

1                   A bill to be entitled  
2           An act relating to postsecondary education  
3           institutions; amending s. 239.115, F.S.;  
4           establishing legislative intent that funding  
5           formulas not penalize institutions for certain  
6           actions; providing an assurance that no  
7           institutions be required to lower fees;  
8           amending s. 239.117, F.S., relating to  
9           workforce development postsecondary student  
10          fees; revising a limitation on the total value  
11          of fee waivers; revising the date by which the  
12          Commissioner of Education must provide a fee  
13          schedule; deleting obsolete language; requiring  
14          each school board or community college district  
15          board of trustees to determine the method for  
16          distributing certain awards; deleting a  
17          provision that limits technology fees to  
18          associate degree programs and courses;  
19          authorizing school boards and community college  
20          boards of trustees to establish technology and  
21          financial aid fees; amending s. 239.213, F.S.,  
22          relating to vocational preparatory instruction;  
23          requiring students who enroll in certificate  
24          career education programs of 450 hours or more  
25          to complete an entry-level examination within a  
26          certain period of time; revising provisions  
27          relating to exceptional students to conform  
28          with federal requirements; amending s. 239.514,  
29          F.S., relating to the workforce development  
30          capitalization incentive grant program;  
31          authorizing the use of such funds to upgrade

1 workforce development programs; amending s.  
2 240.1201, F.S.; authorizing the State Board of  
3 Education to classify students as residents or  
4 nonresidents for tuition purposes; amending ss.  
5 240.152 and 240.153, F.S.; conforming  
6 provisions relating to students with  
7 disabilities with federal requirements;  
8 requiring the State Board of Education to  
9 define "physical or mental impairment" by rule;  
10 amending s. 240.311, F.S.; revising the role of  
11 the State Board of Community Colleges in  
12 rulemaking; providing specific rulemaking  
13 authority; amending s. 240.321, F.S.; deleting  
14 requirements regarding the provision of  
15 information on remediation courses; amending s.  
16 240.325, F.S.; requiring the State Board of  
17 Community Colleges, rather than the State Board  
18 of Education, to adopt rules; requiring the  
19 adoption of rules to address accreditation,  
20 student withdrawal, and grade forgiveness;  
21 amending s. 240.3341, F.S.; authorizing  
22 community colleges to lease incubator  
23 facilities; deleting obsolete language;  
24 amending s. 240.35, F.S., relating to student  
25 fees; deleting obsolete and redundant language;  
26 amending s. 240.359, F.S.; prohibiting the  
27 inclusion of certain hours in calculations of  
28 full-time equivalent enrollments; eliminating  
29 provisions relating to funding for the category  
30 of lifelong learning; providing one year  
31 performance exemptions for new and expanded

1 workforce development programs; amending s.  
2 231.621, F.S.; deleting the requirement that  
3 repayment of a Critical Teacher Shortage  
4 Student Loan be made directly to the holder of  
5 the loan; amending s. 240.40201, F.S.; revising  
6 general student eligibility requirements for  
7 the Florida Bright Futures Scholarship;  
8 amending s. 240.40202, F.S.; revising student  
9 eligibility provisions for initial award of a  
10 Florida Bright Futures Scholarship; amending s.  
11 240.40203, F.S.; providing for renewal,  
12 reinstatement, and restoration of an award;  
13 amending s. 240.40204, F.S.; revising  
14 accreditation requirements for postsecondary  
15 education institution participation in the  
16 Florida Bright Futures Scholarship Program;  
17 amending s. 240.40205, F.S., relating to the  
18 Florida Academic Scholars award; requiring the  
19 Department of Education to define matriculation  
20 and fees for purposes of the award; clarifying  
21 provisions relating to renewal and  
22 reinstatement of an award; revising the amount  
23 awarded to the Florida Academic Scholar with  
24 the highest academic ranking; amending s.  
25 240.40206, F.S., relating to the Florida Merit  
26 Scholars award; authorizing the participation  
27 of students who have been recognized by the  
28 merit or achievement programs of the National  
29 Merit Scholarship Corporation as a scholar or  
30 finalist, but have not completed a program of  
31 community service; requiring the Department of

1 Education to define matriculation and fees for  
 2 purposes of the award; clarifying provisions  
 3 relating to renewal and reinstatement of an  
 4 award; providing a cross-reference; amending s.  
 5 240.40207, F.S., relating to the Florida Gold  
 6 Seal Vocational Scholars award; revising  
 7 student eligibility requirements; requiring the  
 8 Department of Education to define matriculation  
 9 and fees for purposes of the award; clarifying  
 10 provisions relating to renewal and restoration  
 11 of an award; limiting the use of a Florida Gold  
 12 Seal Vocational Scholars award at an  
 13 institution that grants baccalaureate degrees;  
 14 revising provisions relating to transfer to the  
 15 Florida Merit Scholars award program; providing  
 16 for determination of the credit hour  
 17 limitation; amending s. 240.40209, F.S.,  
 18 relating to the calculation of awards of Bright  
 19 Futures Scholarship recipients attending  
 20 nonpublic institutions; requiring the  
 21 Department of Education to define matriculation  
 22 and fees for purposes of the award; amending s.  
 23 240.404, F.S., relating to general requirements  
 24 for student eligibility for state financial  
 25 aid; revising accreditation requirements for  
 26 postsecondary education institution  
 27 participation; requiring that to remain  
 28 eligible, a student not have a break in  
 29 enrollment greater than 12 months; amending s.  
 30 240.4064, F.S., relating to the critical  
 31 teacher shortage tuition reimbursement program;

1 increasing the rate of tuition reimbursement;  
2 amending s. 240.412, F.S., relating to the Jose  
3 Marti Scholarship Challenge Grant Program;  
4 revising accreditation requirements for  
5 postsecondary education institution  
6 participation; deleting the requirement that an  
7 applicant who applies as a graduate student  
8 have earned a 3.0 cumulative grade point  
9 average for undergraduate college-level  
10 courses; deleting a limitation on the number of  
11 semesters or quarters a graduate student may  
12 receive the award; amending s. 240.413, F.S.,  
13 relating to the Seminole and Miccosukee Indian  
14 Scholarships; revising accreditation  
15 requirements for postsecondary education  
16 institution participation; amending s. 240.437,  
17 F.S., relating to student financial aid  
18 planning and development; deleting obsolete  
19 provisions; clarifying provisions relating to  
20 the repeal of unfunded financial assistance  
21 programs; repealing s. 240.465(5), F.S., which  
22 prohibits an individual borrower who is in  
23 default in making student financial assistance  
24 repayments from being furnished with his or her  
25 academic transcripts or other student records  
26 until such time as the loan is paid in full or  
27 the default status has been removed; amending  
28 s. 240.472, F.S.; revising the definition of  
29 the term "institution" to reflect revised  
30 accreditation requirements; amending s. 295.01,  
31 F.S., relating to the education of children of

1       deceased or disabled veterans; clarifying  
 2       student eligibility requirements; amending s.  
 3       295.02, F.S., relating to use of funds for the  
 4       education of children of deceased or disabled  
 5       veterans; requiring the Department of Education  
 6       to define tuition and registration fees for  
 7       purposes of award of funds; clarifying student  
 8       eligibility requirements; providing for the  
 9       award of funds for attendance at an eligible  
 10       nonpublic postsecondary institution;  
 11       authorizing rules of the State Board of  
 12       Education; repealing s. 228.502, F.S., relating  
 13       to the Education Success Incentive Program, s.  
 14       240.40242, F.S., relating to use of certain  
 15       scholarship funds by children of deceased or  
 16       disabled veterans, and s. 240.6055, F.S.,  
 17       relating to access grants for community college  
 18       graduates; amending s. 246.041, F.S., relating  
 19       to the powers and duties of the State Board of  
 20       Independent Colleges and Universities; removing  
 21       an obsolete cross-reference; amending s.  
 22       240.409, F.S.; deleting the requirement that a  
 23       student attend full-time to be eligible for a  
 24       state student assistance grant; directing the  
 25       department to establish an application  
 26       deadline; requiring the student to enroll in at  
 27       least 6 semester hours, or the equivalent, per  
 28       semester; requiring participating institutions  
 29       to indicate whether the student met the  
 30       deadline; creating s. 240.4099, F.S.; providing  
 31       priority for awarding student assistance

1 grants; amending s. 240.4095, F.S.; directing  
2 the department to establish an application  
3 deadline; directing participating institutions  
4 with regard to awarding of funds; deleting the  
5 requirement that a student attend full-time to  
6 be eligible for a Florida private student  
7 assistance grant; requiring a student to enroll  
8 in at least 6 semester hours, or the  
9 equivalent, per semester; amending s. 240.4097,  
10 F.S.; directing the department to establish an  
11 application deadline; directing institutions  
12 with regard to awarding of funds; deleting the  
13 requirement that a student attend full-time to  
14 be eligible for a Florida postsecondary student  
15 assistance grant; requiring a student to enroll  
16 in at least 6 semester hours, or the  
17 equivalent, per semester; amending s. 240.404,  
18 F.S.; revising the maximum amount of time an  
19 undergraduate student can receive financial  
20 aid; directing the Division of Statutory  
21 Revision to prepare a reviser's bill; providing  
22 an effective date.

23

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

25

26 Section 1. Subsection (9) of section 239.115, Florida  
27 Statutes, is amended to read:

28 239.115 Funds for operation of adult general education  
29 and vocational education programs.--

30 (9) The Department of Education, the State Board of  
31 Community Colleges, and the Jobs and Education Partnership

1 shall provide the Legislature with recommended formulas,  
2 criteria, timeframes, and mechanisms for distributing  
3 performance funds. The commissioner shall consolidate the  
4 recommendations and develop a consensus proposal for funding.  
5 The Legislature shall adopt a formula and distribute the  
6 performance funds to the Division of Community Colleges and  
7 the Division of Workforce Development through the General  
8 Appropriations Act. The Legislature recognizes that community  
9 colleges and school districts must provide programs that are  
10 current and meet the demands of business and industry.  
11 Therefore, the Legislature intends that the funding formula  
12 set forth in this section not penalize institutions which  
13 convert out-of-date or low demand programs into high  
14 skill/high wage programs as identified by the State Workforce  
15 Development Board. The Legislature also intends that  
16 performance exemptions be granted to institutions that start  
17 new or significantly expand existing workforce development  
18 education programs for a period not to exceed 2 years from the  
19 implementation of the new or significantly expanded program.  
20 These recommendations shall be based on formulas that would  
21 discourage low-performing or low-demand programs and encourage  
22 through performance-funding awards:  
23 (a) Programs that prepare people to enter high-wage  
24 occupations identified by the Occupational Forecasting  
25 Conference created by s. 216.136 and other programs as  
26 approved by the Jobs and Education Partnership. At a minimum,  
27 performance incentives shall be calculated for adults who  
28 reach completion points or complete programs that lead to  
29 specified high-wage employment and to their placement in that  
30 employment.  
31



1 (b) Programs that successfully prepare adults who are  
2 eligible for public assistance, economically disadvantaged,  
3 disabled, not proficient in English, or dislocated workers for  
4 high-wage occupations. At a minimum, performance incentives  
5 shall be calculated at an enhanced value for the completion of  
6 adults identified in this paragraph and job placement of such  
7 adults upon completion. In addition, adjustments may be made  
8 in payments for job placements for areas of high unemployment.

9 (c) Programs identified by the Jobs and Education  
10 Partnership as increasing the effectiveness and cost  
11 efficiency of education.

12 Section 2. Subsections (5) and (8) and paragraph (a)  
13 of subsection (6) of section 239.117, Florida Statutes, are  
14 amended, and subsection (18) of said section is amended and  
15 redesignated as paragraph (b) of subsection (8) of said  
16 section, to read:

17 239.117 Workforce development postsecondary student  
18 fees.--

19 (5) School districts and community colleges may waive  
20 fees for any fee-nonexempt student. The total value of fee  
21 waivers granted by the school district or community college  
22 may not exceed 8 percent of the district's or community  
23 college's postsecondary vocational certificate program  
24 enrollment hours unless otherwise indicated by an ~~the~~ amount  
25 established annually in the General Appropriations Act. Any  
26 student whose fees are waived in excess of the authorized  
27 amount may not be reported for state funding purposes. Any  
28 school district or community college that waives fees and  
29 requests state funding for a student in violation of the  
30 provisions of this section shall be penalized at a rate equal  
31

1 to 2 times the value of the full-time student enrollment  
 2 reported.

3 (6)(a) The Commissioner of Education shall provide to  
 4 the State Board of Education no later than January ~~December~~ 31  
 5 of each year a schedule of fees for workforce development  
 6 education, excluding continuing workforce education, for  
 7 school districts and community colleges. The fee schedule  
 8 shall be based on the amount of student fees necessary to  
 9 produce 25 percent of the prior year's average cost of a  
 10 course of study leading to a certificate or diploma. ~~At the~~  
 11 ~~discretion of a school board or a community college, this fee~~  
 12 ~~schedule may be implemented over a 3-year period, with full~~  
 13 ~~implementation in the 1999-2000 school year. In years~~  
 14 ~~preceding that year, if fee increases are necessary for some~~  
 15 ~~programs or courses, the fees shall be raised in increments~~  
 16 ~~designed to lessen their impact upon students already~~  
 17 ~~enrolled. Fees for students who are not residents for tuition~~  
 18 ~~purposes must offset the full cost of instruction.~~  
 19 Fee-nonexempt students enrolled in vocational-preparatory  
 20 instruction shall be charged fees equal to the fees charged  
 21 for certificate career education instruction. Each community  
 22 college that conducts college-preparatory and  
 23 vocational-preparatory instruction in the same class section  
 24 may charge a single fee for both types of instruction.

25 (8) Each school board and community college board of  
 26 trustees may establish a separate additional fee for financial  
 27 aid purposes and a separate additional fee for technology,  
 28 which in sum do not exceed 10 percent of the base  
 29 matriculation fee assessed for workforce development programs  
 30 funded through the Workforce Development Education Fund. Each  
 31 school board and community college board of trustees may also

1 establish additional financial aid and technology fees for  
 2 non-resident students, which in sum do not exceed 10 percent  
 3 of the base tuition fee assessed for workforce development  
 4 programs funded through the Workforce Development Education  
 5 Fund. When established, fees shall be assessed pursuant to  
 6 the following criteria:

7 ~~(a) Each school board and community college board of~~  
 8 ~~trustees may establish a separate fee for financial aid~~  
 9 ~~purposes in an additional amount of up to 10 percent of the~~  
 10 ~~student fees collected for workforce development programs~~  
 11 ~~funded through the Workforce Development Education Fund. All~~  
 12 financial aid fees collected shall be deposited into a  
 13 separate workforce development student financial aid fee trust  
 14 fund of the district or community college to support students  
 15 enrolled in workforce development programs. Any undisbursed  
 16 balance remaining in the trust fund and interest income  
 17 accruing to investments from the trust fund shall increase the  
 18 total funds available for distribution to workforce  
 19 development education students. Awards shall be based on  
 20 student financial need and distributed in accordance with a  
 21 nationally recognized system of need analysis, as established  
 22 by each school board or community college district board of  
 23 trustees approved by the State Board for Career Education.  
 24 Fees collected pursuant to this paragraph subsection shall be  
 25 allocated in an expeditious manner.

26 ~~(b)(18)~~ Technology fee revenues must be expended in  
 27 accordance with technology improvement plans related to  
 28 vocational certificate programs and shall not supplant funding  
 29 expended in the prior year's budget for these purposes. Each  
 30 ~~district school board and community college district board of~~  
 31 ~~trustees is authorized to establish a separate fee for~~

1 ~~technology, not to exceed \$1.80 per credit hour or credit-hour~~  
2 ~~equivalent for resident students and not more than \$5.40 per~~  
3 ~~credit hour or credit-hour equivalent for nonresident~~  
4 ~~students, or the equivalent, to be expended in accordance with~~  
5 ~~technology improvement plans. The technology fee may apply~~  
6 ~~only to associate degree programs and courses.~~ Fifty percent  
7 of technology fee revenues may be pledged by a community  
8 college board of trustees as a dedicated revenue source for  
9 the repayment of debt, including lease-purchase agreements,  
10 not to exceed the useful life of the asset being financed.  
11 Revenues generated from the technology fee may not be bonded.

12 Section 3. Subsection (19) of section 239.117, Florida  
13 Statutes, is added to read:

14 (19) Provisions of this section notwithstanding, no  
15 institution will be required to reduce fees for workforce  
16 development programs.

17 Section 4. Subsections (2) and (3) of section 239.213,  
18 Florida Statutes, are amended to read:

19 239.213 Vocational-preparatory instruction.--

20 (2) Students who enroll in a certificate career  
21 education program of 450 hours or more shall complete an  
22 entry-level examination within the first 6 weeks of admission  
23 into the program. The state board shall designate  
24 examinations that are currently in existence, the results of  
25 which are comparable across institutions, to assess student  
26 mastery of basic skills. Any student deemed to lack a minimal  
27 level of basic skills for such program shall be referred to  
28 vocational-preparatory instruction or adult basic education  
29 for a structured program of basic skills instruction. Such  
30 instruction may include English for speakers of other  
31 languages. A student may not receive a certificate of

1 vocational program completion prior to demonstrating the basic  
2 skills required in the state curriculum frameworks for the  
3 vocational program.

4 (3) Any student with disabilities who meets the  
5 criteria established in s. 240.152 or s. 240.153 ~~Exceptional~~  
6 ~~students, as defined in s. 228.041~~, may be exempted from the  
7 provisions of this section. A student who possesses an  
8 associate in arts, baccalaureate, or graduate-level degree,  
9 who has completed the college-level communication and  
10 computation skills examination pursuant to s. 240.107, or who  
11 is exempt from the college entry-level examination pursuant to  
12 s. 240.107 may be exempted from the provisions of this  
13 section. Pursuant to 29 C.F.R. part 30, students in registered  
14 apprenticeship programs may also be exempted from the  
15 provisions of this section.

16 Section 5. Section 239.514, Florida Statutes, is  
17 amended to read:

18 239.514 Workforce Development Capitalization Incentive  
19 Grant Program.--The Legislature recognizes that the need for  
20 school districts and community colleges to be able to respond  
21 to emerging local or statewide economic development needs is  
22 critical to the workforce development system. The Workforce  
23 Development Capitalization Incentive Grant Program is created  
24 to provide grants to school districts and community colleges  
25 on a competitive basis to fund some or all of the costs  
26 associated with the creation or expansion of workforce  
27 development programs that serve specific employment workforce  
28 needs. Funds may also be used to upgrade workforce development  
29 programs to established industry standards in accordance with  
30 program updates conducted by the Division of Community  
31 Colleges and the Division of Workforce Development.

1           (1) Funds awarded for a workforce development  
2 capitalization incentive grant may be used for instructional  
3 equipment, laboratory equipment, supplies, personnel, student  
4 services, or other expenses associated with the creation,  
5 upgrade, or expansion of a workforce development program.  
6 Expansion of a program may include either the expansion of  
7 enrollments in a program or expansion into new areas of  
8 specialization within a program. No grant funds may be used  
9 for recurring instructional costs or for institutions'  
10 indirect costs.

11           (2) The Postsecondary Education Planning Commission  
12 shall accept applications from school districts or community  
13 colleges for workforce development capitalization incentive  
14 grants. Applications from school districts or community  
15 colleges shall contain projected enrollments and projected  
16 costs for the new or expanded workforce development program.  
17 The Postsecondary Education Planning Commission, in  
18 consultation with the Jobs and Education Partnership, the  
19 Department of Education, and the State Board of Community  
20 Colleges, shall review and rank each application for a grant  
21 according to subsection (3) and shall submit to the  
22 Legislature a list in priority order of applications  
23 recommended for a grant award.

24           (3) The commission shall give highest priority to  
25 programs that train people to enter high-skill, high-wage  
26 occupations identified by the occupational forecasting  
27 conference and other programs approved by the Jobs and  
28 Education Partnership; programs that train people to enter  
29 occupations on the WAGES list; or programs that train for the  
30 workforce adults who are eligible for public assistance,  
31 economically disadvantaged, disabled, not proficient in

1 English, or dislocated workers. The commission shall consider  
2 the statewide geographic dispersion of grant funds in ranking  
3 the applications and shall give priority to applications from  
4 education agencies that are making maximum use of their  
5 workforce development funding by offering high-performing,  
6 high-demand programs.

7 Section 6. Subsection (11) is added to section  
8 240.1201, Florida Statutes, to read:

9 240.1201 Determination of resident status for tuition  
10 purposes.--Students shall be classified as residents or  
11 nonresidents for the purpose of assessing tuition fees in  
12 public community colleges and universities.

13 (11) The State Board of Education is authorized to  
14 adopt rules regarding the classification of students as  
15 residents or nonresidents for tuition purposes to implement  
16 the provisions of this section.

17 Section 7. Section 240.152, Florida Statutes, is  
18 amended to read:

19 240.152 Individuals who have disabilities ~~impaired and~~  
20 ~~learning disabled persons~~; admission to postsecondary  
21 institutions; substitute requirements; rules.--Any person who  
22 is hearing impaired, visually impaired, speech impaired, or  
23 otherwise physically impaired, or dyslexic, or who has a  
24 specific learning disability, or who has a physical or mental  
25 impairment as defined in State Board of Education rule, shall  
26 be eligible for reasonable substitution for any requirement  
27 for admission to a state university, community college, or  
28 other postsecondary degree career education institution where  
29 documentation can be provided that the person's failure to  
30 meet the admission requirement is related to the disability.  
31 The State Board of Education, the Board of Regents, and the

1 State Board of Community Colleges shall adopt rules to  
2 implement this section and shall develop substitute admission  
3 requirements where appropriate.

4 Section 8. Section 240.153, Florida Statutes, is  
5 amended to read:

6 240.153 Individuals who have disabilities ~~Impaired and~~  
7 ~~learning disabled persons~~; graduation, study program  
8 admission, and upper-division entry; substitute requirements;  
9 rules.--Any student in a state university, community college,  
10 or other postsecondary degree-career education institution who  
11 is hearing impaired, visually impaired, speech impaired, or  
12 otherwise physically impaired, or dyslexic, or who has a  
13 specific learning disability, or who has a physical or mental  
14 impairment as defined in State Board of Education rule, shall  
15 be eligible for reasonable substitution for any requirement  
16 for graduation, for admission into a program of study, or for  
17 entry into upper division where documentation can be provided  
18 that the person's failure to meet the requirement is related  
19 to the disability and where the failure to meet the graduation  
20 requirement or program admission requirement does not  
21 constitute a fundamental alteration in the nature of the  
22 program. The State Board of Education, the Board of Regents,  
23 and the State Board of Community Colleges shall adopt rules to  
24 implement this section and shall develop substitute  
25 requirements where appropriate.

26 Section 9. Paragraphs (g) and (j) of subsection (3),  
27 paragraph (c) of subsection (5), and paragraph (d) of  
28 subsection (8) of section 240.311, Florida Statutes, are  
29 amended to read:

30 240.311 State Board of Community Colleges; powers and  
31 duties.--



1 (3) The State Board of Community Colleges shall:

2 (g) Specify, by rule,~~Recommend to the State Board of~~  
3 ~~Education~~ minimum standards for the operation of each  
4 community college as required in s. 240.325, which standards  
5 may include, but are not limited to, general qualifications of  
6 personnel, budgeting, accounting and financial procedures,  
7 educational programs, student admissions and services, and  
8 community services.

9 (j) Establish, by rule,criteria for making  
10 recommendations relative to modifying district boundary lines  
11 and for making recommendations upon all proposals for the  
12 establishment of additional centers, instructional sites,  
13 special purpose centers,or campuses for community colleges.

14 (5) The State Board of Community Colleges is  
15 responsible for reviewing and administering the state program  
16 of support for the Florida Community College System and,  
17 subject to existing law, shall:

18 (c) Provide for and coordinate implementation of the  
19 community college program fund in accordance with provisions  
20 of ss. 240.359 and 240.323 and in accordance with rules of the  
21 State Board of Community Colleges ~~Education~~.

22 (8)

23 ~~(d) By December 31, 1999, and annually thereafter, the~~  
24 ~~State Board of Community Colleges shall report on the~~  
25 ~~implementation of this section to the Speaker of the House of~~  
26 ~~Representatives and the President of the Senate.~~

27 Section 10. Section 240.321, Florida Statutes, is  
28 amended to read:

29 240.321 Community college district board of trustees;  
30 rules for admissions of students.--The board of trustees shall  
31

1 make rules governing admissions of students. These rules  
2 shall include the following:

3 (1) Admissions counseling shall be provided to all  
4 students entering college credit programs, which counseling  
5 shall utilize tests to measure achievement of college-level  
6 communication and computation competencies by all students  
7 entering college credit programs.

8 (2) Admission to associate degree programs is subject  
9 to minimum standards adopted by the State Board of Education  
10 and shall require:

11 (a) A standard high school diploma, a high school  
12 equivalency diploma as prescribed in s. 229.814, previously  
13 demonstrated competency in college credit postsecondary  
14 coursework, or, in the case of a student who is home educated,  
15 a signed affidavit submitted by the student's parent or legal  
16 guardian attesting that the student has completed a home  
17 education program pursuant to the requirements of s. 232.0201.  
18 Students who are enrolled in a dual enrollment or early  
19 admission program pursuant to s. 240.116 and secondary  
20 students enrolled in college-level instruction creditable  
21 toward the associate degree, but not toward the high school  
22 diploma, shall be exempt from this requirement.

23 (b) A demonstrated level of achievement of  
24 college-level communication and computation skills. Students  
25 entering a postsecondary education program within 2 years of  
26 graduation from high school with an earned college-ready  
27 diploma issued pursuant to s. 232.2466 shall be exempt from  
28 this testing requirement.

29 (c) Any other requirements established by the board of  
30 trustees.

31

1           (3) Admission to other programs within the community  
2 college shall include education requirements as established by  
3 the board of trustees.

4  
5 ~~Each board of trustees shall establish policies that notify~~  
6 ~~students about, and place students into, adult basic~~  
7 ~~education, adult secondary education, or other instructional~~  
8 ~~programs that provide students with alternatives to~~  
9 ~~traditional college preparatory instruction, including private~~  
10 ~~provider instruction. Such notification shall include a~~  
11 ~~written listing or a prominent display of information on~~  
12 ~~alternative remedial options that must be available to each~~  
13 ~~student who scores below college level in any area on the~~  
14 ~~common placement test. The list or display shall include, but~~  
15 ~~is not limited to, options provided by the community college,~~  
16 ~~adult education programs, and programs provided by private~~  
17 ~~sector providers. The college shall not endorse, recommend,~~  
18 ~~evaluate, or rank any of the providers. The list of providers~~  
19 ~~or the display materials shall include all those providers~~  
20 ~~that request to be included. The written list must provide~~  
21 ~~students with specific contact information and disclose the~~  
22 ~~full costs of the course tuition, laboratory fees, and~~  
23 ~~instructional materials of each option listed. A student who~~  
24 ~~elects a private provider for remedial instruction is entitled~~  
25 ~~to enroll in up to 12 credits of college-level courses in~~  
26 ~~skill areas other than those for which the student is being~~  
27 ~~remediated. A student is prohibited from enrolling in~~  
28 ~~additional college-level courses until the student scores~~  
29 ~~above the cut-score on all sections of the common placement~~  
30 ~~test.~~

1           Section 11. Section 240.325, Florida Statutes, is  
2 amended to read:

3           240.325 Minimum standards, definitions, and guidelines  
4 for community colleges.--Subject to the provisions of s.  
5 240.311(2),the State Board of Community Colleges Education  
6 shall prescribe, by rule,minimum standards, definitions, and  
7 guidelines for community colleges and the Division of  
8 Community Colleges which will assure the quality of education,  
9 systemwide coordination, and efficient progress toward  
10 attainment of the community college mission. The State Board  
11 of Community Colleges shall adopt rules addressing ~~At a~~  
12 ~~minimum, these rules must address:~~

13           (1) Personnel.

14           (2) Contracting.

15           (3) Program offerings and classification including  
16 college-level communication and computation skills associated  
17 with successful performance in college, with tests and other  
18 assessment procedures which measure student achievement of  
19 those skills. The performance measures shall provide that  
20 students moving from one level of education to the next  
21 acquire the necessary competencies for that level.

22           (4) Provisions for curriculum development, graduation  
23 requirements, accreditation,college calendars, and program  
24 service areas. These provisions shall include rules that:

25           (a) Provide for the award of an associate in arts  
26 degree to a student who successfully completes 60 semester  
27 credit hours at the community college.

28           (b) Require all of the credits accepted for the  
29 associate in arts degree to be in the common course numbering  
30 and designation system as credits toward a baccalaureate  
31 degree offered by a university in the State University System.

1 (c) Require no more than 36 semester credit hours in  
2 general education courses in the subject areas of  
3 communication, mathematics, social sciences, humanities, and  
4 natural sciences.

5 (d) Provide for procedures for student withdrawal and  
6 grade forgiveness.

7  
8 The rules should encourage community colleges to enter into  
9 agreements with universities which allow community college  
10 students to complete upper-division-level courses at a  
11 community college. An agreement may provide for concurrent  
12 enrollment at the community college and the university,  
13 authority for the community college to offer an  
14 upper-division-level course, or distance learning.

15 (5) Student admissions, conduct and discipline,  
16 nonclassroom activities, and fees.

17 (6) Budgeting.

18 (7) Business and financial matters.

19 (8) Student services.

20 (9) Reports, surveys, and information systems,  
21 including forms and dates of submission.

22 Section 12. Subsection (3) of section 240.3341,  
23 Florida Statutes, is amended to read:

24 240.3341 Incubator facilities for small business  
25 concerns.--

26 (3)~~(a)~~ The incubator facility and any improvements to  
27 the facility shall be owned or leased by the community  
28 college. The community college may charge residents of the  
29 facility all or part of the cost for facilities, utilities,  
30 and support personnel and equipment. No small business  
31 concern shall reside in the incubator facility for more than 5

1 calendar years. The state shall not be liable for any act or  
2 failure to act of any small business concern residing in an  
3 incubator facility pursuant to this section or of any such  
4 concern benefiting from the incubator facilities program.

5 ~~(b) Notwithstanding any provision of paragraph (a) to~~  
6 ~~the contrary, and for the 1999-2000 fiscal year only, the~~  
7 ~~incubator facility may be leased by the community college.~~  
8 ~~This paragraph is repealed on July 1, 2000.~~

9 Section 13. Subsections (7) and (10) of section  
10 240.35, Florida Statutes, are amended to read:

11 240.35 Student fees.--Unless otherwise provided, the  
12 provisions of this section apply only to fees charged for  
13 college credit instruction leading to an associate in arts  
14 degree, an associate in applied science degree, or an  
15 associate in science degree and noncollege credit  
16 college-preparatory courses defined in s. 239.105.

17 (7) Each community college board of trustees shall  
18 establish matriculation and tuition fees, which may vary no  
19 more than 10 percent below and 15 percent above the fee  
20 schedule adopted by the State Board of Community Colleges,  
21 ~~provided that~~ Any amount from 10 to 15 percent above the fee  
22 schedule must be expended solely ~~is used only~~ to support  
23 additional safety and security purposes and shall not supplant  
24 funding expended in the prior year's budget for safety and  
25 security purposes. In order to assess an additional amount for  
26 safety and security purposes, a community college board of  
27 trustees must provide written justification to the State Board  
28 of Community Colleges based on criteria approved by the local  
29 board of trustees, including but not limited to criteria such  
30 as local crime data and information, and strategies for the  
31 implementation of local safety plans. ~~For 1999-2000, each~~

1 ~~community college is authorized to increase the sum of the~~  
 2 ~~matriculation fee and technology fee by not more than 5~~  
 3 ~~percent of the sum of the matriculation and local safety and~~  
 4 ~~security fees in 1998-1999. However, no fee in 1999-2000 shall~~  
 5 ~~exceed the prescribed statutory limit. Should a college decide~~  
 6 ~~to increase the matriculation fee, the funds raised by~~  
 7 ~~increasing the matriculation fee must be expended solely for~~  
 8 ~~additional safety and security purposes and shall not supplant~~  
 9 ~~funding expended in the 1998-1999 budget for safety and~~  
 10 ~~security purposes.~~

11 (10) Each community college district board of trustees  
 12 may establish a separate activity and service fee not to  
 13 exceed 10 percent of the matriculation fee, according to rules  
 14 of the State Board of Education. The student activity and  
 15 service fee shall be collected as a component part of the  
 16 registration and tuition fees. The student activity and  
 17 service fees shall be paid into a student activity and service  
 18 fund at the community college and shall be expended for lawful  
 19 purposes to directly benefit the student body in general.  
 20 These purposes include, but are not limited to, student  
 21 publications and grants to duly recognized student  
 22 organizations, the membership of which is open to all students  
 23 at the community college without regard to race, sex, or  
 24 religion.

25 Section 14. Paragraph (c) of subsection (1) of section  
 26 240.359, Florida Statutes, is amended to read:

27 240.359 Procedure for determining state financial  
 28 support and annual apportionment of state funds to each  
 29 community college district.--The procedure for determining  
 30 state financial support and the annual apportionment to each  
 31 community college district authorized to operate a community

1 college under the provisions of s. 240.313 shall be as  
2 follows:

3 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE STATE  
4 COMMUNITY COLLEGE PROGRAM FUND FOR THE CURRENT OPERATING  
5 PROGRAM.--

6 (c) If a student enrolls in any course that he or she  
7 has previously taken, unless it is a credit course in which  
8 the student earned a grade of D or F, the hours shall not be  
9 used in the calculation of full-time equivalent enrollments  
10 for state funding purposes.~~The category of lifelong learning~~  
11 ~~is for students enrolled pursuant to s. 239.301. A student~~  
12 ~~shall also be reported as a lifelong learning student for his~~  
13 ~~or her enrollment in any course that he or she has previously~~  
14 ~~taken, unless it is a credit course in which the student~~  
15 ~~earned a grade of D or F.~~

16 Section 15. For fiscal year 2001-2002, up to 10  
17 percent of each community college's and school district's  
18 total state funding for workforce development education  
19 programs, pursuant to s. 239.115, may be exempted by the State  
20 Workforce Board from the performance requirements of  
21 subsection (7) of s. 239.115 based on the implementation of  
22 new programs and the expansion of existing programs targeted  
23 by the board.

24 Section 16. Paragraph (c) of subsection (2) of section  
25 231.621, Florida Statutes, is amended to read:

26 231.621 Critical Teacher Shortage Student Loan  
27 Forgiveness Program.--

28 (2) From the funds available, the Department of  
29 Education is authorized to make loan principal repayments as  
30 follows:

31



1           (c) All repayments shall be contingent on continued  
2 proof of employment in the designated subject areas in this  
3 state ~~and shall be made directly to the holder of the loan.~~  
4 The state shall not bear responsibility for the collection of  
5 any interest charges or other remaining balance. In the event  
6 that designated critical teacher shortage subject areas are  
7 changed by the State Board of Education, a teacher shall  
8 continue to be eligible for loan forgiveness as long as he or  
9 she continues to teach in the subject area for which the  
10 original loan repayment was made and otherwise meets all  
11 conditions of eligibility.

12           Section 17. Subsection (1) of section 240.40201,  
13 Florida Statutes, is amended to read:

14           240.40201 Florida Bright Futures Scholarship  
15 Program.--

16           (1) The Florida Bright Futures Scholarship Program is  
17 created to establish a lottery-funded scholarship program to  
18 reward any Florida high school graduate who merits recognition  
19 of high academic achievement and who enrolls in a degree  
20 program, certificate program, or applied technology diploma  
21 program at an eligible Florida public or private postsecondary  
22 education institution within 7 3 years of graduation from high  
23 school. Regardless of the year in which the student first  
24 receives scholarship funding, all eligibility will end 7 years  
25 after high school graduation. However, an eligible student who  
26 enlists in the United States Armed Forces within 6 months of  
27 high school graduation maintains eligibility for 4 years  
28 following his or her discharge from military service, provided  
29 that all other eligibility criteria apply.

30  
31

1           Section 18. Paragraphs (b), (e), and (f) of subsection  
2 (1) and subsection (2) of section 240.40202, Florida Statutes,  
3 are amended to read:

4           240.40202 Florida Bright Futures Scholarship Program;  
5 student eligibility requirements for initial awards.--

6           (1) To be eligible for an initial award from any of  
7 the three types of scholarships under the Florida Bright  
8 Futures Scholarship Program, a student must:

9           (b) Earn a standard Florida high school diploma or its  
10 equivalent as described in s. 232.246 or s. 229.814 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. 232.0201; 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 "Public service assignment," as used in this subparagraph,  
19 means the occupational assignment outside of Florida of a  
20 person who is a permanent resident of Florida and who is  
21 employed by the United States Government or the State of  
22 Florida, a condition of which employment is assignment outside  
23 of Florida.

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

28           (f) Apply for a scholarship from the program by  
29 December 31 after ~~April 1 of the last semester before~~ high  
30 school graduation. There is no application deadline for a  
31

1 student graduating from a non-Florida school, pursuant to  
2 subparagraph (1)(b)2.

3 ~~(2) A student is eligible to accept an initial award~~  
4 ~~for 3 years following high school graduation and to accept a~~  
5 ~~renewal award for 7 years following high school graduation. A~~  
6 ~~student who applies for an award by April 1 and who meets all~~  
7 ~~other eligibility requirements, but who does not accept his or~~  
8 ~~her award during the first year of eligibility after high~~  
9 ~~school graduation, may apply for reinstatement of the award~~  
10 ~~for use within 7 reapply during subsequent application periods~~  
11 ~~up to 3 years after high school graduation. Reinstatement~~  
12 ~~applications must be received by the deadline established by~~  
13 ~~the Department of Education.~~

14 Section 19. Section 240.40203, Florida Statutes, is  
15 amended to read:

16 240.40203 Florida Bright Futures Scholarship Program;  
17 student eligibility requirements for renewal, reinstatement,  
18 and restoration awards.--

19 (1) To be eligible to receive ~~renew~~ a scholarship from  
20 any of the three types of scholarships under the Florida  
21 Bright Futures Scholarship Program after the first year of  
22 eligibility, a student must meet the following requirements  
23 for either renewal, reinstatement, or restoration:

24 (a) Renewal applies to students who receive an award  
25 for at least one term during the academic year. For renewal, a  
26 student must complete at least 12 semester credit hours or the  
27 equivalent in the last academic year in which the student  
28 earned a scholarship.

29 ~~(b)~~ and maintain the cumulative grade point average  
30 required by the scholarship program, except that:

31

1           1. If a recipient's grades fall beneath the average  
 2 required to renew a Florida Academic Scholarship, but are  
 3 sufficient to renew a Florida Merit Scholarship or a Florida  
 4 Vocational Gold Seal Scholarship, the Department of Education  
 5 may grant a renewal from one of those other scholarship  
 6 programs, if the student meets the renewal eligibility  
 7 requirements. ~~or~~

8           2. If, upon renewal evaluation ~~at any time during the~~  
 9 ~~eligibility period~~, a student's grades or hours, or both, are  
 10 not sufficient ~~insufficient~~ to renew the scholarship, the  
 11 student may use grades or hours, or both, earned during the  
 12 following summer to renew the scholarship ~~restore eligibility~~  
 13 ~~by improving the grade point average to the required level. A~~  
 14 ~~student is eligible for such a reinstatement only once. The~~  
 15 Legislature encourages education institutions to assist  
 16 students to calculate whether or not it is possible to raise  
 17 the grade point average during the summer term. If the  
 18 institution determines that it is possible, the education  
 19 institution may so inform the department, which may reserve  
 20 the student's award if funds are available. The renewal,  
 21 however, must not be granted until the student achieves the  
 22 required cumulative grade point average and earns the required  
 23 number of hours. If, during the summer term, a student does  
 24 not earn ~~is not~~ sufficient hours or ~~to~~ raise the grade point  
 25 average to the required renewal level, the student will not be  
 26 eligible for an award ~~student's next opportunity for renewal~~  
 27 ~~is the fall semester of the following academic year.~~

28           **(b)** Reinstatement applies to students who were  
 29 eligible but did not receive an award during the previous  
 30 academic year or years, and who may apply to reestablish use  
 31 of the scholarship. For reinstatement, a student must have

1 been eligible at the time of the student's most recent Bright  
 2 Futures eligibility determination. The student must apply for  
 3 reinstatement by submitting a reinstatement application by the  
 4 deadline established by the Department of Education.

5 (c) Restoration applies to students who lost  
 6 scholarship eligibility due to a low renewal grade point  
 7 average, but earned the required grade point average in a  
 8 subsequent academic year, and who may apply to receive awards  
 9 in the future. For restoration, a student who did not meet  
 10 renewal requirements during a prior evaluation period may  
 11 restore eligibility by meeting the required grade point  
 12 average during a subsequent renewal evaluation period. A  
 13 student is eligible to receive such restoration only once.  
 14 The student must submit an application for restoration by the  
 15 deadline established by the Department of Education.

16 (2) A student who is enrolled in a program that  
 17 terminates in an associate degree or a baccalaureate degree  
 18 may receive an award for a maximum of 110 percent of the  
 19 number of credit hours required to complete the program. A  
 20 student who is enrolled in an undergraduate program that  
 21 terminates in the award of a postbaccalaureate degree, or the  
 22 simultaneous award of baccalaureate and postbaccalaureate  
 23 degrees, may receive an award for a maximum of 132 semester  
 24 hours, or the equivalent, at the undergraduate rate. A student  
 25 who is enrolled in a program that terminates in a technical  
 26 certificate may receive an award for a maximum of 110 percent  
 27 of the credit hours or clock hours required to complete the  
 28 program up to 90 credit hours. A student who transfers from  
 29 one of these program levels to another becomes eligible for  
 30 the higher of the two credit hour limits.

1           Section 20. Subsection (2) of section 240.40204,  
2 Florida Statutes, is amended to read:

3           240.40204 Florida Bright Futures Scholarship Program;  
4 eligible postsecondary education institutions.--A student is  
5 eligible for an award or the renewal of an award from the  
6 Florida Bright Futures Scholarship Program if the student  
7 meets the requirements for the program as described in this  
8 act and is enrolled in a postsecondary education institution  
9 that meets the description in any one of the following  
10 subsections:

11           (2) An independent Florida college or university that  
12 ~~is accredited by a member of the Commission on Recognition of~~  
13 ~~Postsecondary Accreditation and which~~ has operated in the  
14 state for at least 3 years and is accredited by an accrediting  
15 agency recognized by the United States Department of  
16 Education.

17           Section 21. Subsections (2), (3), and (4) of section  
18 240.40205, Florida Statutes, are amended to read:

19           240.40205 Florida Academic Scholars award.--

20           (2) A Florida Academic Scholar who is enrolled in a  
21 public postsecondary education institution is eligible for an award  
22 award equal to the amount required to pay matriculation and,  
23 fees, as defined by the Department of Education, and \$300 per  
24 semester or the equivalent \$600 for college-related expenses  
25 annually. A student who is enrolled in a nonpublic  
26 postsecondary education institution is eligible for an award  
27 equal to the amount that would be required to pay for the  
28 average matriculation and fees of a public postsecondary  
29 education institution at the comparable level, plus the amount  
30 provided for college-related expenses ~~annual \$600.~~

1           (3) To be eligible for a renewal or restoration ~~award~~  
2 as a Florida Academic Scholar, a student must meet the  
3 requirements of s. 240.40203 and the ~~maintain the equivalent~~  
4 ~~of a~~ grade point average requirement of 3.0 on a 4.0 scale, or  
5 the equivalent, for all postsecondary education work  
6 attempted. A student may have, ~~with~~ an opportunity for one  
7 restoration ~~reinstatement~~ as provided in this act.

8           (4) In each school district, the Florida Academic  
9 Scholar with the highest academic ranking shall receive an  
10 additional award of \$750 per semester or the equivalent ~~\$1,500~~  
11 for college-related expenses. This award must be funded from  
12 the Florida Bright Futures Scholarship Program.

13           Section 22. Section 240.40206, Florida Statutes, is  
14 amended to read:

15           240.40206 Florida Merit Scholars award.--

16           (1) A student is eligible for a Florida Merit Scholars  
17 award if the student meets the general eligibility  
18 requirements for the Florida Bright Futures Scholarship  
19 Program and the student:

20           (a) Has achieved a weighted grade point average of 3.0  
21 as calculated pursuant to s. 240.40202, or the equivalent, in  
22 high school courses that are adopted by the Board of Regents  
23 and recommended by the State Board of Community Colleges as  
24 college-preparatory academic courses; and

25           (b) Has attained at least the score identified by  
26 rules of the Department of Education on the combined verbal  
27 and quantitative parts of the Scholastic Aptitude Test, the  
28 Scholastic Assessment Test, or the recentered Scholastic  
29 Assessment Test of the College Entrance Examination, or an  
30 equivalent score on the American College Testing Program; or  
31

1 (c) Has attended a home education program according to  
2 s. 232.0201 during grades 11 and 12 or has completed the  
3 International Baccalaureate curriculum but failed to earn the  
4 International Baccalaureate Diploma, and has attained at least  
5 the score identified by rules of the Department of Education  
6 on the combined verbal and quantitative parts of the  
7 Scholastic Aptitude Test, the Scholastic Assessment Test, or  
8 the recentered Scholastic Assessment Test of the College  
9 Entrance Examination, or an equivalent score on the American  
10 College Testing Program; or—

11 (d) Has been recognized by the merit or achievement  
12 programs of the National Merit Scholarship Corporation as a  
13 scholar or finalist, but has not completed a program of  
14 community service as provided by s. 240.40205.

15 (2) A Florida Merit Scholar is eligible for an award  
16 equal to the amount required to pay 75 percent of  
17 matriculation and fees, as defined by the department, if the  
18 student is enrolled in a public postsecondary education  
19 institution. A student who is enrolled in a nonpublic  
20 postsecondary education institution is eligible for an award  
21 equal to the amount that would be required to pay 75 percent  
22 of the matriculation and fees of a public postsecondary  
23 education institution at the comparable level.

24 (3) To be eligible for ~~a~~ renewal or restoration ~~award~~  
25 as a Florida Merit Scholar, a student must meet the  
26 requirements of s. 240.40203 and the ~~maintain the equivalent~~  
27 ~~of a~~ grade point average requirement of 2.75 on a 4.0 scale,  
28 or the equivalent, for all postsecondary education work  
29 attempted. A student may have, ~~with~~ an opportunity for  
30 ~~reinstatement~~ one restoration ~~time~~ as provided in this act.

31



1           Section 23. Section 240.40207, Florida Statutes, is  
2 amended to read:

3           240.40207 Florida Gold Seal Vocational Scholars  
4 award.--The Florida Gold Seal Vocational Scholars award is  
5 created within the Florida Bright Futures Scholarship Program  
6 to recognize and reward academic achievement and vocational  
7 preparation by high school students who wish to continue their  
8 education.

9           (1) A student is eligible for a Florida Gold Seal  
10 Vocational Scholars award if the student meets the general  
11 eligibility requirements for the Florida Bright Futures  
12 Scholarship Program and the student:

13           (a) Successfully ~~completes the secondary school~~  
14 ~~portion of a sequential program of studies that requires at~~  
15 ~~least three secondary school vocational credits~~ in one program  
16 of study identified by the Department of Education ~~taken over~~  
17 ~~at least 2 academic years, and is continued in a planned,~~  
18 ~~related postsecondary education program. If the student's~~  
19 ~~school does not offer such a two-plus-two or tech-prep~~  
20 ~~program, the student must complete a job-preparatory career~~  
21 ~~education program selected by the Occupational Forecasting~~  
22 ~~Conference or the Workforce Development Board of Enterprise~~  
23 ~~Florida for its ability to provide high-wage employment in an~~  
24 ~~occupation with high potential for employment opportunities.~~  
25 On-the-job training may not be substituted for any of the  
26 three required vocational credits.

27           (b) Demonstrates readiness for postsecondary education  
28 by earning a passing score on the Florida College Entry Level  
29 Placement Test or its equivalent as identified by the  
30 Department of Education.

31

1 (c) Earns a minimum cumulative weighted grade point  
2 average of 3.0, as calculated pursuant to s. 240.40202, on all  
3 subjects required for a standard high school diploma,  
4 excluding elective courses.

5 (d) Earns a minimum unweighted grade point average of  
6 3.5 on a 4.0 scale for secondary vocational courses comprising  
7 the vocational program.

8 ~~(e) Completes the requirements of a vocational-ready~~  
9 ~~diploma program, as defined by rules of the State Board of~~  
10 ~~Education.~~

11 (2) A Florida Gold Seal Vocational Scholar is eligible  
12 for an award equal to the amount required to pay 75 percent of  
13 matriculation and fees, as defined by the Department of  
14 Education, if the student is enrolled in a public  
15 postsecondary education institution. A student who is enrolled  
16 in a nonpublic postsecondary education institution is eligible  
17 for an award equal to the amount that would be required to pay  
18 75 percent of the matriculation and mandatory fees of a public  
19 postsecondary education institution at the comparable level.

20 (3) To be eligible for a renewal or restoration award  
21 as a Florida Gold Seal Vocational Scholar, a student must meet  
22 the requirements of s. 240.40203 and the ~~maintain the~~  
23 ~~equivalent of a~~ grade point average requirement of 2.75 on a  
24 4.0 scale, or the equivalent, for all postsecondary education  
25 work attempted. A student may have, with an opportunity for  
26 ~~reinstatement~~ one restoration time as provided in this act.

27 (4) A student may earn a Florida Gold Seal Vocational  
28 Scholarship for 110 percent of the number of credit hours  
29 required to complete the program, up to 90 credit hours or the  
30 equivalent. ~~A Florida Gold Seal Scholar who has a cumulative~~  
31 ~~grade point average of 2.75 in all postsecondary education~~

1 ~~work attempted may apply for a Florida Merit Scholars award at~~  
 2 ~~any renewal period. All other provisions of that program~~  
 3 ~~apply, and the credit-hour limitation must be calculated by~~  
 4 ~~subtracting from the student's total eligibility the number of~~  
 5 ~~credit hours the student attempted while earning the Gold Seal~~  
 6 ~~Vocational Scholarship.~~

7 (5) Beginning with the fall term of 2002, a Florida  
 8 Gold Seal Vocational Scholars award may not be used at an  
 9 institution that grants baccalaureate degrees unless the award  
 10 is a renewal of an initial award issued prior to the fall term  
 11 of 2002, or as otherwise provided for in this section.

12 (6) Upon successful completion of an an associate  
 13 degree program, an award recipient who meets the renewal  
 14 criteria in subsection (3) and enrolls in a baccalaureate  
 15 degree program at an eligible postsecondary education  
 16 institution is eligible to transfer to the Florida Merit  
 17 Scholars award component of the Bright Futures Scholarship  
 18 Program. If the student receives an associate degree prior to  
 19 the end of an academic year and enrolls in the baccalaureate  
 20 degree program during a subsequent term of the same academic  
 21 year, the student may continue to receive the Gold Seal  
 22 Scholars award for the duration of that academic year. If  
 23 necessary, the department may provide an exception to the  
 24 90-semester-hour limit, or the equivalent, through the end of  
 25 that academic year. Other than initial eligibility criteria,  
 26 all other requirements of the Florida Merit Scholars award  
 27 apply to a student who transfers to that program under this  
 28 section. The credit-hour limitation must be calculated by  
 29 subtracting from the student's total eligibility the number of  
 30 credit hours for which the student has already received  
 31 funding under the Bright Futures Scholarship Program.

1           (7) If a Florida Gold Seal Scholar received an initial  
2 Gold Seal Scholars award prior to the fall term of 2002 and  
3 has a cumulative grade point average of 2.75 in all  
4 postsecondary education work attempted, the Department of  
5 Education may transfer the student to the Florida Merit  
6 Scholars award component of the Bright Futures Scholarship  
7 Program during any renewal period. All other provisions of  
8 that program apply, and the credit-hour limitation must be  
9 calculated by subtracting from the student's total eligibility  
10 the number of credit hours for which the student has already  
11 received funding under the Bright Futures Scholarship Program.

12           Section 24. Section 240.40209, Florida Statutes, is  
13 amended to read:

14           240.40209 Bright Futures Scholarship recipients  
15 attending nonpublic institutions; calculation of  
16 awards.--Notwithstanding ss. 240.40201, 240.40205, 240.40206,  
17 and 240.40207, a student who receives any award under the  
18 Florida Bright Futures Scholarship Program, who is enrolled in  
19 a nonpublic postsecondary education institution, and who is  
20 assessed tuition and fees that are the same as those of a  
21 full-time student at that institution, shall receive a fixed  
22 award calculated by using the average matriculation and fee  
23 calculation, as defined by the Department of Education, for  
24 full-time attendance at a public postsecondary educational  
25 education institution at the comparable level. If the student  
26 is enrolled part-time and is assessed tuition and fees at a  
27 reduced level, the award shall be either one-half of the  
28 maximum award or three-fourths of the maximum award, depending  
29 on the level of fees assessed.

30           Section 25. Paragraph (a) of subsection (1) of section  
31 240.404, Florida Statutes, is amended to read:

1           240.404 General requirements for student eligibility  
2 for state financial aid.--

3           (1)(a) The general requirements for eligibility of  
4 students for state financial aid awards consist of the  
5 following:

6           1. Achievement of the academic requirements of and  
7 acceptance at a state university or community college; a  
8 nursing diploma school approved by the Florida Board of  
9 Nursing; a Florida college, university, or community college  
10 which is accredited by an accrediting agency recognized by the  
11 United States Department of Education ~~a member of the~~  
12 ~~Commission on Recognition of Postsecondary Accreditation~~; any  
13 Florida institution the credits of which are acceptable for  
14 transfer to state universities; any area technical center; or  
15 any private vocational-technical institution accredited by an  
16 accrediting agency recognized by the United States Department  
17 of Education ~~a member of the Commission on Recognition of~~  
18 ~~Postsecondary Accreditation~~.

19           2.a. Residency in this state for no less than 1 year  
20 preceding the award of aid for a program established pursuant  
21 to s. 240.409, s. 240.4095, s. 240.4097, s. 240.412, s.  
22 240.4125, s. 240.413, s. 240.4987, s. 240.605, or s. 240.606.  
23 Residency in this state must be for purposes other than to  
24 obtain an education. Resident status for purposes of receiving  
25 state financial aid awards shall be determined in the same  
26 manner as resident status for tuition purposes pursuant to s.  
27 240.1201 and rules of the State Board of Education.

28           b. A person who has been properly classified as a  
29 resident by a postsecondary institution for initial receipt of  
30 state-funded student financial assistance and has been  
31 determined eligible to participate in a financial assistance

1 program may continue to qualify as a resident for state-funded  
2 financial aid programs if he or she maintains continuous  
3 enrollment at the postsecondary institution, with no break in  
4 enrollment greater than 12 consecutive months.

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

17 Section 26. Subsection (3) of section 240.4064,  
18 Florida Statutes, is amended to read:

19 240.4064 Critical teacher shortage tuition  
20 reimbursement program.--

21 (3) Participants may receive tuition reimbursement  
22 payments for up to 9 semester hours, or the equivalent in  
23 quarter hours, per year, at a rate not to exceed ~~\$115~~<sup>\$78</sup> per  
24 semester hour, up to a total of 36 semester hours. All  
25 tuition reimbursements shall be contingent on passing an  
26 approved course with a minimum grade of 3.0 or its equivalent.

27 Section 27. Paragraph (a) of subsection (5) and  
28 subsection (6) of section 240.412, Florida Statutes, are  
29 amended to read:

30 240.412 Jose Marti Scholarship Challenge Grant  
31 Program.--

1 (5)(a) In order to be eligible to receive a  
2 scholarship pursuant to this section, an applicant shall:

3 1. Be a Hispanic-American, or a person of Spanish  
4 culture with origins in Mexico, South America, Central  
5 America, or the Caribbean, regardless of race.

6 2. Be a citizen of the United States and meet the  
7 general requirements for student eligibility as provided in s.  
8 240.404, except as otherwise provided in this section.

9 3. Be accepted at a state university or community  
10 college or any Florida college or university accredited by an  
11 accrediting agency recognized by the United States Department  
12 of Education ~~a member of the Commission on Recognition of~~  
13 ~~Postsecondary Accreditation~~ the credits of which are  
14 acceptable without qualification for transfer to state  
15 universities.

16 4. Enroll as a full-time undergraduate ~~or graduate~~  
17 student.

18 5. Earn a 3.0 unweighted grade point average on a 4.0  
19 scale, or the equivalent for high school subjects creditable  
20 toward a diploma. ~~If an applicant applies as a graduate~~  
21 ~~student, he or she shall have earned a 3.0 cumulative grade~~  
22 ~~point average for undergraduate college-level courses.~~

23 (6) The annual scholarship to each recipient shall be  
24 \$2,000. Priority in the distribution of scholarships shall be  
25 given to students with the lowest total family resources.  
26 Renewal scholarships shall take precedence over new awards in  
27 any year in which funds are not sufficient to meet the total  
28 need. No undergraduate student shall receive an award for  
29 more than the equivalent of 8 semesters or 12 quarters over a  
30 period of no more than 6 consecutive years, except as  
31 otherwise provided in s. 240.404(3). ~~No graduate student shall~~

1 ~~receive an award for more than the equivalent of 4 semesters~~  
2 ~~or 6 quarters.~~

3 Section 28. Subsection (2) of section 240.413, Florida  
4 Statutes, is amended to read:

5 240.413 Seminole and Miccosukee Indian Scholarships.--

6 (2) Scholarships shall be awarded by the department to  
7 students who:

8 (a) Have graduated from high school, have earned an  
9 equivalency diploma issued by the Department of Education  
10 pursuant to s. 229.814, have earned an equivalency diploma  
11 issued by the United States Armed Forces Institute, or have  
12 been accepted through an early admission program;

13 (b) Are enrolled at a state university or community  
14 college authorized by Florida law; a nursing diploma school  
15 approved by the Board of Nursing; any Florida college,  
16 university, or community college which is accredited by an  
17 accrediting agency recognized by the United States Department  
18 of Education ~~a member of the Commission on Recognition of~~  
19 ~~Postsecondary Accreditation~~; or any Florida institution the  
20 credits of which are acceptable for transfer to state  
21 universities;

22 (c) Are enrolled as either full-time or part-time  
23 undergraduate or graduate students and make satisfactory  
24 academic progress as defined by the college or university;

25 (d) Have been recommended by the Seminole Tribe of  
26 Florida or the Miccosukee Tribe of Indians of Florida; and

27 (e) Meet the general requirements for student  
28 eligibility as provided in s. 240.404, except as otherwise  
29 provided in this section.

30 Section 29. Subsection (6) of section 240.437, Florida  
31 Statutes, is amended to read:



1           240.437 Student financial aid planning and  
2 development.--

3           (6) ~~Any Effective July 1, 1992, all new and existing~~  
4 financial assistance programs authorized by state law that are  
5 administered by the Bureau of Student Financial Assistance of  
6 the Department of Education, and that ~~under this part which~~  
7 are not funded for 3 consecutive years after enactment shall  
8 stand repealed. Financial aid programs provided under this  
9 part on July 1, 1992, which lose funding for 3 consecutive  
10 years shall stand repealed. The Bureau ~~Office~~ of Student  
11 Financial Assistance of the Department of Education shall  
12 annually review the legislative appropriation of financial aid  
13 to identify such programs.

14           Section 30. Subsection (5) of section 240.465, Florida  
15 Statutes, is repealed.

16           Section 31. Subsection (13) of section 240.472,  
17 Florida Statutes, is amended to read:

18           240.472 Definitions.--As used in this act:

19           (13) "Institution" means any college or university  
20 which, by virtue of law or charter, is accredited by an  
21 accrediting agency recognized by the United States Department  
22 of Education ~~and holds membership in the Commission on~~  
23 ~~Recognition of Postsecondary Accreditation;~~ which grants  
24 baccalaureate or associate degrees; which is not a pervasively  
25 sectarian institution; and which does not discriminate in the  
26 admission of students on the basis of race, color, religion,  
27 sex, or creed.

28           Section 32. Subsection (1) of section 295.01, Florida  
29 Statutes, is amended to read:

30           295.01 Children of deceased or disabled veterans;  
31 education.--

1           (1) It is hereby declared to be the policy of the  
2 state to provide educational opportunity at state expense for  
3 dependent children either of whose parents was a resident of  
4 the state at the time such parent entered the Armed Forces,  
5 had been a bona fide resident of the state for 5 years  
6 preceding the child's application for benefits under this  
7 section, and who:

8           (a) Died in that service or from injuries sustained or  
9 disease contracted during a period of wartime service as  
10 defined in s. 1.01(14) or has died since or may hereafter die  
11 from diseases or disability resulting from such war service,  
12 or

13           (b) Participated during a period of wartime service,  
14 as provided for in this chapter, and has been:

15           1. Determined by the United States Department of  
16 Veterans Affairs or its predecessor to have a  
17 service-connected 100-percent total and permanent disability  
18 rating for compensation,

19           2. Determined to have a service-connected total and  
20 permanent disability rating of 100 percent and is in receipt  
21 of disability retirement pay from any branch of the United  
22 States Armed Services, or

23           3. Issued a valid identification card by the  
24 Department of Veterans' Affairs in accordance with s. 295.17,

25  
26 ~~when the parents of such children have been bona fide~~  
27 ~~residents of the state for 5 years next preceding their~~  
28 ~~application for the benefits hereof, and subject to the rules,~~  
29 ~~restrictions, and limitations hereof.~~

30           Section 33. Section 295.02, Florida Statutes, is  
31 amended to read:

1           295.02 Use of funds; age, etc.--

2           (1) All sums appropriated and expended under this  
3 chapter shall be used to pay tuition and registration fees, as  
4 defined by the Department of Education;board;~~and~~ room rent  
5 and to buy books and supplies for the children of:

6           (a) Deceased or disabled veterans or service members,  
7 as defined and limited in s. 295.01, s. 295.016, s. 295.017,  
8 s. 295.018, or s. 295.0195. ~~or of~~

9           (b) Parents classified as prisoners of war or missing  
10 in action, as defined and limited in s. 295.015.~~7~~

11           (2) Such children must be ~~who are~~ between the ages of  
12 16 and 22 years, and ~~who are~~ in attendance at:

13           (a) A state-supported institution of higher learning,  
14 including a community college or vocational-technical school,  
15 or

16           (b) Any postsecondary institution eligible to  
17 participate in the Florida Bright Futures Scholarship program.

18  
19 A student attending an eligible private postsecondary  
20 institution may receive an award equivalent to the average  
21 matriculation and fees calculated for full-time attendance at  
22 a public postsecondary institution at the comparable level.

23 Any child having entered upon a course of training or  
24 education under the provisions of this chapter, consisting of  
25 a course of not more than 4 years, and arriving at the age of  
26 22 years before the completion of such course may continue the  
27 course and receive all benefits of the provisions of this  
28 chapter until the course is completed. The Department of  
29 Education shall administer this educational program subject to  
30 regulations of the department. The State Board of Education is  
31 authorized to adopt rules to implement this program.

1           Section 34. Sections 228.502, 240.40242, and 240.6055,  
2 Florida Statutes, are repealed.

3           Section 35. Paragraph (r) of subsection (1) of section  
4 246.041, Florida Statutes, is amended to read:

5           246.041 Powers and duties of board.--

6           (1) The board shall:

7           (r) Provide information and documentation on an annual  
8 basis to the Office of Student Financial Assistance of the  
9 Department of Education regarding the requirements set forth  
10 for nonpublic colleges in s. 240.605, relating to William L.  
11 Boyd, IV, Florida resident access grants, ~~s. 240.6055,~~  
12 ~~relating to access grants for community college graduates, and~~  
13 s. 240.609, relating to Florida postsecondary endowment  
14 grants.

15           Section 36. Section 240.409, Florida Statutes, is  
16 amended to read:

17           240.409 Florida Public Student Assistance Grant  
18 Program; eligibility for grants.--

19           (1) There is hereby created a Florida Public Student  
20 Assistance Grant Program. The program shall be administered by  
21 the participating institutions in accordance with rules of the  
22 state board.

23           (2) The department is directed to establish an initial  
24 application deadline for funds administered pursuant to this  
25 section.

26           (3) Using the priorities established in this section  
27 and in s. 240.4099, institutions shall first award funds  
28 administered pursuant to this section to students who meet the  
29 initial application deadline established pursuant to  
30 subsection (2). An institution may, at its discretion, award  
31 any remaining funds from this program to students who apply

1 after the deadline date and who are otherwise eligible  
2 pursuant to this section.

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

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

27 (c) Priority in the distribution of grant moneys shall  
28 be given to students with the lowest total family resources,  
29 in accordance with a nationally recognized system of need  
30 analysis. Using the system of need analysis, the department  
31 shall establish a maximum expected family contribution. An

1 institution may not make a grant from this program to a  
 2 student whose expected family contribution exceeds the level  
 3 established by the department. An institution may not impose  
 4 additional criteria to determine a student's eligibility to  
 5 receive a grant award.

6 (d) Each participating institution shall report, to  
 7 the department by the established date, the eligible students  
 8 to whom grant moneys are disbursed each academic term and  
 9 indicate whether or not the student met the application  
 10 deadline established pursuant to subsection (2). Each  
 11 institution shall also report to the department necessary  
 12 demographic and eligibility data for such students.

13 ~~(5)(3)~~ Based on the unmet financial need of an  
 14 eligible applicant, the amount of a Florida public student  
 15 assistance grant must be between \$200 and the weighted average  
 16 of the cost of matriculation and other registration fees for  
 17 30 credit hours at state universities per academic year or the  
 18 amount specified in the General Appropriations Act.

19 ~~(6)(4)~~(a) The funds appropriated for the Florida  
 20 Public Student Assistance Grant shall be distributed to  
 21 eligible institutions in accordance with a formula recommended  
 22 by the Department of Education's Florida Council of Student  
 23 Financial Aid Advisors and reviewed by the Postsecondary  
 24 Education Planning Commission, the State Board of Community  
 25 Colleges, and the Board of Regents. The formula shall consider  
 26 at least the prior year's distribution of funds to award  
 27 recipients who met the application deadline, the number of  
 28 ~~full-time~~ eligible applicants who met the application deadline  
 29 who did not receive awards, the standardization of the  
 30 expected family contribution, and provisions for unused funds.

1 (b) Payment of Florida public student assistance  
2 grants shall be transmitted to the president of the state  
3 university or community college, or to his or her  
4 representative, in advance of the registration period.  
5 Institutions shall notify students of the amount of their  
6 awards.

7 (c) The eligibility status of each student to receive  
8 a disbursement shall be determined by each institution as of  
9 the end of its regular registration period, inclusive of a  
10 drop-add period. Institutions shall not be required to  
11 reevaluate a student's eligibility status after this date for  
12 purposes of changing eligibility determinations previously  
13 made.

14 (d) Institutions shall certify to the department the  
15 amount of funds disbursed to each student and shall remit to  
16 the department any undisbursed advances by June 1 of each  
17 year.

18 (7)~~(5)~~ Funds appropriated by the Legislature for state  
19 student assistance grants shall be deposited in the State  
20 Student Financial Assistance Trust Fund. Notwithstanding the  
21 provisions of s. 216.301 and pursuant to s. 216.351, any  
22 balance in the trust fund at the end of any fiscal year that  
23 has been allocated to the Florida Public Student Assistance  
24 Grant Program shall remain therein and shall be available for  
25 carrying out the purposes of this section.

26 (8)~~(6)~~ The State Board of Education shall establish  
27 rules necessary to implement this section.

28 Section 37. Section 240.4095, Florida Statutes, is  
29 amended to read:

30 240.4095 Florida Private Student Assistance Grant  
31 Program; eligibility for grants.--

1 (1) There is hereby created a Florida Private Student  
2 Assistance Grant Program. The program shall be administered by  
3 the participating institutions in accordance with rules of the  
4 state board.

5 (2) The department is directed to establish an initial  
6 application deadline for funds administered pursuant to this  
7 section.

8 (3) Using the priorities established in this section  
9 and in s. 240.4099, institutions shall first award funds  
10 administered pursuant to this section to students who meet the  
11 initial application deadline established pursuant to  
12 subsection (2). An institution may, at its discretion, award  
13 any remaining funds from this program to students who apply  
14 after the deadline date and who are otherwise eligible  
15 pursuant to this section.

16 (4)(a) Florida private student assistance grants from  
17 the State Student Financial Assistance Trust Fund may be made  
18 only to ~~full-time~~ degree-seeking students who enroll in at  
19 least 6 semester hours, or the equivalent, per term and who  
20 meet the general requirements for student eligibility as  
21 provided in s. 240.404, except as otherwise provided in this  
22 section. Such grants shall be awarded for the amount of  
23 demonstrated unmet need for tuition and fees and may not  
24 exceed an amount equal to the average matriculation and other  
25 registration fees for 30 credit hours at state universities  
26 plus \$1,000 per academic year, or as specified in the General  
27 Appropriations Act, to any applicant. A demonstrated unmet  
28 need of less than \$200 shall render the applicant ineligible  
29 for a Florida private student assistance grant. Recipients of  
30 such grants must have been accepted at a  
31 baccalaureate-degree-granting independent nonprofit college or



1 university, which is accredited by the Commission on Colleges  
 2 of the Southern Association of Colleges and Schools and which  
 3 is located in and chartered as a domestic corporation by the  
 4 state. No student may receive an award for more than the  
 5 equivalent of 9 semesters or 14 quarters of full-time  
 6 enrollment, except as otherwise provided in s. 240.404(3).

7 (b) A student applying for a Florida private student  
 8 assistance grant shall be required to apply for the Pell  
 9 Grant. The Pell Grant entitlement shall be considered when  
 10 conducting an assessment of the financial resources available  
 11 to each student.

12 (c) Priority in the distribution of grant moneys shall  
 13 be given to students with the lowest total family resources,  
 14 in accordance with a nationally recognized system of need  
 15 analysis. Using the system of need analysis, the department  
 16 shall establish a maximum expected family contribution. An  
 17 institution may not make a grant from this program to a  
 18 student whose expected family contribution exceeds the level  
 19 established by the department. An institution may not impose  
 20 additional criteria to determine a student's eligibility to  
 21 receive a grant award.

22 (d) Each participating institution shall report, to  
 23 the department by the established date, the eligible students  
 24 to whom grant moneys are disbursed each academic term and  
 25 indicate whether or not the student met the application  
 26 deadline established pursuant to subsection (2). Each  
 27 institution shall also report to the department necessary  
 28 demographic and eligibility data for such students.

29 ~~(5)(3)~~ Based on the unmet financial need of an  
 30 eligible applicant, the amount of a Florida private student  
 31 assistance grant must be between \$200 and the average cost of

1 matriculation and other registration fees for 30 credit hours  
2 at state universities plus \$1,000 per academic year or the  
3 amount specified in the General Appropriations Act.

4 ~~(6)(4)~~(a) The funds appropriated for the Florida  
5 Private Student Assistance Grant shall be distributed to  
6 eligible institutions in accordance with a formula recommended  
7 by the Department of Education's Florida Council of Student  
8 Financial Aid Advisors and reviewed by the Postsecondary  
9 Education Planning Commission and the Independent Colleges and  
10 Universities of Florida. The formula shall consider at least  
11 the prior year's distribution of funds to award recipients who  
12 met the application deadline, the number of ~~full-time~~ eligible  
13 applicants who met the application deadline who did not  
14 receive awards, the standardization of the expected family  
15 contribution, and provisions for unused funds.

16 (b) Payment of Florida private student assistance  
17 grants shall be transmitted to the president of the college or  
18 university, or to his or her representative, in advance of the  
19 registration period. Institutions shall notify students of the  
20 amount of their awards.

21 (c) The eligibility status of each student to receive  
22 a disbursement shall be determined by each institution as of  
23 the end of its regular registration period, inclusive of a  
24 drop-add period. Institutions shall not be required to  
25 reevaluate a student's eligibility status after this date for  
26 purposes of changing eligibility determinations previously  
27 made.

28 (d) Institutions shall certify to the department the  
29 amount of funds disbursed to each student, indicate whether or  
30 not the student met the application deadline established

31

1 pursuant to subsection (2), and shall remit to the department  
 2 any undisbursed advances by June 1 of each year.

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

22 (7)~~(5)~~ Funds appropriated by the Legislature for  
 23 Florida private student assistance grants shall be deposited  
 24 in the State Student Financial Assistance Trust Fund.  
 25 Notwithstanding the provisions of s. 216.301 and pursuant to  
 26 s. 216.351, any balance in the trust fund at the end of any  
 27 fiscal year that has been allocated to the Florida Private  
 28 Student Assistance Grant Program shall remain therein and  
 29 shall be available for carrying out the purposes of this  
 30 section and as otherwise provided by law.

31

1           ~~(8)(6)~~ The State Board of Education shall adopt rules  
2 necessary to implement this section.

3           Section 38. Section 240.4097, Florida Statutes, is  
4 amended to read:

5           240.4097 Florida Postsecondary Student Assistance  
6 Grant Program; eligibility for grants.--

7           (1) There is hereby created a Florida Postsecondary  
8 Student Assistance Grant Program. The program shall be  
9 administered by the participating institutions in accordance  
10 with rules of the state board.

11           (2) The department is directed to establish an initial  
12 application deadline for funds administered pursuant to this  
13 section.

14           (3) Using the priorities established in this section  
15 and s. 240.4099, institutions shall first award funds  
16 administered pursuant to this section to students who meet the  
17 initial application deadline established pursuant to  
18 subsection (2). An institution may, at its discretion, award  
19 any remaining funds from this program to students who apply  
20 after the deadline date and who are otherwise eligible  
21 pursuant to this section.

22           (4)(a) Florida postsecondary student assistance grants  
23 through the State Student Financial Assistance Trust Fund may  
24 be made only to ~~full-time~~ degree-seeking students who enroll  
25 in at least 6 semester hours, or the equivalent, per term and  
26 who meet the general requirements for student eligibility as  
27 provided in s. 240.404, except as otherwise provided in this  
28 section. Such grants shall be awarded for the amount of  
29 demonstrated unmet need for tuition and fees and may not  
30 exceed an amount equal to the average prior academic year cost  
31 of matriculation and other registration fees for 30 credit

1 hours at state universities plus \$1,000 per academic year, or  
2 as specified in the General Appropriations Act, to any  
3 applicant. A demonstrated unmet need of less than \$200 shall  
4 render the applicant ineligible for a Florida postsecondary  
5 student assistance grant. Recipients of such grants must have  
6 been accepted at a postsecondary institution that is located  
7 in the state and that is:

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

10 2. An institution either licensed by the State Board  
11 of Independent Colleges and Universities or exempt from  
12 licensure pursuant to s. 246.085(1)(a), excluding those  
13 institutions the students of which are eligible to receive a  
14 Florida private student assistance grant pursuant to s.  
15 240.4095.

16  
17 No student may receive an award for more than the equivalent  
18 of 9 semesters or 14 quarters of full-time enrollment, except  
19 as otherwise provided in s. 240.404(3).

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

25 (c) Priority in the distribution of grant moneys shall  
26 be given to students with the lowest total family resources,  
27 in accordance with a nationally recognized system of need  
28 analysis. Using the system of need analysis, the department  
29 shall establish a maximum expected family contribution. An  
30 institution may not make a grant from this program to a  
31 student whose expected family contribution exceeds the level

1 established by the department. An institution may not impose  
2 additional criteria to determine a student's eligibility to  
3 receive a grant award.

4 (d) Each participating institution shall report, to  
5 the department by the established date, the eligible students  
6 to whom grant moneys are disbursed each academic term and  
7 indicate whether or not the student met the application  
8 deadline established pursuant to subsection (2). Each  
9 institution shall also report to the department necessary  
10 demographic and eligibility data for such students.

11 (5)~~(3)~~ Based on the unmet financial need of an  
12 eligible applicant, the amount of a Florida postsecondary  
13 student assistance grant must be between \$200 and the average  
14 cost of matriculation and other registration fees for 30  
15 credit hours at state universities plus \$1,000 per academic  
16 year or the amount specified in the General Appropriations  
17 Act.

18 (6)~~(4)~~(a) The funds appropriated for the Florida  
19 Postsecondary Student Assistance Grant shall be distributed to  
20 eligible institutions in accordance with a formula recommended  
21 by the Department of Education's Florida Council of Student  
22 Financial Aid Advisors and reviewed by the Postsecondary  
23 Education Planning Commission and the Florida Association of  
24 Postsecondary Schools and Colleges. The formula shall consider  
25 at least the prior year's distribution of funds to award  
26 recipients who met the application deadline, the number of  
27 ~~full-time~~ eligible applicants who met the application deadline  
28 who did not receive awards, the standardization of the  
29 expected family contribution, and provisions for unused funds.

30 (b) Payment of Florida postsecondary student  
31 assistance grants shall be transmitted to the president of the

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

4 (c) The eligibility status of each student to receive  
 5 a disbursement shall be determined by each institution as of  
 6 the end of its regular registration period, inclusive of a  
 7 drop-add period. Institutions shall not be required to  
 8 reevaluate a student's eligibility status after this date for  
 9 purposes of changing eligibility determinations previously  
 10 made.

11 (d) Institutions shall certify to the department the  
 12 amount of funds disbursed to each student, indicate whether or  
 13 not the student met the application deadline established  
 14 pursuant to subsection (2), and shall remit to the department  
 15 any undisbursed advances by June 1 of each year.

16 (e) Each institution that receives moneys through the  
 17 Florida Postsecondary Student Assistance Grant Program shall  
 18 cause to be prepared a biennial report that includes an  
 19 independent external audit of the institution's administration  
 20 of the program and a complete accounting of moneys in the  
 21 State Student Financial Assistance Trust Fund allocated to the  
 22 institution for the program. Such report shall be submitted  
 23 to the department on or before March 1 every other year. The  
 24 department may conduct its own annual or biennial audit of an  
 25 institution's administration of the program and its allocated  
 26 funds in lieu of the required biennial report and independent  
 27 external audit. The department may suspend or revoke an  
 28 institution's eligibility to receive future moneys from the  
 29 trust fund for the program or request a refund of any moneys  
 30 overpaid to the institution through the trust fund for the  
 31 program if the department finds that an institution has not

1 complied with the provisions of this section. Any refund  
2 requested pursuant to this paragraph shall be remitted within  
3 60 days.

4 ~~(7)(5)~~ Any institution that was eligible to receive  
5 state student assistance grants on January 1, 1989, and that  
6 is not eligible to receive grants pursuant to s. 240.4095 is  
7 eligible to receive grants pursuant to this section.

8 ~~(8)(6)~~ Funds appropriated by the Legislature for  
9 Florida postsecondary student assistance grants shall be  
10 deposited in the State Student Financial Assistance Trust  
11 Fund. Notwithstanding the provisions of s. 216.301 and  
12 pursuant to s. 216.351, any balance in the trust fund at the  
13 end of any fiscal year that has been allocated to the Florida  
14 Postsecondary Student Assistance Grant Program shall remain  
15 therein and shall be available for carrying out the purposes  
16 of this section and as otherwise provided by law.

17 ~~(9)(7)~~ The State Board of Education shall adopt rules  
18 necessary to implement this section.

19 Section 39. Section 240.4099, Florida Statutes, is  
20 created to read:

21 240.4099 Florida student assistance grant programs;  
22 priority for receiving grants.--In addition to priorities and  
23 criteria for the distribution of Florida student assistance  
24 grant program funds established in ss. 240.409, 240.4095, and  
25 240.4097, priority in the distribution of grant money to  
26 eligible initial applicants shall be given in the following  
27 order:

28 (1) To full-time students with financial need who  
29 graduate from Florida public high schools, who have completed  
30 the high school courses that are adopted by the Board of  
31 Regents and recommended by the State Board of Community



1 Colleges as college-preparatory courses, and who rank in the  
2 top 20 percent of their high school graduating class. Class  
3 rank shall be determined by the Department of Education.

4 (2) To other full-time students with financial need.

5 (3) To part-time students with financial need, if  
6 funds are remaining. However, awards to full-time students are  
7 not to be reduced to accomplish this purpose.

8 Section 40. Subsection (3) of section 240.404, Florida  
9 Statutes, is amended to read:

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

12 (3) Undergraduate students shall be eligible to  
13 receive financial aid for a maximum of 110 percent of the  
14 number of credit hours required to complete the program, up to  
15 a maximum of 132 credit hours, or the equivalent 8 semesters  
16 or 12 quarters. However, undergraduate students participating  
17 in college-preparatory instruction, students requiring  
18 additional time to complete the college-level communication  
19 and computation skills testing programs, or students enrolled  
20 in a 5-year undergraduate degree program shall be eligible to  
21 receive financial aid for a maximum of 10 semesters or 15  
22 quarters.

23 Section 41. The Division of Statutory Revision of the  
24 Office of Legislative Services is directed to prepare a  
25 reviser's bill for introduction at the 2001 Regular Session of  
26 the Legislature to change "Florida Merit Scholarship" to  
27 "Florida Medallion Scholarship" and to change "Florida Merit  
28 Scholar" to "Florida Medallion Scholar," effective for the  
29 2002-2003 school year.

30 Section 42. This act shall take effect July 1, 2000.

31