

By the Committee on Higher Education

589-04235-08

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1 A bill to be entitled

2 An act relating to student financial aid; amending ss.
3 1009.89 and 1009.891, F.S., relating to the William L.
4 Boyd, IV, Florida Resident Access Grant Program and the
5 Access to Better Learning and Education Grant Program;
6 deleting provisions indicating that the programs are
7 tuition assistance programs rather than financial aid
8 programs; requiring that an institution meet a specified
9 retention rate in order to participate in either program;
10 requiring that a student receiving an award under either
11 program maintain a specified grade point average, earn a
12 certain amount of academic credit each semester or
13 equivalent term, file certain information with the
14 Department of Education concerning financial need, and
15 demonstrate unmet financial need at the institution;
16 requiring institutions participating in either program to
17 remit to the department the amount of tuition assistance
18 expended for students who fail to meet certain
19 requirements; limiting the period during which a student
20 may receive an award of tuition assistance; providing an
21 effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. Section 1009.89, Florida Statutes, is amended to
26 read:

27 1009.89 The William L. Boyd, IV, Florida resident access
28 grants.--

29 (1) The Legislature finds and declares that independent

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30 nonprofit colleges and universities eligible to participate in
31 the William L. Boyd, IV, Florida Resident Access Grant Program
32 are an integral part of the higher education system in this state
33 and that a significant number of state residents choose this form
34 of higher education. The Legislature further finds that a strong
35 and viable system of independent nonprofit colleges and
36 universities reduces the tax burden on the citizens of the state.
37 ~~Because~~ The William L. Boyd, IV, Florida Resident Access Grant
38 Program is ~~not~~ related to a student's financial need ~~or other~~
39 ~~criteria upon which financial aid programs are based, it is the~~
40 ~~intent of the Legislature that the William L. Boyd, IV, Florida~~
41 ~~Resident Access Grant Program not be considered a financial aid~~
42 ~~program but rather a tuition assistance program for its citizens.~~

43 (2) The William L. Boyd, IV, Florida Resident Access Grant
44 Program shall be administered by the Department of Education. The
45 State Board of Education shall adopt rules for the administration
46 of the program.

47 (3) The department shall issue through the program a
48 William L. Boyd, IV, Florida resident access grant to any full-
49 time degree-seeking undergraduate student registered at an
50 independent nonprofit college or university that ~~which~~ is located
51 in and chartered by the state; that ~~which~~ is accredited by the
52 Commission on Colleges of the Southern Association of Colleges
53 and Schools; that ~~which~~ grants baccalaureate degrees; that has a
54 mean retention rate, based on data for baccalaureate-degree-
55 seeking students reported the prior year to the federal
56 Integrated Postsecondary Education Data System, which is no more
57 than two standard deviations below the mean retention rate for
58 all public and private baccalaureate degree-granting institutions

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59 in the state; that ~~which~~ is not a state university or state
60 community college; and that ~~which~~ has a secular purpose, so long
61 as the receipt of state aid by students at the institution would
62 not have the primary effect of advancing or impeding religion or
63 result in an excessive entanglement between the state and any
64 religious sect. Any independent college or university that was
65 eligible to receive tuition vouchers on January 1, 1989, and that
66 ~~which~~ continues to meet the criteria under which its eligibility
67 was established, shall remain eligible to receive William L.
68 Boyd, IV, Florida resident access grant payments. An institution
69 that does not meet the required retention rate on July 1, 2008,
70 remains eligible to participate until July 1, 2011.

71 (4) A person is eligible to receive such William L. Boyd,
72 IV, Florida resident access grant if:

73 (a) He or she meets the general requirements, including
74 residency, for student eligibility as provided in s. 1009.40,
75 except as otherwise provided in this section; and

76 (b)1. He or she is enrolled as a full-time undergraduate
77 student at an eligible college or university;

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

80 3. He or she maintains a cumulative grade point average of
81 at least 2.25 on a 4.0 scale and earns 12 hours of academic
82 credit for each semester, or the equivalent for each quarter,
83 that he or she receives an award; ~~is making satisfactory academic~~
84 progress as defined by the college or university in which he or
85 she is enrolled.

86 4. He or she files with the department information
87 concerning financial need on a form approved by the department;

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88 | and

89 | 5. He or she demonstrates unmet financial need at the
90 | institution where he or she is enrolled.

91 | (5) (a) Funding for the William L. Boyd, IV, Florida
92 | Resident Access Grant Program shall be based on a formula
93 | composed of planned enrollment and the state cost of funding
94 | undergraduate enrollment at public institutions pursuant to s.
95 | 1011.90. The amount of the William L. Boyd, IV, Florida resident
96 | access grant issued to a full-time student shall be an amount as
97 | specified in the General Appropriations Act. The William L. Boyd,
98 | IV, Florida resident access grant may be paid on a prorated basis
99 | in advance of the registration period. The department shall make
100 | such payments to the college or university in which the student
101 | is enrolled for credit to the student's account for payment of
102 | tuition and fees. Institutions shall certify to the department
103 | the amount of funds disbursed to each student and shall remit to
104 | the department any undisbursed advances or refunds within 60 days
105 | of the end of regular registration. Each institution shall
106 | annually remit to the department the amount of the grant expended
107 | under this program for each student who failed to maintain a
108 | cumulative grade point average of at least 2.25 on a 4.0 scale or
109 | who failed to earn 12 hours of academic credit for each semester,
110 | or the equivalent for each quarter, that he or she received an
111 | award. Students shall not be eligible to receive the award for
112 | more than 8 ~~9~~ semesters or an equivalent number of 14 quarters,
113 | except as otherwise provided in s. 1009.40(3).

114 | (b) If the combined amount of the William L. Boyd, IV,
115 | Florida resident access grant issued pursuant to this act and all
116 | other scholarships and grants for tuition or fees exceeds the

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117 amount charged to the student for tuition and fees, the
118 department shall reduce the William L. Boyd, IV, Florida resident
119 access grant issued pursuant to this act by an amount equal to
120 such excess.

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

125 Section 2. Section 1009.891, Florida Statutes, is amended
126 to read:

127 1009.891 The Access to Better Learning and Education Grant
128 Program.--

129 (1) The Legislature finds and declares that independent
130 for-profit colleges and universities eligible to participate in
131 the Access to Better Learning and Education Grant Program are an
132 integral part of the higher education system in this state and
133 that a significant number of state residents choose this form of
134 higher education. The Legislature further finds that strong,
135 viable independent for-profit colleges and universities reduce
136 the tax burden on the residents of the state. ~~Because The Access~~
137 ~~to Better Learning and Education Grant Program is not related to~~
138 ~~a student's financial need or other criteria upon which financial~~
139 ~~aid programs are based, it is the intent of the Legislature that~~
140 ~~the Access to Better Learning and Education Grant Program not be~~
141 ~~considered a financial aid program but rather a tuition~~
142 ~~assistance program for state residents.~~

143 (2) The Access to Better Learning and Education Grant
144 Program shall be administered by the Department of Education. The
145 State Board of Education shall adopt rules for administering the

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146 program.

147 (3) The department shall issue an access grant to any full-
148 time student seeking a baccalaureate degree who is registered at
149 a for-profit college or university that is located in and
150 chartered by the state and that is accredited by the Commission
151 on Colleges of the Southern Association of Colleges and Schools
152 or who is registered at a nonprofit college or university that is
153 chartered out of the state, that has been located in the state
154 for 10 years or more, and that is accredited by the Commission on
155 Colleges of the Southern Association of Colleges and Schools, the
156 Middle States Association of Colleges and Schools, the North
157 Central Association of Colleges and Schools, or the New England
158 Association of Colleges and Schools; that grants baccalaureate
159 degrees; that has a mean retention rate, based on data reported
160 to the federal Integrated Postsecondary Education Data System,
161 which is no more than two standard deviations below the mean
162 retention rate for all public and private baccalaureate degree-
163 granting institutions in the state; that is not a state
164 university or state community college; and that has a secular
165 purpose, if the receipt of state aid by students at the
166 institution would not have the primary effect of advancing or
167 impeding religion or result in an excessive entanglement between
168 the state and any religious sect. Institutions eligible for the
169 Access to Better Learning and Education Grant Program in the
170 initial year of funding shall include only those for-profit
171 colleges or universities identified in this subsection. Nonprofit
172 colleges or universities identified in this subsection shall be
173 eligible for financial support in the second year of funding. An
174 institution that does not meet the required retention rate on

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175 July 1, 2008, remains eligible to participate until July 1, 2011.

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

177 (a) He or she meets the general requirements, including
178 residency, for student eligibility as provided in s. 1009.40,
179 except as otherwise provided in this section; and

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

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

185 3. He or she maintains a cumulative grade point average of
186 at least 2.25 on a 4.0 scale and earns 12 hours of academic
187 credit for each semester, or the equivalent for each quarter,
188 that he or she receives an award; ~~is making satisfactory academic~~
189 ~~progress as defined by the college or university in which he or~~
190 ~~she is enrolled.~~

191 4. He or she files with the department information
192 concerning financial need on a form approved by the department;
193 and

194 5. He or she demonstrates unmet financial need at the
195 institution where he or she is enrolled.

196 (5) (a) The amount of the access grant issued to a full-time
197 student shall be an amount specified in the General
198 Appropriations Act. The access grant may be paid on a prorated
199 basis in advance of the registration period. The department shall
200 make payments to the college or university in which the student
201 is enrolled for credit to the student's account for payment of
202 tuition and fees. Institutions shall certify to the department
203 the amount of funds disbursed to each student and shall remit to

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204 the department any undisbursed advances or refunds within 60 days
205 after the end of regular registration. Each institution shall
206 annually remit to the department the amount of tuition assistance
207 expended under this program for each student who failed to
208 maintain a cumulative grade point average of at least 2.25 on a
209 4.0 scale or who failed to earn 12 hours of academic credit for
210 each semester, or the equivalent for each quarter, that he or she
211 received an award. A student may not receive the award for more
212 than 8 ~~9~~ semesters or an equivalent number of 14 quarters, except
213 as otherwise provided in s. 1009.40(3).

214 (b) If the combined amount of the access grant issued
215 pursuant to this section and all other scholarships and grants
216 for tuition or fees exceeds the amount charged to the student for
217 tuition and fees, the department shall reduce the grant issued
218 under this section by an amount equal to the excess.

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

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

225 Section 3. This act shall take effect upon becoming a law.