle States Association of
10 Colleges and Schools, the Northwest Association of Colleges
11 and Schools, the North Central Association of Colleges and
12 Schools, the New England Association of Colleges and Schools,
13 or the Western Association of Colleges and Schools; and

14 Section 3. Paragraph (a) of subsection (2) of section
15 240.4093, Florida Statutes, is amended to read:

16 240.4093 Vocational Student Assistance Grant Program;
17 eligibility for grants.--

18 (2) Vocational student assistance grants through the
19 program may be made only to full-time students who meet the
20 general requirements for student eligibility as provided in s.
21 240.404, except as otherwise provided in this section. A
22 grant from the fund may be awarded to a student who:

23 (a)1. Is enrolled in a public vocational-technical
24 center, community college, or any nonpublic degree career
25 education, technical, trade, or business school accredited by
26 the National Association of Trade and Technical Schools, the
27 Association of Independent Colleges and Schools, the
28 Accrediting Bureau of Health Education Schools, or the
29 Southern Association of Colleges and Schools, which
30 accrediting association maintains membership in the Commission
31 on Recognition of Postsecondary Accreditation, and which

1 school has never had its accreditation removed for any reason,
2 has been in continuous operation for at least 5 years, has
3 been issued a biennial license under s. 246.217, has not been
4 the subject of a finding of probable cause and subsequent
5 disciplinary action under s. 246.226 or s. 246.228, is not
6 required by the Federal Government to apply for reimbursement
7 for Title IV funding, and is located in and chartered by the
8 state; ~~or~~

9 2. Is enrolled in an institution that has been
10 licensed continuously for the preceding 5 years by the State
11 Board of Independent Colleges and Universities, or has met the
12 requirements of s. 246.085(1)(a), and is accredited by the
13 National Association of Trade and Technical Schools, the
14 Association of Independent Colleges and Schools, the
15 Accrediting Bureau of Health Education Schools, or the
16 Southern Association of Colleges and Schools, which
17 accrediting association maintains membership in the Commission
18 on Recognition of Postsecondary Accreditation, and which
19 school has not been the subject of a finding of probable cause
20 and subsequent disciplinary action under s. 246.111, s.
21 246.226, or s. 246.228, has been issued a license under s.
22 246.217, is not required by the Federal Government to apply
23 for reimbursement for Title IV funding, and is located in and
24 chartered by the state; ~~or~~

25 3. Is enrolled in a private, independent, nonprofit
26 institution that has been licensed by the State of Florida for
27 at least 5 years and licensed and chartered as a nonprofit
28 institution by its domestic state or the Internal Revenue
29 Service for at least 10 years and is accredited by either the
30 Southern Association of Colleges and Schools, the Middle
31 States Association of Colleges and Schools, the Northwest

1 Association of Colleges and Schools, the North Central
2 Association of Colleges and Schools, the New England
3 Association of Colleges and Schools, or the Western
4 Association of Colleges and Schools.

5 Section 4. Paragraph (a) of subsection (2) of section
6 240.4095, Florida Statutes, is amended to read:

7 240.4095 Florida Private Student Assistance Grant
8 Program; eligibility for grants.--

9 (2)(a) Florida private student assistance grants from
10 the State Student Financial Assistance Trust Fund may be made
11 only to full-time degree-seeking students who meet the general
12 requirements for student eligibility as provided in s.
13 240.404, except as otherwise provided in this section. Such
14 grants shall be awarded for the amount of demonstrated unmet
15 need for tuition and fees and may not exceed a total of \$1,500
16 per academic year, or as specified in the General
17 Appropriations Act, to any applicant. A demonstrated unmet
18 need of less than \$200 shall render the applicant ineligible
19 for a Florida private student assistance grant. Recipients of
20 such grants must have been accepted at:

21 1. A baccalaureate-degree-granting independent
22 nonprofit college or university, which is accredited by the
23 Commission on Colleges of the Southern Association of Colleges
24 and Schools, and which has a secular purpose, and which is
25 located in and chartered as a domestic corporation by the
26 state; or-

27 2. A private, independent, nonprofit institution that
28 has been licensed by the State of Florida for at least 5 years
29 and licensed and chartered as a nonprofit institution by its
30 domestic state or the Internal Revenue Service for at least 10
31 years and is accredited by either the Southern Association of

1 Colleges and Schools, the Middle States Association of
2 Colleges and Schools, the Northwest Association of Colleges
3 and Schools, the North Central Association of Colleges and
4 Schools, the New England Association of Colleges and Schools,
5 or the Western Association of Colleges and Schools.

6
7 No student may receive an award for more than the equivalent
8 of 9 semesters or 14 quarters in a period of not more than 6
9 consecutive years, except as otherwise provided in s.

10 240.404(3).

11 Section 5. Paragraph (a) of subsection (2) of section
12 240.4097, Florida Statutes, is amended to read:

13 240.4097 Florida Postsecondary Student Assistance
14 Grant Program; eligibility for grants.--

15 (2)(a) Florida postsecondary student assistance grants
16 through the State Student Financial Assistance Trust Fund may
17 be made only to full-time degree-seeking students who meet the
18 general requirements for student eligibility as provided in s.
19 240.404, except as otherwise provided in this section. Such
20 grants shall be awarded for the amount of demonstrated unmet
21 need for tuition and fees and may not exceed a total of \$1,500
22 per academic year, or as specified in the General
23 Appropriations Act, to any applicant. A demonstrated unmet
24 need of less than \$200 shall render the applicant ineligible
25 for a Florida postsecondary student assistance grant.

26 Recipients of such grants must have been accepted at:

27 1. A postsecondary institution that is located in and
28 chartered as a domestic corporation by the state and that is:

29 a.1. A private nursing diploma school approved by the
30 Florida Board of Nursing; or

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1 ~~b.2.~~ An institution either licensed by the State Board
2 of Independent Colleges and Universities or exempt from
3 licensure pursuant to s. 246.085(1)(a), excluding those
4 institutions the students of which are eligible to receive a
5 Florida private student assistance grant pursuant to s.
6 240.4095; ~~or.~~

7 2. A private, independent, nonprofit institution that
8 has been licensed by the State of Florida for at least 5 years
9 and licensed and chartered as a nonprofit institution by its
10 domestic state or the Internal Revenue Service for at least 10
11 years and is accredited by either the Southern Association of
12 Colleges and Schools, the Middle States Association of
13 Colleges and Schools, the Northwest Association of Colleges
14 and Schools, the North Central Association of Colleges and
15 Schools, the New England Association of Colleges and Schools,
16 or the Western Association of Colleges and Schools.

17
18 No student may receive an award for more than the equivalent
19 of 9 semesters or 14 quarters in a period of not more than 6
20 consecutive years, except as otherwise provided in s.
21 240.404(3).

22 Section 6. Subsection (3) of section 240.605, Florida
23 Statutes, 1996 Supplement, is amended to read:

24 240.605 Florida resident access grants.--

25 (3) The department shall issue through the program a
26 Florida resident access grant to any full-time degree-seeking
27 undergraduate student registered at:

28 1. An independent nonprofit college or university
29 which is located in and chartered by the state; which is
30 accredited by the Commission on Colleges of the Southern
31 Association of Colleges and Schools; which grants

1 baccalaureate degrees; which is not a state university or
2 state community college; and which has a secular purpose, so
3 long as the receipt of state aid by students at the
4 institution would not have the primary effect of advancing or
5 impeding religion or result in an excessive entanglement
6 between the state and any religious sect. Any independent
7 college or university that was eligible to receive tuition
8 vouchers on January 1, 1989, and which continues to meet the
9 criteria under which its eligibility was established, shall
10 remain eligible to receive Florida resident access grant
11 payments; or-

12 2. A private, independent, nonprofit institution that
13 has been licensed by the State of Florida for at least 5 years
14 and licensed and chartered as a nonprofit institution by its
15 domestic state or the Internal Revenue Service for at least 10
16 years and is accredited by either the Southern Association of
17 Colleges and Schools, the Middle States Association of
18 Colleges and Schools, the Northwest Association of Colleges
19 and Schools, the North Central Association of Colleges and
20 Schools, the New England Association of Colleges and Schools,
21 or the Western Association of Colleges and Schools.

22 Section 7. For the purpose of incorporating the
23 amendment to section 240.605, Florida Statutes, 1996
24 Supplement, in references thereto, the sections or
25 subdivisions of Florida Statutes set forth below are reenacted
26 to read:

27 240.4063 Florida Teacher Scholarship and Forgivable
28 Loan Program.--

29 (2) Within the Florida Teacher Scholarship and
30 Forgivable Loan Program shall be established the "Chappie"
31 James Most Promising Teacher Scholarship which shall be

1 offered to a top graduating senior from each public secondary
2 school in the state. An additional number of "Chappie" James
3 Most Promising Teacher Scholarship awards shall be offered
4 annually to graduating seniors from nonpublic secondary
5 schools in the state which are listed with the Department of
6 Education and accredited by the Southern Association of
7 Colleges and Schools or any other private statewide
8 accrediting agency which makes public its standards,
9 procedures, and member schools. The nonpublic secondary
10 schools shall be in compliance with regulations of the Office
11 for Civil Rights. The number of awards to nonpublic secondary
12 school students shall be proportional to the number of awards
13 available to public secondary school students and shall be
14 calculated as the ratio of the number of nonpublic to public
15 secondary school seniors in the state multiplied by the number
16 of public secondary schools in the state.

17 (a) The scholarship may be used for attendance at a
18 state university, a community college, or an independent
19 institution as defined in s. 240.605.

20 240.414 Latin American and Caribbean Basin Scholarship
21 Program.--

22 (2) The institutions that are eligible to participate
23 in the scholarship program include the state universities and
24 community colleges authorized by Florida law and any
25 independent institutions eligible to participate in the
26 Florida resident access grant program pursuant to s. 240.605.
27 No college or university may receive more than 25 percent of
28 the funds appropriated in any year. Institutions and the
29 appropriate administrative agency shall seek matching funds
30 from private businesses, public foundations, and other
31 agencies.

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Section 8. This act shall take effect July 1, 1997.

HOUSE SUMMARY

Authorizes state financial aid to a student attending a private, independent nonprofit institution that has been licensed by the State of Florida and by its domestic state or the Internal Revenue Service and is accredited by a regionally recognized accrediting body other than the Southern Association of Colleges and Schools.