

By the Committee on Appropriations; and Senators Clary, Hill, Campbell, Bennett, Webster and Bullard

309-2342-03

1 A bill to be entitled
 2 An act relating to student tuition assistance;
 3 creating the Access to Better Learning and
 4 Education Grant Program; providing legislative
 5 findings with respect to education provided by
 6 for-profit colleges and universities; providing
 7 for the Department of Education to administer
 8 the grant program; providing requirements for
 9 eligibility; providing for an annual
 10 appropriation; requiring institutions to remit
 11 undisbursed funds to the department; limiting
 12 the period a student may receive a grant;
 13 providing for implementation only to the extent
 14 funded and authorized by law; providing an
 15 effective date.

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

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 19 Section 1. The Access to Better Learning and Education
 20 Grant Program.--

21 (1) The Legislature finds and declares that
 22 independent for-profit colleges and universities eligible to
 23 participate in the Access to Better Learning and Education
 24 Grant Program are an integral part of the higher education
 25 system in this state and that a significant number of state
 26 residents choose this form of higher education. The
 27 Legislature further finds that strong, viable independent
 28 for-profit colleges and universities reduce the tax burden on
 29 the residents of the state. Because the Access to Better
 30 Learning and Education Grant Program is not related to a
 31 student's financial need or other criteria upon which

1 financial aid programs are based, it is the intent of the
2 Legislature that the Access to Better Learning and Education
3 Grant Program not be considered a financial aid program but
4 rather a tuition assistance program for state residents.

5 (2) The Access to Better Learning and Education Grant
6 Program shall be administered by the Department of Education.
7 The State Board of Education shall adopt rules for
8 administering the program.

9 (3) The department shall issue an access grant to any
10 full-time student seeking a baccalaureate degree who is
11 registered at a for-profit college or university that is
12 located in and chartered by the state; that is accredited by
13 the Commission on Colleges of the Southern Association of
14 Colleges and Schools; or a nonprofit college or university
15 that is chartered out of the state and located in the state
16 for 10 years or more and is accredited by the Commission on
17 Colleges of the Southern Association of Colleges and Schools,
18 the Middle States Accrediting Agency, the North Central
19 Accrediting Agency, or the New England Accrediting Agency;
20 that grants baccalaureate degrees; that is not a state
21 university or state community college; and that has a secular
22 purpose, if the receipt of state aid by students at the
23 institution would not have the primary effect of advancing or
24 impeding religion or result in an excessive entanglement
25 between the state and any religious sect. Institutions
26 eligible for the Access to Better Learning and Education Grant
27 Program in the initial year of funding shall include only
28 those for-profit colleges or universities identified in this
29 subsection. Nonprofit colleges or universities identified in
30 this section shall be eligible for financial support in the
31 second year of funding.

1 (4) A person is eligible to receive an access grant
2 if:

3 (a) He or she meets the general requirements,
4 including residency, for student eligibility as provided in
5 section 1009.40, Florida Statutes, except as otherwise
6 provided in this section; and

7 (b)1. He or she is enrolled as a full-time
8 undergraduate student at an eligible college or university in
9 a program of study leading to a baccalaureate degree;

10 2. He or she is not enrolled in a program of study
11 leading to a degree in theology or divinity; and

12 3. He or she is making satisfactory academic progress
13 as defined by the college or university in which he or she is
14 enrolled.

15 (5)(a) The amount of the access grant issued to a
16 full-time student shall be an amount specified in the General
17 Appropriations Act. The access grant may be paid on a prorated
18 basis in advance of the registration period. The department
19 shall make payments to the college or university in which the
20 student is enrolled for credit to the student's account for
21 payment of tuition and fees. Institutions shall certify to the
22 department the amount of funds disbursed to each student and
23 shall remit to the department any undisbursed advances or
24 refunds within 60 days after the end of regular registration.
25 A student may not receive the award for more than 9 semesters
26 or 14 quarters, except as otherwise provided in section
27 1009.40(3), Florida Statutes.

28 (b) If the combined amount of the access grant issued
29 pursuant to this section and all other scholarships and grants
30 for tuition or fees exceeds the amount charged to the student
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1 for tuition and fees, the department shall reduce the grant
2 issued under this section by an amount equal to the excess.

3 (6) If the number of eligible students exceeds the
4 total authorized in the General Appropriations Act, an
5 institution may use its own resources to assure that each
6 eligible student receives the full benefit of the grant amount
7 authorized.

8 (7) This section shall be implemented only to the
9 extent specifically funded and authorized by law.

10 Section 2. This act shall take effect upon becoming a
11 law.

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13 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
14 COMMITTEE SUBSTITUTE FOR
15 s0638

16 The Committee Substitute clarifies that the grant program is
17 to be implemented only to the extent funded specifically by
18 law. Further, secular, non-profit colleges and universities
19 chartered out-of-state may participate in the program only if
20 located in Florida for 10 years or more and accredited
21 regionally. These schools are eligible only in the second
22 year of funding for the program.
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