

By Senator Grant

13-701-98

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A bill to be entitled
An act relating to the Florida Bright Futures
Scholarship Program; amending ss. 2, 3, and 4,
ch. 97-077, Laws of Florida; providing for a
Second Chance Scholars award; providing
eligibility requirements; providing amount of
awards; providing renewal requirements;
providing an effective date.

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

Section 1. Section 2 of chapter 97-077, Laws of
Florida, is amended to read:

Section 2. (1) The Florida Bright Futures Scholarship
Program is created to establish a lottery-funded scholarship
program to reward ~~any~~ Florida students ~~high school graduate~~
who merit ~~merits~~ recognition of high academic achievement ~~and~~
~~who enrolls in an eligible Florida public or private~~
~~postsecondary education institution within 3 years of~~
~~graduation from high school.~~

~~(2)~~ The Bright Futures Scholarship Program consists of
the following:

(a) Three types of award, the Florida Academic
Scholarship, the Florida Merit Scholarship, and the Florida
Vocational Gold Seal Scholarship, for Florida high school
graduates with high academic achievement who enroll in an
eligible Florida public or private postsecondary education
institution within 3 years of graduation from high school.

(b) A Second Chance Scholars award for students who
were ineligible for an award pursuant to paragraph (a) due
only to lack of achievement of the required high school grade

1 point average, but who have subsequently demonstrated high
2 academic achievement in postsecondary education.

3 (2)~~(3)~~ The Department of Education shall administer
4 the Bright Futures Scholarship Program according to rules and
5 procedures established by the Commissioner of Education. A
6 single application must be sufficient for a student to apply
7 for any of the three types of award specified in paragraph
8 (1)(a). The department must advertise the availability of the
9 scholarship program and must notify students, teachers,
10 parents, guidance counselors, and principals or other relevant
11 school administrators of the criteria and application
12 procedures. The department must begin this process of
13 notification no later than January 1 of each year.

14 (3)~~(4)~~ Funding for the Bright Futures Scholarship
15 Program must be allocated from the Educational ~~Education~~
16 Enhancement Trust Fund and must be provided before allocations
17 from that fund are calculated for disbursement to other
18 educational entities.

19 (a) If funds appropriated are not adequate to provide
20 the maximum allowable award to each eligible applicant, awards
21 in all ~~three~~ components of the program must be prorated using
22 the same percentage reduction.

23 (b) Notwithstanding s. 216.301, Florida Statutes, if
24 all funds allocated to the Bright Futures Scholarship Program
25 are not used in any fiscal year, up to 10 percent of the total
26 allocation may be carried forward and used for awards in the
27 following year.

28 (4)~~(5)~~ The department shall issue awards from the
29 scholarship program annually. Annual awards may be for up to
30 45 semester credit hours or the equivalent. Before the
31 registration period each semester, the department shall

1 transmit payment for each award to the president or director
2 of the postsecondary education institution, or his or her
3 representative, except that the department may withhold
4 payment if the receiving institution fails to report or to
5 make refunds to the department as required in this act.

6 (a) Within 30 days after the end of regular
7 registration each semester, the educational institution shall
8 certify to the department the eligibility status of each
9 student who receives an award. After the end of the drop and
10 add period, an institution is not required to reevaluate or
11 revise a student's eligibility status, but must make a refund
12 to the department if a student who receives an award
13 disbursement terminates enrollment for any reason during an
14 academic term and a refund is permitted by the institution's
15 refund policy.

16 (b) An institution that receives funds from the
17 program shall certify to the department the amount of funds
18 disbursed to each student and shall remit to the department
19 any undisbursed advances within 60 days after the end of
20 regular registration.

21 (c) Each institution that receives moneys through this
22 program shall prepare an annual report that includes an
23 independent external audit or an audit prepared by the Office
24 of the Auditor General. The report shall include an audit of
25 the institution's administration of the program and a complete
26 accounting of the moneys for the program. This report must be
27 submitted to the department annually by March 1. The
28 department may conduct its own annual audit of an
29 institution's administration of the program. The department
30 may request a refund of any moneys overpaid to the institution
31 for the program. The department may suspend or revoke an

1 institution's eligibility to receive future moneys for the
2 program if the department finds that an institution has not
3 complied with this section. The institution must remit within
4 60 days any refund requested in accordance with this
5 subsection.

6 (5)~~(6)~~ A student enrolled in 6 to 8 semester credit
7 hours may receive up to one-half of the maximum award; a
8 student enrolled in 9 to 11 credit hours may receive up to
9 three-fourths of the maximum award; and a student enrolled in
10 12 or more credit hours may receive up to the full award.

11 (6)~~(7)~~ A student may receive only one type of award
12 from the Florida Bright Futures Scholarship Program at a time,
13 but may transfer from one type of award to another through the
14 renewal application process, if the student's eligibility
15 status changes. However, a student is not eligible to transfer
16 from a Florida Merit Scholarship or a Florida Vocational Gold
17 Seal Scholarship to a Florida Academic Scholarship. A student
18 who receives an award from the program may also receive a
19 federal family education loan or a federal direct loan, and
20 the value of the award must be considered in the certification
21 or calculation of the student's loan eligibility.

22 (7)~~(8)~~ If a recipient transfers from one eligible
23 institution to another and continues to meet eligibility
24 requirements, the award must be transferred with the student.

25 (8)~~(9)~~ A student may use an award for summer-term
26 enrollment if funds are available.

27 (9)~~(10)~~ Funds from any scholarship within the Florida
28 Bright Futures Scholarship Program may not be used to pay for
29 remedial or college preparatory coursework.

30 Section 2. Section 3 of chapter 97-077, Laws of
31 Florida, is amended to read:

1 Section 3. Florida Bright Futures Scholarship Program;
2 student eligibility requirements for initial awards.--

3 (1) To be eligible for an initial award ~~from any of~~
4 ~~the three types of scholarship~~ under the Florida Bright
5 Futures Scholarship Program, a student must:

6 (a) Be a Florida resident as defined in s. 240.404,
7 Florida Statutes, and rules of the State Board of Education.

8 (b) Earn a standard Florida high school diploma or its
9 equivalent as described in s. section 232.246 or s. section
10 229.814, Florida Statutes, unless:

11 1. The student is enrolled full time in the early
12 admission program of an eligible postsecondary education
13 institution or completes a home education program according to
14 s. 232.02(4), Florida Statutes; or

15 2. The student earns a high school diploma from a
16 non-Florida school while living with a parent or guardian who
17 is on military or public service assignment away from Florida.

18 (c) Be accepted by and enroll in an eligible Florida
19 public or independent postsecondary education institution.

20 (d) Be enrolled for at least 6 semester credit hours
21 or the equivalent in quarter hours or clock hours.

22 (e) Not have been found guilty of, or plead nolo
23 contendere to, a felony charge, unless the student has been
24 granted clemency by the Governor and Cabinet sitting as the
25 Executive Office of Clemency.

26 (f) Apply for a scholarship from the program by April
27 1 of the last semester before high school graduation for
28 awards specified in paragraph (1)(a) of section 2 of chapter
29 97-077, Laws of Florida.

30 (2) A student is eligible to accept an initial award
31 specified in paragraph (1)(a) of section 2 of chapter 97-077,

1 Laws of Florida, for 3 years following high school graduation
2 and to accept a renewal award for 7 years following high
3 school graduation. A student who applies for such an award by
4 April 1 and who meets all other eligibility requirements, but
5 who does not accept his or her award, may reapply during
6 subsequent application periods up to 3 years after high school
7 graduation.

8 (3) For awards specified in paragraph (1)(a) of
9 section 2 of chapter 97-077, Laws of Florida, the department
10 may determine a student's eligibility status during the senior
11 year before graduation and may inform the student of the award
12 at that time.

13 (4) A student who wishes to qualify for a particular
14 award specified in paragraph (1)(a) of section 2 of chapter
15 97-077, Laws of Florida, within the Florida Bright Futures
16 Scholarship Program, but who does not meet all of the
17 requirements for that level of award, may, nevertheless,
18 receive the award if the principal of the student's school or
19 the district superintendent verifies that the deficiency is
20 caused by the fact that school district personnel provided
21 inaccurate or incomplete information to the student. The
22 school district must provide a means for the student to
23 correct the deficiencies and the student must correct them,
24 either by completing comparable work at the postsecondary
25 institution or by completing a directed individualized study
26 program developed and administered by the school district. If
27 the student does not complete the requirements by December 31
28 immediately following high school graduation, the student is
29 ineligible to receive an award specified in paragraph (1)(a)
30 of section 2 of chapter 97-077, Laws of Florida ~~participate in~~
31 ~~the program~~.

1 Section 3. Subsection (1) of section 4 of chapter
2 97-077, Laws of Florida, is amended to read:

3 Section 4. Florida Bright Futures Scholarship Program;
4 student eligibility requirements for renewal awards.--

5 (1) To be eligible to renew a scholarship ~~from any of~~
6 ~~the three types of scholarship~~ under the Florida Bright
7 Futures Scholarship Program, a student must:

8 (a) Complete at least 12 semester credit hours or the
9 equivalent in the last academic year in which the student
10 earned a scholarship.

11 (b) Maintain the cumulative grade point average
12 required by the scholarship program, except that:

13 1. If a recipient's grades fall beneath the average
14 required to renew a Florida Academic Scholarship, but are
15 sufficient to renew a Florida Merit Scholarship or a Florida
16 Vocational Gold Seal Scholarship, the Department of Education
17 may grant a renewal from one of those other scholarship
18 programs, if the student meets the renewal eligibility
19 requirements; or

20 2. If, at any time during the eligibility period, a
21 student's grades are insufficient to renew the scholarship,
22 the student may restore eligibility by improving the grade
23 point average to the required level. A student is eligible for
24 such a reinstatement only once. The Legislature encourages
25 education institutions to assist students to calculate whether
26 or not it is possible to raise the grade point average during
27 the summer term. If the institution determines that it is
28 possible, the education institution may so inform the
29 department, which may reserve the student's award if funds are
30 available. The renewal, however, must not be granted until the
31 student achieves the required cumulative grade point average.

1 If the summer term is not sufficient to raise the grade point
2 average to the required renewal level, the student's next
3 opportunity for renewal is the fall semester of the following
4 academic year.

5 Section 4. Second Chance Scholars award.--

6 (1) A student is eligible for a Second Chance Scholars
7 award if the student meets the general eligibility
8 requirements for the Florida Bright Futures Scholarship
9 Program and the student:

10 (a) Within 5 years from high school graduation,
11 graduates from a public community college or completes 2 full
12 school years and 60 semester hours, or the equivalent, at a
13 postsecondary education institution eligible under the Florida
14 Bright Futures Scholarship Program.

15 (b) Has achieved a 3.0 unweighted grade point average
16 on a 4.0 scale, or its equivalent, for all postsecondary
17 education courses taken pursuant to paragraph (a).

18 (c) Has been recommended for the Second Chance
19 Scholars award by the institution attended pursuant to
20 paragraph (a).

21 (d) Has been accepted for enrollment or continuation
22 in an institution eligible under the Florida Bright Futures
23 Scholarship Program.

24 (e) Will complete his or her undergraduate degree
25 program within 3 years from the date of transfer from a
26 community college or continuation in a postsecondary education
27 institution.

28 (2) A Second Chance Scholar is eligible for an award
29 equal to the amount required to pay 75 percent of
30 matriculation and fees, if the student is enrolled in a public
31 postsecondary education institution. A student who is enrolled

1 in a nonpublic postsecondary education institution is eligible
2 for an award equal to the amount that would be required to pay
3 75 percent of the matriculation and fees of a public
4 postsecondary education institution at the comparable level.

5 (3) To be eligible for the renewal of a Second Chance
6 Scholars award, a student must maintain the equivalent of a
7 grade point average of 3.0 on a 4.0 scale for all
8 postsecondary education work attempted, with an opportunity
9 for one reinstatement as provided in subparagraph (1)(b)2. of
10 section 4 of chapter 97-077, Laws of Florida.

11 Section 5. This act shall take effect July 1 of the
12 year in which enacted.

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15 LEGISLATIVE SUMMARY

16

17 Expands the Florida Bright Futures Scholarship Program to
18 include a Second Chance Scholars award for students
19 unable to meet certain academic requirements under the
20 current program. Provides eligibility for a Second Chance
21 Scholars award for continued education for students who
22 demonstrate high academic achievement during 2 years of
23 postsecondary education.

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