

1 A bill to be entitled
2 An act relating to public postsecondary
3 need-based student financial assistance;
4 amending s. 1009.40, F.S.; requiring state
5 residency for a public postsecondary career
6 education student assistance grant; revising
7 eligibility criteria for the renewal of
8 specified financial aid awards; creating s.
9 1009.505 F.S.; creating the Florida Public
10 Postsecondary Career Education Student
11 Assistance Grant Program; providing for program
12 administration; defining terms; providing that
13 grants are available to specified students in
14 specified postsecondary career certificate
15 programs; providing for annual grant amounts;
16 providing eligibility criteria for career
17 certificate students; requiring reporting by
18 participating institutions; providing for
19 distribution of appropriated funds; providing
20 for transmittal of grant payments to community
21 college presidents or district school
22 superintendents; providing for period of
23 eligibility; requiring participating
24 institutions to certify amounts disbursed to
25 students; requiring the State Board of
26 Education to adopt rules; providing that the
27 program shall only be implemented to the extent
28 funded and authorized by law; amending s.
29 1009.77, F.S.; revising the purpose of the
30 Florida Work Experience Program; providing that
31 the program is available to students in

1 specified career education programs and
2 educator preparation institutes; authorizing a
3 participating institution to use up to 100
4 percent of its allocation for student employees
5 within the institution and to reimburse itself
6 for 100 percent of the student wages; lowering
7 the percentage of student wages that must be
8 reimbursed to employers; providing that
9 participating postsecondary educational
10 institutions must pay for specified
11 preemployment expenses for students employed
12 with public schools; requiring employers to pay
13 specified wages; prescribing student
14 eligibility requirements; providing for
15 distribution of funds; requiring certification
16 of funds disbursed to students; removing a
17 provision that requires funds appropriated for
18 the program to be deposited in the State
19 Student Financial Assistance Trust Fund and
20 specifying responsibilities of the Chief
21 Financial Officer; removing a provision
22 requiring that program balances remaining in
23 the trust fund at the end of the fiscal year be
24 retained; providing an effective date.

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

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28 Section 1. Subsection (1) of section 1009.40, Florida
29 Statutes, is amended to read:
30 1009.40 General requirements for student eligibility
31 for state financial aid.--

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

4 1. Achievement of the academic requirements of and
5 acceptance at a state university or community college; a
6 nursing diploma school approved by the Florida Board of
7 Nursing; a Florida college, university, or community college
8 which is accredited by an accrediting agency recognized by the
9 State Board of Education; any Florida institution the credits
10 of which are acceptable for transfer to state universities;
11 any career center; or any private career institution
12 accredited by an accrediting agency recognized by the State
13 Board of Education.

14 2. Residency in this state for no less than 1 year
15 preceding the award of aid for a program established pursuant
16 to s. 1009.50, s. 1009.505, s. 1009.51, s. 1009.52, s.
17 1009.53, s. 1009.54, s. 1009.56, s. 1009.57, s. 1009.60, s.
18 1009.62, s. 1009.63, s. 1009.68, s. 1009.72, s. 1009.73, s.
19 1009.76, s. 1009.77, or s. 1009.89. Residency in this state
20 must be for purposes other than to obtain an education.
21 Resident status for purposes of receiving state financial aid
22 awards shall be determined in the same manner as resident
23 status for tuition purposes pursuant to s. 1009.21 and rules
24 of the State Board of Education.

25 3. Submission of certification attesting to the
26 accuracy, completeness, and correctness of information
27 provided to demonstrate a student's eligibility to receive
28 state financial aid awards. Falsification of such information
29 shall result in the denial of any pending application and
30 revocation of any award currently held to the extent that no
31 further payments shall be made. Additionally, students who

1 knowingly make false statements in order to receive state
2 financial aid awards shall be guilty of a misdemeanor of the
3 second degree subject to the provisions of s. 837.06 and shall
4 be required to return all state financial aid awards
5 wrongfully obtained.

6 (b)1. Eligibility for the renewal of undergraduate or
7 career certificate financial aid awards shall be evaluated at
8 the end of the second semester or third quarter of each
9 academic year. As a condition for renewal, a student shall:

10 a. Have earned a minimum cumulative grade point
11 average of 2.0 on a 4.0 scale; and

12 b. Have earned, for undergraduate full-time study, 12
13 credits per term or the equivalent for the number of terms for
14 which aid was received or have earned, for career certificate
15 study, at least the equivalent in clock hours of 6 semester
16 credit hours per term or the equivalent for the number of
17 terms for which aid was received.

18 2. A student who earns the minimum number of credits
19 required for renewal, but who fails to meet the minimum 2.0
20 cumulative grade point average, may be granted a probationary
21 award for up to the equivalent of 1 academic year and shall be
22 required to earn a cumulative grade point average of 2.0 on a
23 4.0 scale by the end of the probationary period to be eligible
24 for subsequent renewal. A student who receives a probationary
25 award and who fails to meet the conditions for renewal by the
26 end of his or her probationary period shall be ineligible to
27 receive additional awards for the equivalent of 1 academic
28 year following his or her probationary period. Each such
29 student may, however, reapply for assistance during a
30 subsequent application period and may be eligible for an award
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1 if he or she has earned a cumulative grade point average of
2 2.0 on a 4.0 scale.

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

10 4. Students who receive state student aid and
11 subsequently fail to meet state academic progress requirements
12 due to verifiable illness or other emergencies may be granted
13 an exception from the academic requirements. Such students
14 shall make a written appeal to the institution. The appeal
15 shall include a description and verification of the
16 circumstances. Verification of illness or other emergencies
17 may include but not be limited to a physician's statement or
18 written statement of a parent or college official. The
19 institution shall recommend exceptions with necessary
20 documentation to the department. The department may accept or
21 deny such recommendations for exception from the institution.

22 Section 2. Section 1009.505, Florida Statutes, is
23 created to read:

24 1009.505 Florida Public Postsecondary Career Education
25 Student Assistance Grant Program.--

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

30 (2) For purposes of this section, the term:
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1 (a) "Average annual cost of tuition and registration
2 fees" means the average cost for the prior academic year of
3 tuition and registration fees for the equivalent in clock
4 hours at a public postsecondary career certificate program of
5 30 semester credit hours at a state university.

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

9 (c) "Public postsecondary career certificate program"
10 means a postsecondary program that consists of 450 or more
11 clock hours, is offered by a community college authorized by
12 Florida law or by a career center operated by a district
13 school board under s. 1001.44, and terminates in a career
14 certificate.

15 (3)(a) Student assistance grants through the program
16 may be made only to certificate-seeking students enrolled at
17 least half-time in a public postsecondary career certificate
18 program who meet the general requirements for student
19 eligibility as provided in s. 1009.40, except as otherwise
20 provided in this section. The grants shall be awarded annually
21 to any recipient for the amount of demonstrated unmet need for
22 the cost of education and may not exceed the average annual
23 cost of tuition and registration fees or such other amount as
24 specified in the General Appropriations Act. A demonstrated
25 unmet need of less than \$200 shall render the applicant
26 ineligible for a grant under this section. Recipients of the
27 grants must have been accepted at a community college
28 authorized by Florida law or a career center operated by a
29 district school board under s. 1001.44. A student is eligible
30 for the award for 110 percent of the number of clock hours
31 required to complete the program in which enrolled.

1 (b) A student applying for a Florida public
2 postsecondary career education student assistance grant shall
3 be required to apply for the Pell Grant. A Pell Grant
4 entitlement shall be considered when conducting an assessment
5 of the financial resources available to each student; however,
6 a Pell Grant entitlement shall not be required as a condition
7 of receiving a grant under this section.

8 (c) Each participating institution shall report, to
9 the department by the established date, the eligible students
10 to whom grant moneys are disbursed each academic term. Each
11 institution shall also report to the department necessary
12 demographic and eligibility data for such students.

13 (4)(a) The funds appropriated for the Florida Public
14 Postsecondary Career Education Student Assistance Grant
15 Program shall be distributed to eligible community colleges
16 and district school boards in accordance with a formula
17 approved by the department.

18 (b) Payment of Florida public postsecondary career
19 education student assistance grants shall be transmitted to
20 the president of the community college or to the district
21 school superintendent, or to the designee thereof, in advance
22 of the registration period. Institutions shall notify students
23 of the amount of their awards.

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

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1 (d) Participating institutions shall certify to the
 2 department the amount of funds disbursed to each student and
 3 shall remit to the department any undisbursed advances by June
 4 1 of each year.

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

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

9 Section 3. Section 1009.77, Florida Statutes, is
 10 amended to read:

11 1009.77 Florida Work Experience Program.--

12 (1) There is established the Florida Work Experience
 13 Program to be administered by the Department of Education. The
 14 purpose of the program is to introduce eligible students to
 15 work experience that will complement and reinforce their
 16 educational program and career goals and provide a self-help
 17 student aid program that reduces student loan indebtedness.
 18 Additionally, the program's opportunities for employment at a
 19 student's school will serve as a retention tool because
 20 students employed on campus are more likely to complete their
 21 postsecondary education. The ~~Such~~ program shall be available
 22 to:

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

25 (b) Any student attending a nonprofit Florida
 26 postsecondary education institution that is eligible to
 27 participate in either of the student assistance grant programs
 28 established in ss. 1009.51 and 1009.52;~~;~~

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

1 (d) Any student attending an educator preparation
2 institute established under s. 1004.85. The student may
3 participate in this program despite having previously earned a
4 baccalaureate degree.

5 (2)(a) A participating institution may use up to 100
6 ~~25~~ percent of its program allocation for student employment
7 within the institution.

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

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

14 (4) The participating postsecondary educational
15 institution shall be responsible for reimbursing employers for
16 student wages from its program allocation ~~moneys it receives~~
17 ~~from the trust fund pursuant to subsection (8)~~. Public
18 elementary or secondary school employers or postsecondary
19 institution employers shall be reimbursed for 100 percent of
20 the student's wages by the participating institution. All
21 other employers ~~may shall~~ be reimbursed for up to 70 percent
22 of the student's wages. When a college or university employs a
23 student on campus through this program, other student
24 financial aid funds may not be used to fund the institution's
25 ~~30 percent~~ portion of the student's wages.

26 (5) The employer is responsible for furnishing the
27 full cost of any mandatory benefits. Such benefits may not be
28 considered part of the ~~30 percent~~ wage requirement total for
29 matching purposes.

30 (6) Each participating postsecondary educational
31 institution is responsible for furnishing the full cost of all

1 preemployment requirements, including, but not limited to,
 2 background screenings and tuberculosis testing, that are
 3 necessary for a student to be employed by a public elementary
 4 or secondary school employer. Expenditures under this
 5 subsection shall be paid from the funds received by the
 6 participating postsecondary educational institution.

7 (7) The employer is responsible for paying no less
 8 than the federal minimum wage established under the Fair Labor
 9 Standards Act or the state minimum wage established under s.
 10 24, Art. X of the State Constitution and s. 448.110, whichever
 11 is greater. Employers are encouraged to pay students a
 12 competitive wage to increase student participation in this
 13 program.

14 (8)(6) A student is eligible to participate in the
 15 Florida Work Experience Program if the student:

16 (a) Is enrolled:

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

19 2. In an eligible postsecondary career certificate
 20 program as no less than a half-time student in good standing.

21 Eligible programs must be approved by the Department of
 22 Education and must consist of no less than 450 clock hours of
 23 instruction. Such programs must be offered by a career center
 24 operated by a district school board under s. 1001.44 or by a
 25 community college; or

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

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 30 However, a student may be employed during the break between
 31 two consecutive terms or employed, although not enrolled,

1 during a term if the student was enrolled at least half time
2 during the preceding term and preregisters as no less than a
3 half-time student for the subsequent academic term. A student
4 who attends an institution that does not provide
5 preregistration shall provide documentation of intent to
6 enroll as no less than a half-time student for the subsequent
7 academic term.

8 (b) Meets the general requirements for student
9 eligibility as provided in s. 1009.40, except as otherwise
10 provided in this section.

11 (c) Demonstrates financial need.

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

14 ~~(9)(7)~~ The State Board of Education shall adopt
15 ~~prescribe such~~ rules for the program as are necessary for its
16 administration, for the determination of eligibility and
17 selection of institutions to receive funds for students, to
18 ensure the proper expenditure of funds, and to provide an
19 equitable distribution of funds between students at public and
20 independent colleges and universities and career centers
21 operated by district school boards under s. 1001.44.

22 (10) A participating institution that receives funds
23 from the program shall certify to the department the amount of
24 funds disbursed to each student within 30 days after the end
25 of each term.

26 ~~(8) Funds appropriated by the Legislature for the~~
27 ~~Florida Work Experience Program shall be deposited in the~~
28 ~~State Student Financial Assistance Trust Fund. The Chief~~
29 ~~Financial Officer shall authorize expenditures from the trust~~
30 ~~fund upon receipt of vouchers approved by the department of~~
31 ~~Education. Any balance therein at the end of any fiscal year~~

1 | ~~that has been allocated to the program shall remain therein~~
2 | ~~and shall be available for carrying out the purposes of the~~
3 | ~~program.~~

4 | Section 4. This act shall take effect July 1, 2007.
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