

By Representative Wise

1 A bill to be entitled
2 An act relating to student grants; amending s.
3 240.409, F.S.; authorizing eligibility
4 determination and grant distribution for the
5 Florida Public Student Assistance Grant Program
6 to be conducted by the receiving institution;
7 specifying a dollar value range for grant
8 awards; amending s. 240.4095, F.S.; authorizing
9 eligibility determination and grant
10 distribution for the Florida Private Student
11 Assistance Grant Program to be conducted by the
12 receiving institution; specifying a dollar
13 value range for grant awards; amending s.
14 240.4097, F.S.; authorizing eligibility
15 determination and grant distribution for the
16 Florida Postsecondary Student Assistance Grant
17 Program to be conducted by the receiving
18 institution; specifying a dollar value range
19 for grant awards; providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Section 240.409, Florida Statutes, is
24 amended to read:

25 240.409 Florida Public Student Assistance Grant
26 Program; eligibility for grants.--

27 (1) There is hereby created a Florida Public Student
28 Assistance Grant Program to be administered by the
29 participating institutions ~~Department of Education~~ in
30 accordance with rules of the state board.

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1 (2)(a) State student assistance grants through the
2 program may be made ~~only~~ to ~~full-time~~ degree-seeking students
3 enrolled for a minimum of 6 credit hours who meet the general
4 requirements for student eligibility as provided in s.
5 240.404, except as otherwise provided in this section. Such
6 grants shall be awarded annually for the amount of
7 demonstrated unmet need for the cost of education and may not
8 exceed an amount equal to the weighted average prior academic
9 year cost of tuition and matriculation fees for 30 credit
10 hours at state universities or such other amount as specified
11 in the General Appropriations Act, to any recipient. A
12 demonstrated unmet need of less than \$200 shall render the
13 applicant ineligible for a state student assistance grant.
14 Recipients of such grants must have been accepted at a state
15 university or community college authorized by Florida law. No
16 student may receive an award for more than the equivalent of 9
17 semesters or 14 quarters in a period of not more than 6
18 consecutive years, except as otherwise provided in s.
19 240.404(3).

20 (b) A student applying for a Florida public student
21 assistance grant shall be required to apply for the Pell
22 Grant. The Pell Grant entitlement shall be considered by the
23 department when conducting an assessment of the financial
24 resources available to each student.

25 (c) ~~The criteria and procedure for establishing~~
26 ~~standards of eligibility shall be determined by the~~
27 ~~department. The department is directed to establish a rating~~
28 ~~system upon which to base the approval of grants, and such~~
29 ~~system shall include a certification of acceptability by the~~
30 ~~state university or community college of the applicant's~~
31 ~~choice and the use of a nationally recognized system of need~~

1 ~~analysis.~~ Priority in the distribution of grant moneys shall
2 be given to students with the lowest total family resources,
3 in accordance with a nationally recognized system of need
4 analysis as determined pursuant to this subsection, taking
5 into consideration the receipt of Pell Grants and student
6 contributions to educational costs.

7 (d) Each participating institution shall report, to
8 the department by the established date, the eligible students
9 to whom grant moneys are disbursed each academic term. Each
10 institution shall also report to the department necessary
11 demographic and eligibility data for such students.~~The~~
12 ~~department is directed to establish, for fall enrollment, an~~
13 ~~initial application deadline for students attending all~~
14 ~~eligible institutions and an additional application deadline~~
15 ~~for community college applicants who apply after the initial~~
16 ~~application deadline. The second community college deadline~~
17 ~~shall be at the close of each institution's drop-add period.~~
18 ~~The department shall reserve an amount to be designated~~
19 ~~annually in the General Appropriations Act for the purpose of~~
20 ~~providing awards to community college students who apply for a~~
21 ~~student assistance grant after the initial application~~
22 ~~deadline. Community college applicants who apply during the~~
23 ~~initial application period and are eligible to receive an~~
24 ~~award, but do not receive an award because of insufficient~~
25 ~~funds, shall have their applications reconsidered with those~~
26 ~~community college applicants who apply after the initial~~
27 ~~application deadline. The provisions of this paragraph shall~~
28 ~~take effect beginning with the 1990-1991 academic year.~~

29 (3) Based on the unmet financial need of an eligible
30 applicant, the full amount of a Florida public student
31 assistance grant must be between \$200 and the weighted average

1 of the cost of tuition and matriculation fees for 30 credit
2 hours at state universities\$1,500 per academic year or the
3 amount specified in the General Appropriations Act. Students
4 enrolled for 6 to 8 credit hours may receive up to one-half of
5 the maximum award, students enrolled for 9 to 11 credit hours
6 may receive up to three-fourths of the maximum award, and
7 students enrolled for 12 or more credit hours may receive up
8 to the full award.~~When funds are not sufficient to make full~~
9 ~~awards to all eligible applicants, the department shall reduce~~
10 ~~the amount of each recipient's grant award pro rata. For any~~
11 ~~year in which a pro rata grant reduction is necessary, such~~
12 ~~adjustment shall be made by reducing the second semester or~~
13 ~~the second and third quarter award disbursements to grant~~
14 ~~recipients. In each such instance, institutions shall notify~~
15 ~~students of award adjustments.~~

16 ~~(4) In the event that a Florida public student~~
17 ~~assistance grant recipient transfers from one institution~~
18 ~~eligible under this section, s. 240.4095, or s. 240.4097 to~~
19 ~~another, his or her eligibility shall be transferable upon~~
20 ~~approval of the department. When approved by the department,~~
21 ~~the amount of the unmet need shall be recalculated for the new~~
22 ~~institution and shall be adjusted accordingly.~~

23 (4)(5)(a) Payment of Florida public student assistance
24 grants shall ~~may~~ be transmitted to the president of the state
25 university or community college ~~which the recipient is~~
26 ~~attending~~, or to his or her representative, in advance of the
27 registration period. Institutions shall notify students of the
28 amount of their awards.

29 ~~(b) Institutions shall certify to the department,~~
30 ~~within 30 days of the end of regular registration, the~~
31 ~~eligibility status of each awarded student. The eligibility~~

1 status of each student to receive a disbursement shall be
2 determined by each institution as of the end of its regular
3 registration period, inclusive of a drop-add period.
4 Institutions shall not be required to reevaluate a student's
5 eligibility status after this date for purposes of changing
6 ~~amending~~ eligibility determinations previously made. ~~However,~~
7 ~~an institution shall be required to make refunds for students~~
8 ~~who receive award disbursements and terminate enrollment for~~
9 ~~any reason during the academic term when an institution's~~
10 ~~refund policies permit a student to receive a refund under~~
11 ~~these circumstances.~~

12 ~~(c) Institutions shall certify to the department the~~
13 ~~amount of funds disbursed to each student and shall remit to~~
14 ~~the department any undisbursed advances within 60 days of the~~
15 ~~end of regular registration.~~

16 (5)(6) Funds appropriated by the Legislature for state
17 student assistance grants shall be deposited in the State
18 Student Financial Assistance Trust Fund. Notwithstanding the
19 provisions of s. 216.301 and pursuant to s. 216.351, any
20 balance in the trust fund at the end of any fiscal year that
21 has been allocated to the Florida Public Student Assistance
22 Grant Program shall remain therein and shall be available for
23 carrying out the purposes of this section.

24 (6)(7) The State Board of Education shall establish
25 rules necessary to implement this section.

26 Section 2. Section 240.4095, Florida Statutes, is
27 amended to read:

28 240.4095 Florida Private Student Assistance Grant
29 Program; eligibility for grants.--

30 (1) There is hereby created a Florida Private Student
31 Assistance Grant Program to be administered by the

1 participating institutions ~~Department of Education~~ in
2 accordance with rules of the state board.

3 (2)(a) Florida private student assistance grants from
4 the State Student Financial Assistance Trust Fund may be made
5 ~~only to full-time~~ degree-seeking students enrolled for a
6 minimum of 6 credit hours who meet the general requirements
7 for student eligibility as provided in s. 240.404, except as
8 otherwise provided in this section. Such grants shall be
9 awarded for the amount of demonstrated unmet need for tuition
10 and fees and may not exceed a total of the weighted average
11 tuition and matriculation fees for 30 credit hours at state
12 universities plus \$1,000~~\$1,500~~ per academic year, or as
13 specified in the General Appropriations Act, to any applicant.
14 A demonstrated unmet need of less than \$200 shall render the
15 applicant ineligible for a Florida private student assistance
16 grant. Recipients of such grants must have been accepted at a
17 baccalaureate-degree-granting independent nonprofit college or
18 university, which is accredited by the Commission on Colleges
19 of the Southern Association of Colleges and Schools, ~~and which~~
20 ~~has a secular purpose,~~ and which is located in and chartered
21 as a domestic corporation by the state. No student may
22 receive an award for more than the equivalent of 9 semesters
23 or 14 quarters of full-time enrollment ~~in a period of not more~~
24 ~~than 6 consecutive years~~, except as otherwise provided in s.
25 240.404(3).

26 (b) A student applying for a Florida private student
27 assistance grant shall be required to apply for the Pell
28 Grant. The Pell Grant entitlement shall be considered ~~by the~~
29 ~~department~~ when conducting an assessment of the financial
30 resources available to each student.

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1 (c) ~~The criteria and procedure for establishing~~
2 ~~standards of eligibility shall be determined by the~~
3 ~~department. The department is directed to establish a rating~~
4 ~~system upon which to base the approval of grants, including~~
5 ~~the use of a nationally recognized system of need analysis.~~
6 ~~The system shall include a certification of acceptability by~~
7 ~~the independent nonprofit college or university of the~~
8 ~~applicant's choice. Priority in the distribution of grant~~
9 ~~moneys shall be given to students with the lowest total family~~
10 ~~resources, in accordance with a nationally recognized system~~
11 ~~of need analysis as determined pursuant to this subsection,~~
12 ~~taking into consideration the receipt of Pell Grants and~~
13 ~~student contributions to educational costs.~~

14 (d) Each participating institution shall report, to
15 the department by the established date, the eligible students
16 to whom grant moneys are disbursed each academic term. Each
17 institution shall also report to the department necessary
18 demographic and eligibility data for such students.

19 (3) Based on the unmet financial need of an eligible
20 applicant, the ~~full~~ amount of a Florida private student
21 assistance grant must be between \$200 and the weighted average
22 cost of matriculation and tuition fees for 30 credit hours at
23 state universities plus \$1,000~~\$1,500~~ per academic year or the
24 amount specified in the General Appropriations Act. Students
25 enrolled for 6 to 8 credit hours may receive up to one-half of
26 the maximum award, students enrolled for 9 to 11 credit hours
27 may receive up to three-fourths of the maximum award, and
28 students enrolled for 12 or more credit hours may receive up
29 to the full award.~~When funds are not sufficient to make full~~
30 ~~awards to all eligible applicants, the department shall reduce~~
31 ~~the amount of each recipient's grant award pro rata. For any~~

1 ~~year in which a pro rata grant reduction is necessary, such~~
2 ~~adjustment shall be made by reducing the second semester or~~
3 ~~the second and third quarter award disbursements to grant~~
4 ~~recipients. In each such instance, institutions shall notify~~
5 ~~students of award adjustments.~~

6 ~~(4) In the event that a Florida private student~~
7 ~~assistance grant recipient transfers from one institution~~
8 ~~eligible under this section, s. 240.409, or s. 240.4097 to~~
9 ~~another, his or her eligibility shall be transferable upon~~
10 ~~approval of the department. When approved by the department,~~
11 ~~the amount of the unmet need shall be recalculated for the new~~
12 ~~institution and shall be adjusted accordingly.~~

13 ~~(4)(5)(a)~~ Payment of Florida private student
14 assistance grants shall ~~may~~ be transmitted to the president of
15 the college or university which the recipient is attending, or
16 to his or her representative, in advance of the registration
17 period. Institutions shall notify students of the amount of
18 their awards.

19 (b) Institutions shall certify to the department,
20 within 30 days of the end of regular registration, the
21 eligibility status of each awarded student. The eligibility
22 status of each student to receive a disbursement shall be
23 determined by each institution as of the end of its regular
24 registration period, inclusive of a drop-add period.
25 Institutions shall not be required to reevaluate a student's
26 eligibility status after this date for purposes of amending
27 eligibility determinations previously made. However, an
28 institution shall be required to make refunds for students who
29 receive award disbursements and terminate enrollment for any
30 reason during the academic term when an institution's refund
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1 policies permit a student to receive a refund under these
2 circumstances.

3 (c) Institutions shall certify to the department the
4 amount of funds disbursed to each student and shall remit to
5 the department any undisbursed advances within 60 days of the
6 end of regular registration.

7 (d) Each institution that receives moneys through the
8 Florida Private Student Assistance Grant Program shall cause
9 to be prepared a biennial report that includes an independent
10 external audit of the institution's administration of the
11 program and a complete accounting of moneys in the State
12 Student Financial Assistance Trust Fund allocated to the
13 institution for the program. Such report shall be submitted to
14 the department on or before March 1 every other year. The
15 department may conduct its own annual or biennial audit of an
16 institution's administration of the program and its allocated
17 funds in lieu of the required biennial report and independent
18 external audit. The department may suspend or revoke an
19 institution's eligibility to receive future moneys from the
20 trust fund for the program or request a refund of any moneys
21 overpaid to the institution through the trust fund for the
22 program if the department finds that an institution has not
23 complied with the provisions of this section. Any refund
24 requested pursuant to this paragraph shall be remitted within
25 60 days.

26 (5)~~(6)~~ Funds appropriated by the Legislature for
27 Florida private student assistance grants shall be deposited
28 in the State Student Financial Assistance Trust Fund.
29 Notwithstanding the provisions of s. 216.301 and pursuant to
30 s. 216.351, any balance in the trust fund at the end of any
31 fiscal year that has been allocated to the Florida Private

1 Student Assistance Grant Program shall remain therein and
2 shall be available for carrying out the purposes of this
3 section and as otherwise provided by law.

4 ~~(6)(7)~~ The State Board of Education shall adopt rules
5 necessary to implement this section.

6 Section 3. Section 240.4097, Florida Statutes, is
7 amended to read:

8 240.4097 Florida Postsecondary Student Assistance
9 Grant Program; eligibility for grants.--

10 (1) There is hereby created a Florida Postsecondary
11 Student Assistance Grant Program to be administered by the
12 participating institutions ~~Department of Education~~ in
13 accordance with rules of the state board.

14 (2)(a) Florida postsecondary student assistance grants
15 through the State Student Financial Assistance Trust Fund may
16 be made only to full-time degree-seeking students enrolled for
17 a minimum of 6 credit hours who meet the general requirements
18 for student eligibility as provided in s. 240.404, except as
19 otherwise provided in this section. Such grants shall be
20 awarded for the amount of demonstrated unmet need for tuition
21 and fees and may not exceed a total of the weighted average
22 prior-academic-year cost of tuition and matriculation fees at
23 state universities plus \$1,000~~\$1,500~~ per academic year, or as
24 specified in the General Appropriations Act, to any applicant.
25 A demonstrated unmet need of less than \$200 shall render the
26 applicant ineligible for a Florida postsecondary student
27 assistance grant. Recipients of such grants must have been
28 accepted at a postsecondary institution that is located in and
29 chartered as a domestic corporation by the state and that is:

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

1 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.

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8 No student may receive an award for more than the equivalent
9 of 9 semesters or 14 quarters of full-time enrollment in a
10 ~~period of not more than 6 consecutive years~~, except as
11 otherwise provided in s. 240.404(3).

12 (b) A student applying for a Florida postsecondary
13 student assistance grant shall be required to apply for the
14 Pell Grant. The Pell Grant entitlement shall be considered ~~by~~
15 ~~the department~~ when conducting an assessment of the financial
16 resources available to each student.

17 (c) ~~The criteria and procedure for establishing~~
18 ~~standards of eligibility shall be determined by the~~
19 ~~department. The department is directed to establish a rating~~
20 ~~system upon which to base the approval of grants, including~~
21 ~~the use of a nationally recognized system of need analysis.~~
22 ~~The system shall include a certification of acceptability by~~
23 ~~the school of the applicant's choice. Priority in the~~
24 distribution of grant moneys shall be given to students with
25 the lowest total family resources, in accordance with a
26 nationally recognized system of need analysis as determined
27 ~~pursuant to this subsection, taking into consideration the~~
28 ~~receipt of Pell Grants and student contributions to~~
29 ~~educational costs.~~

30 (d) Each participating institution shall report, to
31 the department by the established date, the eligible students

1 to whom grant moneys are disbursed each academic term. Each
2 institution shall also report to the department necessary
3 demographic and eligibility data for such students.

4 (3) Based on the unmet financial need of an eligible
5 applicant, the full amount of a Florida postsecondary student
6 assistance grant must be between \$200 and the weighted average
7 cost of tuition and matriculation fees for 30 credit hours at
8 state universities plus \$1,000~~\$1,500~~ per academic year or the
9 amount specified in the General Appropriations Act. Students
10 enrolled for 6 to 8 credit hours may receive up to one-half of
11 the maximum award, students enrolled for 9 to 11 credit hours
12 may receive up to three-fourths of the maximum award, and
13 students enrolled for 12 or more credit hours may receive up
14 to the full award.~~When funds are not sufficient to make full~~
15 ~~awards to all eligible applicants, the department shall reduce~~
16 ~~the amount of each recipient's grant award pro rata. For any~~
17 ~~year in which a pro rata grant reduction is necessary, such~~
18 ~~adjustment shall be made by reducing the second semester or~~
19 ~~the second and third quarter award disbursements to grant~~
20 ~~recipients. In each such instance, institutions shall notify~~
21 ~~students of award adjustments.~~

22 ~~(4) In the event that a student assistance grant~~
23 ~~recipient transfers from one institution eligible under this~~
24 ~~section, s. 240.409, or s. 240.4095 to another, his or her~~
25 ~~eligibility shall be transferable upon approval of the~~
26 ~~department. When approved by the department, the amount of~~
27 ~~the unmet need shall be recalculated for the new institution~~
28 ~~and shall be adjusted accordingly.~~

29 (4)(5)(a) Payment of Florida postsecondary student
30 assistance grants shall ~~may~~ be transmitted to the president of
31 the eligible institution ~~which the recipient is attending, or~~

1 to his or her representative, in advance of the registration
2 period. Institutions shall notify students of the amount of
3 their awards.

4 ~~(b) Institutions shall certify to the department,~~
5 ~~within 30 days of the end of regular registration, the~~
6 ~~eligibility status of each awarded student.~~ The eligibility
7 status of each student to receive a disbursement shall be
8 determined by each institution as of the end of its regular
9 registration period, inclusive of a drop-add period.
10 Institutions shall not be required to reevaluate a student's
11 eligibility status after this date for purposes of changing
12 ~~amending~~ eligibility determinations previously made. ~~However,~~
13 ~~an institution shall be required to make refunds for students~~
14 ~~who receive award disbursements and terminate enrollment for~~
15 ~~any reason during the academic term when an institution's~~
16 ~~refund policies permit a student to receive a refund under~~
17 ~~these circumstances.~~

18 ~~(c) Institutions shall certify to the department the~~
19 ~~amount of funds disbursed to each student and shall remit to~~
20 ~~the department any undisbursed advances within 60 days of the~~
21 ~~end of regular registration.~~

22 ~~(c)~~(d) Each institution that receives moneys through
23 the Florida Postsecondary Student Assistance Grant Program
24 shall cause to be prepared a biennial report that includes an
25 independent external audit of the institution's administration
26 of the program and a complete accounting of moneys in the
27 State Student Financial Assistance Trust Fund allocated to the
28 institution for the program. Such report shall be submitted
29 to the department on or before March 1 every other year. The
30 department may conduct its own annual or biennial audit of an
31 institution's administration of the program and its allocated

1 funds in lieu of the required biennial report and independent
2 external audit. The department may suspend or revoke an
3 institution's eligibility to receive future moneys from the
4 trust fund for the program or request a refund of any moneys
5 overpaid to the institution through the trust fund for the
6 program if the department finds that an institution has not
7 complied with the provisions of this section. Any refund
8 requested pursuant to this paragraph shall be remitted within
9 60 days.

10 (5)~~(6)~~ Any institution that was eligible to receive
11 state student assistance grants on January 1, 1989, and that
12 is not eligible to receive grants pursuant to s. 240.4095 is
13 eligible to receive grants pursuant to this section.

14 (6)~~(7)~~ Funds appropriated by the Legislature for
15 Florida postsecondary student assistance grants shall be
16 deposited in the State Student Financial Assistance Trust
17 Fund. Notwithstanding the provisions of s. 216.301 and
18 pursuant to s. 216.351, any balance in the trust fund at the
19 end of any fiscal year that has been allocated to the Florida
20 Postsecondary Student Assistance Grant Program shall remain
21 therein and shall be available for carrying out the purposes
22 of this section and as otherwise provided by law.

23 (7)~~(8)~~ The State Board of Education shall adopt rules
24 necessary to implement this section.

25 Section 4. This act shall take effect upon becoming a
26 law.

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HOUSE SUMMARY

Authorizes eligibility determination and grant distribution for the Florida Public Student Assistance Grant Program, the Florida Private Student Assistance Grant Program, and the Florida Postsecondary Student Assistance Grant Program to be conducted by the receiving institutions and specifies a dollar value range for grant awards. See bill for details.