

1 A bill to be entitled
2 An act relating to public postsecondary need-based student
3 financial assistance; amending s. 1009.40, F.S.; requiring
4 state residency for a public postsecondary career
5 education student assistance grant; revising eligibility
6 criteria for the renewal of specified financial aid
7 awards; creating s. 1009.505 F.S.; creating the Florida
8 Public Postsecondary Career Education Student Assistance
9 Grant Program; providing for program administration;
10 defining terms; providing that grants are available to
11 specified students in specified postsecondary career
12 certificate programs; providing for annual grant amounts;
13 providing eligibility criteria for career certificate
14 students; requiring reporting by participating
15 institutions; providing for distribution of appropriated
16 funds; providing for transmittal of grant payments to
17 community college presidents or district school
18 superintendents; providing for period of eligibility;
19 requiring participating institutions to certify amounts
20 disbursed to students; requiring the State Board of
21 Education to adopt rules; providing that the program shall
22 only be implemented to the extent funded and authorized by
23 law; amending s. 1009.77, F.S.; revising the purpose of
24 the Florida Work Experience Program; providing that the
25 program is available to students in specified career
26 education programs and educator preparation institutes;
27 authorizing a participating institution to use up to 100
28 percent of its allocation for student employees within the

29 institution and to reimburse itself for 100 percent of the
30 student wages; lowering the percentage of student wages
31 that must be reimbursed to employers; providing that
32 participating postsecondary educational institutions must
33 pay for specified preemployment expenses for students
34 employed with public schools; requiring employers to pay
35 specified wages; prescribing student eligibility
36 requirements; providing for distribution of funds;
37 requiring certification of funds disbursed to students;
38 providing that funds appropriated for the program may be
39 deposited in the State Student Financial Assistance Trust
40 Fund; providing appropriations; providing an effective
41 date.

42
43 WHEREAS, the public postsecondary career certificate
44 programs were created by the state to provide affordable access
45 to higher education for Florida's residents, and

46 WHEREAS, students enrolled in public postsecondary career
47 certificate programs have no access to state need-based
48 financial aid and must rely on student loans and scholarships to
49 finance their higher education, and

50 WHEREAS, student debt has escalated at an unprecedented
51 level, causing students to owe large sums of money that often
52 are difficult to repay, especially with compounding interest,
53 and

54 WHEREAS, the State of Florida needs a trained workforce,
55 and between 70 percent and 80 percent of jobs for the future
56 will require education beyond high school but less than a

57 | baccalaureate degree, and

58 | WHEREAS, students who are willing to work for their need-
59 | based financial aid in a field for which they are studying is of
60 | benefit to the student, the employer, and the state, NOW,
61 | THEREFORE,

62 |

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

64 |

65 | Section 1. Subsection (1) of section 1009.40, Florida
66 | Statutes, is amended to read:

67 | 1009.40 General requirements for student eligibility for
68 | state financial aid.--

69 | (1) (a) The general requirements for eligibility of
70 | students for state financial aid awards consist of the
71 | following:

72 | 1. Achievement of the academic requirements of and
73 | acceptance at a state university or community college; a nursing
74 | diploma school approved by the Florida Board of Nursing; a
75 | Florida college, university, or community college which is
76 | accredited by an accrediting agency recognized by the State
77 | Board of Education; any Florida institution the credits of which
78 | are acceptable for transfer to state universities; any career
79 | center; or any private career institution accredited by an
80 | accrediting agency recognized by the State Board of Education.

81 | 2. Residency in this state for no less than 1 year
82 | preceding the award of aid for a program established pursuant to
83 | s. 1009.50, s. 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s.
84 | 1009.54, s. 1009.56, s. 1009.57, s. 1009.60, s. 1009.62, s.

85 | 1009.63, s. 1009.68, s. 1009.72, s. 1009.73, s. 1009.76, s.
 86 | 1009.77, or s. 1009.89. Residency in this state must be for
 87 | purposes other than to obtain an education. Resident status for
 88 | purposes of receiving state financial aid awards shall be
 89 | determined in the same manner as resident status for tuition
 90 | purposes pursuant to s. 1009.21 and rules of the State Board of
 91 | Education.

92 | 3. Submission of certification attesting to the accuracy,
 93 | completeness, and correctness of information provided to
 94 | demonstrate a student's eligibility to receive state financial
 95 | aid awards. Falsification of such information shall result in
 96 | the denial of any pending application and revocation of any
 97 | award currently held to the extent that no further payments
 98 | shall be made. Additionally, students who knowingly make false
 99 | statements in order to receive state financial aid awards shall
 100 | be guilty of a misdemeanor of the second degree subject to the
 101 | provisions of s. 837.06 and shall be required to return all
 102 | state financial aid awards wrongfully obtained.

103 | (b)1. Eligibility for the renewal of undergraduate or
 104 | career certificate financial aid awards shall be evaluated at
 105 | the end of the second semester or third quarter of each academic
 106 | year. As a condition for renewal, a student shall:

107 | a. Have earned a minimum cumulative grade point average of
 108 | 2.0 on a 4.0 scale; and

109 | b. Have earned, for undergraduate full-time study, 12
 110 | credits per term or the equivalent for the number of terms for
 111 | which aid was received or have earned, for career certificate
 112 | study, at least the equivalent in clock hours of 6 semester

113 credit hours per term or the equivalent for the number of terms
114 for which aid was received.

115 2. A student who earns the minimum number of credits
116 required for renewal, but who fails to meet the minimum 2.0
117 cumulative grade point average, may be granted a probationary
118 award for up to the equivalent of 1 academic year and shall be
119 required to earn a cumulative grade point average of 2.0 on a
120 4.0 scale by the end of the probationary period to be eligible
121 for subsequent renewal. A student who receives a probationary
122 award and who fails to meet the conditions for renewal by the
123 end of his or her probationary period shall be ineligible to
124 receive additional awards for the equivalent of 1 academic year
125 following his or her probationary period. Each such student may,
126 however, reapply for assistance during a subsequent application
127 period and may be eligible for an award if he or she has earned
128 a cumulative grade point average of 2.0 on a 4.0 scale.

129 3. A student who fails to earn the minimum number of
130 credits required for renewal shall lose his or her eligibility
131 for renewal for a period equivalent to 1 academic year. However,
132 the student may reapply during a subsequent application period
133 and may be eligible for an award if he or she has earned a
134 minimum cumulative grade point average of 2.0 on a 4.0 scale.

135 4. Students who receive state student aid and subsequently
136 fail to meet state academic progress requirements due to
137 verifiable illness or other emergencies may be granted an
138 exception from the academic requirements. Such students shall
139 make a written appeal to the institution. The appeal shall
140 include a description and verification of the circumstances.

141 Verification of illness or other emergencies may include but not
 142 be limited to a physician's statement or written statement of a
 143 parent or college official. The institution shall recommend
 144 exceptions with necessary documentation to the department. The
 145 department may accept or deny such recommendations for exception
 146 from the institution.

147 Section 2. Section 1009.505, Florida Statutes, is created
 148 to read:

149 1009.505 Florida Public Postsecondary Career Education
 150 Student Assistance Grant Program.--

151 (1) There is created a Florida Public Postsecondary Career
 152 Education Student Assistance Grant Program. The program shall be
 153 administered by the participating institutions in accordance
 154 with rules of the State Board of Education.

155 (2) For purposes of this section, the term:

156 (a) "Average annual cost of tuition and registration fees"
 157 means the average cost for the prior academic year of tuition
 158 and registration fees for the equivalent in clock hours at a
 159 public postsecondary career certificate program of 30 semester
 160 credit hours at a state university.

161 (b) "Half-time" means the equivalent in clock hours at a
 162 public postsecondary career certificate program of 6 semester
 163 credit hours at a community college.

164 (c) "Public postsecondary career certificate program"
 165 means a postsecondary program that consists of 450 or more clock
 166 hours, is offered by a community college authorized by Florida
 167 law or by a career center operated by a district school board
 168 under s. 1001.44, and terminates in a career certificate.

169 (3) (a) Student assistance grants through the program may
170 be made only to certificate-seeking students enrolled at least
171 half-time in a public postsecondary career certificate program
172 who meet the general requirements for student eligibility as
173 provided in s. 1009.40, except as otherwise provided in this
174 section. The grants shall be awarded annually to any recipient
175 for the amount of demonstrated unmet need for the cost of
176 education and may not exceed the average annual cost of tuition
177 and registration fees or such other amount as specified in the
178 General Appropriations Act. A demonstrated unmet need of less
179 than \$200 shall render the applicant ineligible for a grant
180 under this section. Recipients of the grants must have been
181 accepted at a community college authorized by Florida law or a
182 career center operated by a district school board under s.
183 1001.44. A student is eligible for the award for 110 percent of
184 the number of clock hours required to complete the program in
185 which enrolled.

186 (b) A student applying for a Florida public postsecondary
187 career education student assistance grant shall be required to
188 apply for the Pell Grant. A Pell Grant entitlement shall be
189 considered when conducting an assessment of the financial
190 resources available to each student; however, a Pell Grant
191 entitlement shall not be required as a condition of receiving a
192 grant under this section.

193 (c) Each participating institution shall report, to the
194 department by the established date, the eligible students to
195 whom grant moneys are disbursed each academic term. Each
196 institution shall also report to the department necessary

197 demographic and eligibility data for such students.

198 (4) (a) The funds appropriated for the Florida Public
 199 Postsecondary Career Education Student Assistance Grant Program
 200 shall be distributed to eligible community colleges and district
 201 school boards in accordance with a formula approved by the
 202 department.

203 (b) Payment of Florida public postsecondary career
 204 education student assistance grants shall be transmitted to the
 205 president of the community college or to the district school
 206 superintendent, or to the designee thereof, in advance of the
 207 registration period. Institutions shall notify students of the
 208 amount of their awards.

209 (c) The eligibility status of each student to receive a
 210 disbursement shall be determined by each institution as of the
 211 end of its regular registration period, inclusive of a drop-add
 212 period. Institutions shall not be required to reevaluate a
 213 student's eligibility status after this date for purposes of
 214 changing eligibility determinations previously made.

215 (d) Participating institutions shall certify to the
 216 department the amount of funds disbursed to each student and
 217 shall remit to the department any undisbursed advances by June 1
 218 of each year.

219 (5) The State Board of Education shall establish rules
 220 necessary to implement this section.

221 (6) This section shall be implemented only to the extent
 222 specifically funded and authorized by law.

223 Section 3. Section 1009.77, Florida Statutes, is amended
 224 to read:

225 1009.77 Florida Work Experience Program.--

226 (1) There is established the Florida Work Experience
 227 Program to be administered by the Department of Education. The
 228 purpose of the program is to introduce eligible students to work
 229 experience that will complement and reinforce their educational
 230 program and career goals and provide a self-help student aid
 231 program that reduces student loan indebtedness. Additionally,
 232 the program's opportunities for employment at a student's school
 233 will serve as a retention tool because students employed on
 234 campus are more likely to complete their postsecondary
 235 education. The ~~Such~~ program shall be available to:

236 (a) Any student attending a state university or community
 237 college authorized by Florida law; ~~or~~

238 (b) Any student attending a nonprofit Florida
 239 postsecondary education institution that is eligible to
 240 participate in either of the student assistance grant programs
 241 established in ss. 1009.51 and 1009.52;

242 (c) Any postsecondary student attending a career center
 243 operated by a district school board under s. 1001.44; or

244 (d) Any student attending an educator preparation
 245 institute established under s. 1004.85. Such student may
 246 participate in this program despite having previously earned a
 247 baccalaureate degree.

248 (2) (a) A participating institution may use up to 100 ~~25~~
 249 percent of its program allocation for student employment within
 250 the institution.

251 (b) A participating institution may use up to 10 percent
 252 of its program allocation for program administration.

253 (3) Each participating institution is authorized to enter
254 into contractual agreements with private or public employers for
255 the purpose of establishing a Florida work experience program.

256 (4) The participating postsecondary educational
257 institution shall be responsible for reimbursing employers for
258 student wages from moneys it receives from the trust fund
259 pursuant to subsection (11) ~~(8)~~. Public elementary or secondary
260 school employers or postsecondary institution employers shall be
261 reimbursed for 100 percent of the student's wages by the
262 participating institution. All other employers may ~~shall~~ be
263 reimbursed for up to 70 percent of the student's wages. When a
264 college or university employs a student on campus through this
265 program, other student financial aid funds may not be used to
266 fund the institution's ~~30 percent~~ portion of the student's
267 wages.

268 (5) The employer is responsible for furnishing the full
269 cost of any mandatory benefits. Such benefits may not be
270 considered part of the ~~30 percent~~ wage requirement total for
271 matching purposes.

272 (6) Each participating postsecondary educational
273 institution is responsible for furnishing the full cost of all
274 preemployment requirements, including, but not limited to,
275 background screenings and tuberculosis testing, that are
276 necessary for a student to be employed by a public elementary or
277 secondary school employer. Expenditures under this subsection
278 shall be paid from the funds received by the participating
279 postsecondary educational institution from the trust fund under
280 subsection (11).

281 (7) The employer is responsible for paying no less than
 282 the federal minimum wage established under the Fair Labor
 283 Standards Act or the state minimum wage established under s. 24,
 284 Art. X of the State Constitution and s. 448.110, whichever is
 285 greater. Employers are encouraged to pay students a competitive
 286 wage to increase student participation in this program.

287 (8)~~(6)~~ A student is eligible to participate in the Florida
 288 Work Experience Program if the student:

289 (a) Is enrolled:

290 1. At an eligible college or university as no less than a
 291 half-time undergraduate student in good standing;

292 2. In an eligible postsecondary career certificate program
 293 as no less than a half-time student in good standing. Eligible
 294 programs must be approved by the Department of Education and
 295 must consist of no less than 450 clock hours of instruction.
 296 Such programs must be offered by a career center operated by a
 297 district school board under s. 1001.44 or by a community
 298 college; or

299 3. At an educator preparation institute established under
 300 s. 1004.85 as no less than a half-time student in good standing.

301
 302 However, a student may be employed during the break between two
 303 consecutive terms or employed, although not enrolled, during a
 304 term if the student was enrolled at least half time during the
 305 preceding term and preregisters as no less than a half-time
 306 student for the subsequent academic term. A student who attends
 307 an institution that does not provide preregistration shall
 308 provide documentation of intent to enroll as no less than a

309 half-time student for the subsequent academic term.

310 (b) Meets the general requirements for student eligibility
 311 as provided in s. 1009.40, except as otherwise provided in this
 312 section.

313 (c) Demonstrates financial need.

314 (d) Maintains the equivalent of a 2.0 cumulative grade
 315 point average of a 2.0 on a 4.0 scale ~~for all college work~~.

316 (9)-(7) The State Board of Education shall adopt ~~prescribe~~
 317 ~~such~~ rules for the program as are necessary for its
 318 administration, for the determination of eligibility and
 319 selection of institutions to receive funds for students, to
 320 ensure the proper expenditure of funds, and to provide an
 321 equitable distribution of funds between students at public and
 322 independent colleges and universities and career centers
 323 operated by district school boards under s. 1001.44.

324 (10) A participating institution that receives funds from
 325 the program shall certify to the department the amount of funds
 326 disbursed to each student within 30 days after the end of each
 327 term.

328 (11)-(8) Funds appropriated by the Legislature for the
 329 Florida Work Experience Program may ~~shall~~ be deposited in the
 330 State Student Financial Assistance Trust Fund. The Chief
 331 Financial Officer shall authorize expenditures from the trust
 332 fund upon receipt of vouchers approved by the department ~~of~~
 333 ~~Education~~. Any balance remaining ~~therein~~ at the end of any
 334 fiscal year that has been allocated to the program shall remain
 335 therein and shall be available for carrying out the purposes of
 336 the program.

337 Section 4. For fiscal year 2007-2008, the sum of
338 \$2,600,000 in nonrecurring funds is appropriated from the
339 Student Loan Operating Trust Fund to the Florida Public
340 Postsecondary Career Education Student Assistance Grant Program
341 to fund student assistance grants under s. 1009.505, Florida
342 Statutes.

343 Section 5. For fiscal year 2007-2008, the sum of \$500,000
344 in nonrecurring funds is appropriated from the Student Loan
345 Operating Trust Fund to the Florida Work Experience Program to
346 fund participation by postsecondary career certificate students
347 enrolled at a community college or career center operated by a
348 district school board under s. 1001.44, Florida Statutes, and by
349 students enrolled at an educator preparation institute under s.
350 1004.85, Florida Statutes.

351 Section 6. This act shall take effect July 1, 2007.