

By Representative K. Pruitt

1                                   A bill to be entitled  
2           An act relating to education; amending s.  
3           24.121, F.S.; providing for the funding of  
4           specified postsecondary scholarship programs  
5           from the Educational Enhancement Trust Fund;  
6           amending s. 232.2465, F.S., relating to Florida  
7           Academic Scholars; conforming provisions  
8           relating to award of scholarships; amending s.  
9           239.217, F.S., relating to the Florida Gold  
10          Seal Vocational Endorsement Program; revising  
11          provisions relating to eligibility  
12          requirements; amending s. 240.402, F.S.,  
13          relating to the Florida Undergraduate Scholars'  
14          Program; revising eligibility requirements;  
15          revising the amount of awards and reinstatement  
16          requirements; revising funding source; amending  
17          s. 240.4021, F.S., relating to the Vocational  
18          Gold Seal Endorsement Scholarship Program;  
19          revising eligibility, renewal, and  
20          reinstatement requirements; revising the amount  
21          of awards; amending s. 240.4024, F.S., relating  
22          to the Florida Postsecondary Tuition Program;  
23          revising eligible postsecondary institutions;  
24          revising provisions relating to the amount of  
25          awards; revising eligibility and renewal  
26          requirements; revising administrative  
27          procedures; requiring annual reports and  
28          audits; authorizing penalties for certain  
29          noncompliance; amending s. 240.404, F.S.,  
30          relating to requirement for student eligibility  
31

1           for state financial aid; conforming provisions;  
2           providing an effective date.

3  
4 Be It Enacted by the Legislature of the State of Florida:

5  
6           Section 1. Paragraph (b) of subsection (5) of section  
7 24.121, Florida Statutes, 1996 Supplement, is amended,  
8 paragraph (e) is redesignated as paragraph (f), and a new  
9 paragraph (e) is added to said subsection, to read:

10           24.121 Allocation of revenues and expenditure of funds  
11 for public education.--

12           (5)

13           (b) Except as provided in paragraphs (c), ~~and~~ (d), and  
14 (e), the Legislature shall equitably apportion moneys in the  
15 trust fund among public schools, community colleges, and  
16 universities.

17           (e) The Florida Postsecondary Tuition Program created  
18 under s. 240.4024, the Florida Undergraduate Scholars' Program  
19 created under s. 240.402, and the Vocational Gold Seal  
20 Endorsement Scholarship Program created under s. 240.4021  
21 shall be funded annually from the Educational Enhancement  
22 Trust Fund. Funds shall be allocated to these programs prior  
23 to application of the formula for equitable distribution to  
24 public schools, community colleges, and state universities.

25           Section 2. Subsection (4) of section 232.2465, Florida  
26 Statutes, is amended to read:

27           232.2465 Florida Academic Scholars' Certificate  
28 Program.--For the purpose of recognizing and rewarding  
29 outstanding performance and academic achievement on the part  
30 of public school students and nonpublic school students, the  
31 Commissioner of Education shall award to each high school

1 graduate who meets the requirements specified herein, and as  
2 further specified by the State Board of Education, a special  
3 certificate recognizing and designating the graduate as a  
4 Florida Academic Scholar.

5 (4) Each Florida Academic Scholar who demonstrates  
6 advanced proficiency, as defined by the State Board of  
7 Education, through performance on the combined verbal and  
8 quantitative portions of an approved standardized test and who  
9 enrolls full time in a postsecondary institution under s.  
10 240.402(1)(e)~~state university, a public community college, a~~  
11 ~~nursing diploma school approved by the Board of Nursing, or a~~  
12 ~~private institution of higher education which is accredited by~~  
13 ~~a member of the Commission on Recognition of Postsecondary~~  
14 ~~Accreditation or the credits of which are acceptable for~~  
15 ~~transfer to state universities~~ is eligible for a scholarship  
16 from the Florida Undergraduate Scholars' Program, as provided  
17 by s. 240.402.

18 Section 3. Paragraphs (b) and (d) of subsection (2) of  
19 section 239.217, Florida Statutes, are amended to read

20 239.217 Florida Gold Seal Vocational Endorsement  
21 Program.--

22 (2) Each school district may award the Florida gold  
23 seal vocational endorsement to a high school student who meets  
24 the requirements of this section. To be eligible for award of  
25 the Florida gold seal vocational endorsement, a student must:

26 (b) Complete three vocational credits in a sequential  
27 program of studies in a vocational job-preparatory or  
28 technology-education program. On-the-job training credit may  
29 not be substituted for the three vocational credits. Beginning  
30 in the 1997-1998 school year, a student must complete the  
31 secondary school portion of a sequential program of studies

1 which requires at least three secondary school vocational  
2 credits, taken over at least 2 school years, and is continued  
3 in a planned, related postsecondary education program. If the  
4 student's school does not offer such a two-plus-two program,  
5 the student is eligible for a vocational endorsement if the  
6 student completes a job-preparatory vocational education  
7 program selected by the Occupational Forecasting Conference or  
8 the Jobs and Education Partnership of Enterprise Florida for  
9 its ability to provide high-wage employment in an occupation  
10 with high potential for employment opportunities.

11 (d) Earn a minimum cumulative unweighted grade point  
12 average of 3.0 on a 4.0 scale on all subjects, other than  
13 Level I courses, required for a standard high school diploma.  
14

15 If a student does not meet the requirements of this subsection  
16 as a result of inaccurate or incomplete information provided  
17 by a high school guidance counselor, teacher, or school  
18 district personnel, the student may, nevertheless, be eligible  
19 for the Florida gold seal vocational endorsement if the  
20 principal of the school or the district superintendent  
21 verifies that such inaccuracies or misinformation caused the  
22 deficiencies. The school district must provide a means for  
23 the student to correct deficiencies resulting from such  
24 misinformation. The student must correct the deficiencies no  
25 later than December 31 immediately following high school  
26 graduation, either by completing comparable work at the  
27 postsecondary institution or by completing a directed  
28 individualized study program that is developed and  
29 administered by the school district. If the student does not  
30 complete the requirements necessary to correct the  
31 deficiencies by December 31 immediately following high school

1 graduation, the student is ineligible to participate in the  
2 Florida Gold Seal Vocational Endorsement Program.

3 Section 4. Subsections (1), (4), and (7), paragraph  
4 (b) of subsection (2), and paragraph (a) of subsection (3) of  
5 section 240.402, Florida Statutes, are amended to read:

6 240.402 Florida Undergraduate Scholars' Program.--

7 (1) There is created a Florida Undergraduate Scholars'  
8 Program, to be administered by the Department of Education.  
9 The department shall award scholarships to each Florida  
10 student who:

11 (a)1. Is recognized by the merit or achievement  
12 programs of the National Merit Scholarship Corporation as a  
13 scholar or finalist;

14 2. By the end of the first semester of the senior  
15 year, has obtained a 3.5 unweighted grade point average on a  
16 4.0 scale, or the equivalent, in high school subjects, other  
17 than Level I courses, acceptable for credit toward a diploma  
18 and has attained at least the minimum score as determined by  
19 rules of the Department of Education on the combined verbal  
20 and quantitative parts of the Scholastic Aptitude Test, the  
21 Scholastic Assessment Test, or the recentered Scholastic  
22 Assessment Test of the College Entrance Examination or an  
23 equivalent score on the American College Testing Program;

24 3. Has completed ~~attended~~ a home education program  
25 ~~during grade levels 9 through 12~~ according to the provisions  
26 of s. 232.02(4) and has attained at least the minimum score as  
27 determined by rules of the Department of Education on the  
28 combined verbal and quantitative parts of the Scholastic  
29 Aptitude Test, the Scholastic Assessment Test, or the  
30 recentered Scholastic Assessment Test of the College Entrance  
31

1 Examination or an equivalent score on the American College  
2 Testing Program;

3 4. Has been designated by the State Board of Education  
4 as a Florida Academic Scholar, pursuant to the provisions of  
5 s. 232.2465; or

6 5. Has been awarded an International Baccalaureate  
7 Diploma from the International Baccalaureate Office.

8 (b) Meets the general requirements for student  
9 eligibility as provided in s. 240.404, except as otherwise  
10 provided in this section.

11 (c) Receives a standard Florida high school diploma~~7~~  
12 ~~or its equivalent as described in s. 229.814.~~ Any student who  
13 is enrolled on a full-time basis in the early admission  
14 program of an eligible postsecondary institution or has  
15 completed ~~attended~~ a home education program ~~during grade~~  
16 ~~levels 9 through 12~~ according to the provisions of s.  
17 232.02(4) shall be exempt from this requirement. Also  
18 exempted shall be the dependents of Florida residents who are  
19 on military or public service assignments away from Florida  
20 when such dependents live with such Florida residents and  
21 receive high school diplomas from non-Florida schools.

22 (d) Files an application for an award during his or  
23 her last year in high school within established time limits.

24 (e) Attends, on a full-time basis, a Florida state  
25 university, ~~or~~ community college, or technical institute or  
26 any eligible Florida independent college, university, or  
27 vocational-technical school. An independent college,  
28 university, or vocational-technical school is eligible to  
29 participate if it meets the following criteria:

30 1. Is located in and chartered as a domestic corporation  
31 by the state.

1           2. Has a program completion and placement rate at the  
2 minimum rate established under the current Florida Statutes or  
3 the Florida Administrative Code which governs the institution,  
4 or as established by the department.

5           3. Shows evidence of sound financial condition.

6           4.a. Is accredited at the institutional level by an  
7 accrediting agency recognized by the United States Department  
8 of Education and has operated in the state for 3 years under  
9 the same ownership during which time there have been no  
10 complaints for which probable cause has been found; or

11           b. Is licensed by the state and has operated in the  
12 state for 5 years under the same ownership during which time  
13 there have been no complaints for which probable cause has  
14 been found.~~authorized by Florida law; a nursing diploma~~  
15 ~~school approved by the Board of Nursing; or any Florida~~  
16 ~~college, university, or community college which is accredited~~  
17 ~~by a member of the Commission on Recognition of Postsecondary~~  
18 ~~Accreditation the credits of which are acceptable for transfer~~  
19 ~~without qualification to state universities.~~

20           (f) Enrolls as a first-time-in-college student. Any  
21 student who earns postsecondary academic credit prior to or  
22 during the summer immediately subsequent to receiving a high  
23 school diploma, who is dually enrolled in secondary and  
24 postsecondary educational institutions, or who is enrolled in  
25 the early admission program of a postsecondary institution  
26 shall be exempt from this requirement.

27           (g) At the time an application is submitted, has not  
28 been convicted of a felony.

29  
30 Prior to graduation, a student may be notified of eligibility  
31 of award pending award of a high school diploma.

1           (2)  
2           (b) Students who apply for awards no later than April  
3 1 during their last year in high school may later reapply to  
4 receive awards during subsequent application periods when they  
5 do not accept their initial awards. Similarly, students who  
6 receive initial awards and who later do not accept renewal  
7 awards may reapply to receive awards during subsequent  
8 application periods. Students who apply under this paragraph  
9 must submit reinstatement applications within 3 years of  
10 filing their initial applications. The department shall accept  
11 reinstatement applications postmarked between February 15 and  
12 June 1 of each year and shall determine the eligibility of  
13 such applicants in the same manner as first-time applicants,  
14 except that students who apply pursuant to this paragraph  
15 shall be exempt from the provisions of paragraph (1)(f) and  
16 shall be required to have maintained the equivalent of a 3.0  
17 ~~3.2~~ cumulative grade point average on a 4.0 scale for all  
18 college work attempted. The department shall not make awards  
19 to reinstatement applicants who submit applications that are  
20 postmarked after June 1.

21           (3)(a) The annual and subsequent renewal award to a  
22 student shall be an amount sufficient to pay for tuition and  
23 mandatory fees and \$500 for books and college-related expenses  
24 ~~\$2,500~~; however, the highest-ranked, eligible, initial  
25 applicant from each county shall be designated as a Challenger  
26 Astronauts Memorial Award recipient and shall receive an  
27 annual and subsequent renewal award of \$4,000. The department  
28 shall rank eligible initial applicants for purposes of  
29 designating the Challenger Astronauts Memorial Award  
30 recipients on the basis of unweighted grade point averages on  
31 a 4.0 scale and test scores achieved on the combined verbal



1 and quantitative parts of the Scholastic Aptitude Test of the  
2 College Entrance Examination. ~~Renewal awards shall be \$4,000~~  
3 ~~annually for eligible Challenger Astronauts Memorial Award~~  
4 ~~recipients and \$2,500 annually for all other eligible~~  
5 ~~applicants.~~ Payment of an award shall be transmitted, on  
6 behalf of the student, to the president of the college,  
7 university, community college, or nursing diploma school which  
8 the recipient is attending or to his or her representative in  
9 advance of the registration period. If funds are insufficient  
10 to provide the full amount of scholarship authorized in this  
11 section to each eligible applicant, the department may prorate  
12 available funds and make a partial award to each eligible  
13 applicant.

14 (4) A recipient shall maintain the equivalent of a 3.0  
15 ~~<0>3.2~~ cumulative grade point average on a 4.0 scale, or shall  
16 maintain an approved equivalent student progress evaluation  
17 plan, ~~on at least 12 hours per quarter, trimester, or semester~~  
18 ~~in order to be eligible~~ for a continuation of the award. A  
19 recipient who fails to meet the grade point requirement may be  
20 eligible for the Florida Postsecondary Tuition Program if  
21 continuation or reinstatement requirements for that program  
22 are met. No student may receive a Florida Undergraduate  
23 Scholars' Program award for more than the equivalent of 8  
24 semesters or 12 quarters. However, a student enrolled in a  
25 5-year undergraduate degree program may receive an award for  
26 the equivalent of 10 semesters or 15 quarters. The award may  
27 be renewed annually upon documentation by the recipient that  
28 he or she meets the necessary qualifications. If any  
29 recipient transfers from one accredited Florida college,  
30 university, community college, or nursing diploma school to  
31 another eligible institution, his or her award will be

1 transferable, provided he or she is otherwise eligible for the  
2 award.

3 (7) The Legislature shall appropriate, from the  
4 Educational Enhancement Trust Fund ~~general revenue~~ and from  
5 the Challenger Astronauts Memorial Undergraduate Scholarship  
6 Trust Fund, funds to be deposited into the State Student  
7 Financial Assistance Trust Fund for the purpose of funding  
8 this act. Notwithstanding the provisions of s. 216.301 and  
9 pursuant to s. 216.351, any balance in the trust fund that has  
10 been allocated to the Florida Undergraduate Scholars' Program  
11 at the end of any fiscal year shall remain therein and shall  
12 be available for carrying out the purposes of this section.

13 Section 5. Paragraph (c) of subsection (3), subsection  
14 (5), paragraph (b) of subsection (6), and paragraph (a) of  
15 subsection (7) of section 240.4021, Florida Statutes, are  
16 amended to read:

17 240.4021 Vocational Gold Seal Endorsement Scholarship  
18 Program.--

19 (3) The department is authorized to make awards to a  
20 student who:

21 (c) Enrolls as a full-time or part-time  
22 certificate-seeking or degree-seeking student at:

23 1. A public state university, community college, or  
24 area vocational-technical school authorized by law; or

25 2. A nonpublic postsecondary school or college under  
26 the jurisdiction of the State Board of Independent  
27 Postsecondary Vocational, Technical, Trade, and Business  
28 Schools or the State Board of Independent Colleges and  
29 Universities. To be eligible, a licensed school or college  
30 must have been in continuous operation for at least 5 years  
31 and must have held a biennial or regular license for at least

1 2 years, must not have been the subject of a finding of  
2 probable cause and subsequent disciplinary action by either  
3 board, must not be required by the Federal Government to apply  
4 for reimbursement for Title IV funding, and must be located in  
5 and chartered by the state. A licensed school or college or a  
6 school or college exempt from licensure must be accredited by  
7 the Career College Association, the Accrediting Bureau of  
8 Health Education Schools, or the Southern Association of  
9 Colleges and Schools and must never have had its accreditation  
10 removed; and

11 (5) To be eligible for the renewal of an award, an  
12 applicant each academic year must:

13 (a) Maintain a minimum cumulative grade point average  
14 of 2.5 ~~3.0~~ on a 4.0 scale, or the equivalent; and

15 (b) Earn the equivalent of 6 ~~12~~ semester credits for  
16 each term of the academic year for which he or she received  
17 the award.

18  
19 A student who fails to attain a 2.5 cumulative grade point  
20 average at any time while attending a postsecondary  
21 institution may have eligibility restored upon attaining a  
22 cumulative grade point average of 2.5 or above during the  
23 eligibility period. No student shall be eligible for more  
24 than one reinstatement of eligibility.

25 (6)

26 (b) Students who apply for awards no later than April  
27 1 during their last year in high school and who meet all other  
28 eligibility requirements to receive awards may later reapply  
29 to receive awards during subsequent application periods when  
30 they do not accept their initial awards. Similarly, students  
31 who receive initial awards and who later do not accept renewal

1 awards may reapply to receive awards during subsequent  
2 application periods. Students who apply under this paragraph  
3 must submit reinstatement applications within 3 years after  
4 filing their initial applications. The department shall  
5 accept reinstatement applications postmarked between January 1  
6 and June 1 of each year and shall determine the eligibility of  
7 such applicants in the same manner as first-time applicants,  
8 except that students shall not be eligible for reinstatement  
9 awards unless they have maintained the equivalent of a 2.5 ~~3.0~~  
10 cumulative grade point average on a 4.0 scale for all college  
11 work attempted. The department shall not make awards to  
12 reinstatement applicants who submit applications that are  
13 postmarked after June 1.

14 (7)(a) The annual award to each recipient shall equal  
15 the amount of tuition of the postsecondary institution in  
16 which the student is enrolled, not to exceed the average  
17 tuition per credit hour calculated by the department for the  
18 state universities ~~be a maximum of \$2,000~~. Payment of an award  
19 shall be transmitted in advance of the registration period  
20 each semester on behalf of the student to the president of the  
21 university or community college, or his or her representative,  
22 or to the director of the area vocational-technical school  
23 which the recipient is attending, or his or her  
24 representative, except that the department may withhold  
25 payment if the receiving institution fails to report or to  
26 make refunds to the department as required in paragraphs (b)  
27 and (c).

28 Section 6. Section 240.4024, Florida Statutes, 1996  
29 Supplement, is amended to read:

30 240.4024 Florida Postsecondary Tuition Program.--

31

1           (1) The Florida Postsecondary Tuition Program is  
2 hereby created to reward outstanding high school students with  
3 financial assistance in undergraduate degree, diploma, or  
4 certificate programs at any Florida public university,  
5 community college, or technical institute or at any eligible  
6 Florida independent college, university, or vocational-  
7 technical school. An independent college, university, or  
8 vocational-technical school is eligible to participate if it  
9 meets the following criteria:

10           (a) Is located in and chartered as a domestic  
11 corporation by the state.

12           (b) Has a program completion and placement rate at the  
13 minimum rate established under the current Florida Statutes or  
14 the Florida Administrative Code which governs the institution,  
15 or as established by the department.

16           (c) Shows evidence of sound financial condition.

17           (d)1. Is accredited at the institutional level by an  
18 accrediting agency recognized by the United States Department  
19 of Education and has operated in the state for 3 years under  
20 the same ownership during which time there have been no  
21 complaints for which probable cause has been found; or

22           2. Is licensed by the state and has operated in the  
23 state for 5 years under the same ownership during which time  
24 there have been no complaints for which probable cause has  
25 been found.

26  
27 This financial assistance shall be in the form of scholarships  
28 and may be used to assist with any educational costs ~~the cost~~  
29 ~~of education, not to exceed the cost of tuition, mandatory~~  
30 ~~fees, and books.~~ Except as otherwise provided in this section,  
31 the scholarship shall cover the full cost of tuition subject

1 to the availability of funds and may not exceed the cost of  
2 tuition. The scholarship may not be used for remedial courses.

3 (2) In order to be eligible to receive a scholarship  
4 under the Florida Postsecondary Tuition Program, an  
5 initial-year applicant must:

6 (a) Be a Florida resident.

7 (b) Receive a standard Florida high school diploma, ~~or~~  
8 ~~its equivalent as described in s. 229.814, in or after 1997~~  
9 ~~1996~~. Any student who is enrolled on a full-time basis in the  
10 early admission program of an eligible postsecondary  
11 institution or has completed ~~attended~~ a home education program  
12 ~~during grade levels 9 through 12~~ according to the provisions  
13 of s. 232.02(4) shall be exempt from this requirement. Also  
14 exempt shall be the dependents of Florida residents who are on  
15 military or public service assignments away from Florida when  
16 such dependents live with such Florida residents and receive  
17 high school diplomas from non-Florida schools.

18 (c) At the time an application is submitted, have not  
19 been convicted of a felony.

20 (d)1. At the end of the first semester of the senior  
21 year of high school ~~time of application or by the end of the~~  
22 ~~senior year, have been enrolled in, and intend to complete, a~~  
23 ~~college preparatory curriculum, have an unweighted grade point~~  
24 ~~average of 3.0 or above on a 4.0 scale~~ in courses, other than  
25 Level I courses, as identified by the Department of Education,  
26 and by the time of graduation have attained at least the  
27 minimum score established by the Department of Education on  
28 the American College Test or the Scholastic Assessment Test;  
29 or

30 2. ~~At the time of application or by the end of the~~  
31 ~~senior year, have been enrolled in a curriculum other than a~~

1 ~~college preparatory curriculum, have an unweighted grade point~~  
2 ~~average of 3.0 or above on a 4.0 scale, and have attained at~~  
3 ~~least the minimum score established by the department on the~~  
4 ~~American College Test or the Scholastic Assessment Test;~~

5 2.3. At the time of application, be a home education  
6 program student, ~~or a high school equivalency diploma~~  
7 ~~recipient,~~ who has attained at least the minimum score  
8 established by the department on the American College Test or  
9 the Scholastic Assessment Test.

10 (e) Utilize the an initial scholarship within 7 years  
11 of the date of high school graduation by the date established  
12 by the department.

13  
14 Prior to graduation, a student may be notified of eligibility  
15 of award pending award of a high school diploma.

16 (3) Students may receive annual awards for the first  
17 year of either full-time or part-time enrollment 30 semester  
18 credit hours attempted at any eligible Florida postsecondary  
19 educational institution as defined in subsection (1). ~~As used~~  
20 ~~in this section, the term "eligible Florida postsecondary~~  
21 ~~institution" means an institution within the State University~~  
22 ~~System, the community college system, or a public~~  
23 ~~vocational-technical institution.~~ The maximum amount of the  
24 award shall include tuition, ~~mandatory fees, and a book~~  
25 ~~allowance of up to \$300,~~ except that students who receive a  
26 grade point average of 3.5 on a 4.0 scale, or above, in a  
27 college preparatory curriculum may receive a higher award as  
28 determined by the department. The maximum award for tuition  
29 for students in the independent institutions shall not exceed  
30 the average tuition per credit hour calculated by the  
31 department for the state universities. Awards shall be

1 ~~disbursed in equal installments~~ each academic term. Full-time  
2 enrollment shall not be required. Awards through this program  
3 may be made to degree-seeking students enrolled for a minimum  
4 of 6 credit hours who meet the general requirements for  
5 student eligibility as provided in this section. Students  
6 enrolled for 6 to 8 credit hours may receive up to one-half of  
7 the maximum award; students enrolled for 9 to 11 credit hours  
8 may receive up to three-fourths of the maximum award; and  
9 students enrolled for 12 or more credit hours may receive up  
10 to the full award.

11 (a) A scholarship shall be awarded prior to the  
12 certification or award of a federal family education loan or  
13 federal direct loan and shall be considered in the  
14 certification or calculation of the student's loan  
15 eligibility.

16 (b) Students attending a Florida public technical  
17 institute or independent vocational-technical school in order  
18 to earn a certificate or diploma may qualify for tuition  
19 scholarships for the cost of tuition, not to exceed the  
20 average tuition per credit hour calculated by the department  
21 for the state universities. Students pursuing certificates or  
22 diplomas at Florida public or private technical institutes or  
23 schools must enroll in programs of study which are at least  
24 900 clock hours in length mandatory fees, and up to \$150 per  
25 ~~semester for a book allowance~~. Awards through this program may  
26 be made to students enrolled for a minimum of 6 credit hours,  
27 or the equivalent in clock hours, in a job preparatory  
28 vocational program who meet the general requirements for  
29 student eligibility as provided in this section. Students  
30 enrolled for 6 to 8 credit hours, or the equivalent in clock  
31 hours, may receive up to one-half of the maximum award;



1 students enrolled for 9 to 11 credit hours, or the equivalent  
2 in clock hours, may receive up to three-fourths of the maximum  
3 award; and students enrolled for 12 or more credit hours, or  
4 the equivalent in clock hours, may receive up to the full  
5 award.

6 (4) Students may renew a scholarship for their  
7 sophomore, junior, and senior years of undergraduate study. To  
8 do so, the student must:

9 (a) Maintain at least a 2.5 ~~3.0~~ cumulative grade point  
10 average on a 4.0 scale in courses attempted.

11 (b) Be making satisfactory academic progress if  
12 classified as a certificate-seeking or diploma-seeking  
13 student.

14 (c) Have used, within a maximum period of 7 ~~5~~ years  
15 from the date of high school graduation, less than the maximum  
16 number of semesters of eligibility as determined by the  
17 department. ~~The department may waive this paragraph for~~  
18 ~~students who demonstrate that compliance would entail~~  
19 ~~extraordinary hardship.~~

20  
21 Renewal eligibility shall be determined at the end of the  
22 second semester or third quarter of each subsequent regular  
23 academic year of postsecondary participation. A student who  
24 fails to attain a 2.5 cumulative grade point average at any  
25 time while attending a postsecondary institution may have  
26 eligibility restored upon attaining a cumulative grade point  
27 average of 2.5 or above during the eligibility period. No  
28 student shall be eligible for more than one reinstatement of  
29 eligibility.

30 (5) A student planning to attend an eligible  
31 postsecondary institution must comply with any application

1 requirements established by the ~~department institution~~. Upon  
2 verifying that the student meets eligibility criteria  
3 established in this section, the eligible institution shall  
4 submit to the department a request for the appropriate level  
5 of payment; however, the department may transmit a portion of  
6 the funds to the institution prior to registration. The  
7 department shall establish the necessary data to be reported  
8 and a date by which such requests for payment are due each  
9 semester. Late requests shall be honored by the department to  
10 the extent that funds are available after all timely requests  
11 have been funded.

12 (6) The department shall adopt rules as necessary to  
13 implement and administer the Florida Postsecondary Tuition  
14 Program.

15 (7) Each institution that receives moneys through this  
16 program shall cause to be prepared an annual report that  
17 includes an independent external audit or an audit prepared by  
18 the Office of the Auditor General. The report must include an  
19 audit of the institution's administration of the program and a  
20 complete accounting of the moneys for the program. This  
21 report must be submitted to the Department of Education  
22 annually on or before March 1. The department may conduct its  
23 own annual audit of an institution's administration of the  
24 program and may request a refund of any moneys overpaid to the  
25 institution for the program. The department may suspend or  
26 revoke an institution's eligibility to receive future moneys  
27 for the program if the department finds that an institution  
28 has not complied with this section. An institution must remit  
29 within 60 days any refund requested in accordance with this  
30 subsection.

31

1           ~~(8)~~<sup>(7)</sup> The program shall be implemented to the extent  
2 authorized annually in the General Appropriations Act. If  
3 funds are insufficient to provide the full amount of  
4 scholarships authorized in this section to each eligible  
5 applicant, the department may prorate available funds and make  
6 a partial award to each eligible applicant.

7           Section 7. Paragraph (a) of subsection (1) of section  
8 240.404, Florida Statutes, is amended to read:

9           240.404 General requirements for student eligibility  
10 for state financial aid.--

11           (1)(a) The general requirements for eligibility of  
12 students for state financial aid awards consist of the  
13 following:

14           1. Acceptance at a state university or community  
15 college; a nursing diploma school approved by the Florida  
16 Board of Nursing; a Florida college, university, or community  
17 college which is accredited by a member of the Commission on  
18 Recognition of Postsecondary Accreditation; any Florida  
19 institution the credits of which are acceptable for transfer  
20 to state universities; any area technical center; or any  
21 private vocational-technical institution accredited by a  
22 member of the Commission on Recognition of Postsecondary  
23 Accreditation.

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

27           3. Residency in this state for no less than 1 year  
28 preceding the award of aid for a program established pursuant  
29 to s. 240.402, s. 240.4021, s. 240.4024, s. 240.4085, s.  
30 240.409, s. 240.4093, s. 240.4095, s. 240.4097, s. 240.412, s.  
31 240.4125, s. 240.413, s. 240.4987, s. 240.605, or s. 240.606.

1 Residency in this state must be for purposes other than to  
2 obtain an education. Resident status for purposes of receiving  
3 state financial aid awards shall be determined in the same  
4 manner as resident status for tuition purposes pursuant to s.  
5 240.1201 and rules of the State Board of Education.

6 4. Compliance with Selective Service System  
7 registration requirements pursuant to s. 240.4045.

8 5. Submission of certification attesting to the  
9 accuracy, completeness, and correctness of information  
10 provided to demonstrate a student's eligibility to receive  
11 state financial aid awards. Falsification of such information  
12 shall result in the denial of any pending application and  
13 revocation of any award currently held to the extent that no  
14 further payments shall be made. Additionally, students who  
15 knowingly make false statements in order to receive state  
16 financial aid awards shall be guilty of a misdemeanor of the  
17 second degree subject to the provisions of s. 837.06 and shall  
18 be required to return all state financial aid awards  
19 wrongfully obtained.

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

21 \*\*\*\*\*

22  
23 HOUSE SUMMARY

24 Provides for funding of the Florida Postsecondary Tuition  
25 Program, the Florida Undergraduate Scholars' Program, and  
26 the Vocational Gold Seal Endorsement Scholarship Program  
27 from the Educational Enhancement Trust Fund. With  
28 respect to the scholarship programs, revises eligibility,  
29 renewal, and reinstatement requirements. Revises  
30 provisions relating to amount of awards. Revises  
31 provisions relating to eligibility for award of the  
Florida gold seal vocational endorsement.