

By the Committees on Higher Education; Higher Education

589-04918-08

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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 a student receiving an award
9 under either program maintain a specified grade point
10 average, earn a certain amount of academic credit each
11 semester or equivalent term, file certain information with
12 the Department of Education concerning financial need, and
13 demonstrate unmet financial need at the institution;
14 requiring institutions participating in either program to
15 remit to the department the amount of tuition assistance
16 expended for students who fail to meet certain
17 requirements; limiting the period during which a student
18 may receive an award of tuition assistance; providing an
19 effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Section 1009.89, Florida Statutes, is amended to
24 read:

25 1009.89 The William L. Boyd, IV, Florida resident access
26 grants.--

27 (1) The Legislature finds and declares that independent
28 nonprofit colleges and universities eligible to participate in
29 the William L. Boyd, IV, Florida Resident Access Grant Program

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

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

45 (3) The department shall issue through the program a
46 William L. Boyd, IV, Florida resident access grant to any full-
47 time degree-seeking undergraduate student registered at an
48 independent nonprofit college or university that ~~which~~ is located
49 in and chartered by the state; that ~~which~~ is accredited by the
50 Commission on Colleges of the Southern Association of Colleges
51 and Schools; that ~~which~~ grants baccalaureate degrees; that ~~which~~
52 is not a state university or state community college; and that
53 ~~which~~ has a secular purpose, so long as the receipt of state aid
54 by students at the institution would not have the primary effect
55 of advancing or impeding religion or result in an excessive
56 entanglement between the state and any religious sect. Any
57 independent college or university that was eligible to receive
58 tuition vouchers on January 1, 1989, and that ~~which~~ continues to

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59 | meet the criteria under which its eligibility was established,
60 | shall remain eligible to receive William L. Boyd, IV, Florida
61 | resident access grant payments.

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

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

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

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

71 | 3. He or she maintains a cumulative grade point average of
72 | at least 2.25 on a 4.0 scale and earns 12 hours of academic
73 | credit for each semester, or the equivalent for each quarter,
74 | that he or she receives an award; ~~is making satisfactory academic~~
75 | ~~progress as defined by the college or university in which he or~~
76 | ~~she is enrolled.~~

77 | 4. He or she files with the department information
78 | concerning financial need on a form approved by the department;
79 | and

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

82 | (5) (a) Funding for the William L. Boyd, IV, Florida
83 | Resident Access Grant Program shall be based on a formula
84 | composed of planned enrollment and the state cost of funding
85 | undergraduate enrollment at public institutions pursuant to s.
86 | 1011.90. The amount of the William L. Boyd, IV, Florida resident
87 | access grant issued to a full-time student shall be an amount as

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88 specified in the General Appropriations Act. The William L. Boyd,
89 IV, Florida resident access grant may be paid on a prorated basis
90 in advance of the registration period. The department shall make
91 such payments to the college or university in which the student
92 is enrolled for credit to the student's account for payment of
93 tuition and fees. Institutions shall certify to the department
94 the amount of funds disbursed to each student and shall remit to
95 the department any undisbursed advances or refunds within 60 days
96 of the end of regular registration. Each institution shall
97 annually remit to the department the amount of the grant expended
98 under this program for each student who failed to maintain a
99 cumulative grade point average of at least 2.25 on a 4.0 scale or
100 who failed to earn 12 hours of academic credit for each semester,
101 or the equivalent for each quarter, that he or she received an
102 award. Students shall not be eligible to receive the award for
103 more than 8 ~~9~~ semesters or an equivalent number of 14 quarters,
104 except as otherwise provided in s. 1009.40(3).

105 (b) If the combined amount of the William L. Boyd, IV,
106 Florida resident access grant issued pursuant to this act and all
107 other scholarships and grants for tuition or fees exceeds the
108 amount charged to the student for tuition and fees, the
109 department shall reduce the William L. Boyd, IV, Florida resident
110 access grant issued pursuant to this act by an amount equal to
111 such excess.

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

116 Section 2. Section 1009.891, Florida Statutes, is amended

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117 to read:

118 1009.891 The Access to Better Learning and Education Grant
119 Program.--

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

134 (2) The Access to Better Learning and Education Grant
135 Program shall be administered by the Department of Education. The
136 State Board of Education shall adopt rules for administering the
137 program.

138 (3) The department shall issue an access grant to any full-
139 time student seeking a baccalaureate degree who is registered at
140 a for-profit college or university that is located in and
141 chartered by the state and that is accredited by the Commission
142 on Colleges of the Southern Association of Colleges and Schools
143 or who is registered at a nonprofit college or university that is
144 chartered out of the state, that has been located in the state
145 for 10 years or more, and that is accredited by the Commission on

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146 Colleges of the Southern Association of Colleges and Schools, the
147 Middle States Association of Colleges and Schools, the North
148 Central Association of Colleges and Schools, or the New England
149 Association of Colleges and Schools; that grants baccalaureate
150 degrees; that is not a state university or state community
151 college; and that has a secular purpose, if the receipt of state
152 aid by students at the institution would not have the primary
153 effect of advancing or impeding religion or result in an
154 excessive entanglement between the state and any religious sect.
155 Institutions eligible for the Access to Better Learning and
156 Education Grant Program in the initial year of funding shall
157 include only those for-profit colleges or universities identified
158 in this subsection. Nonprofit colleges or universities identified
159 in this subsection shall be eligible for financial support in the
160 second year of funding.

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

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

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

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

170 3. He or she maintains a cumulative grade point average of
171 at least 2.25 on a 4.0 scale and earns 12 hours of academic
172 credit for each semester, or the equivalent for each quarter,
173 that he or she receives an award; is making satisfactory academic
174 progress as defined by the college or university in which he or

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175 | ~~she is enrolled.~~

176 | 4. He or she files with the department information
177 | concerning financial need on a form approved by the department;
178 | and

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

181 | (5) (a) The amount of the access grant issued to a full-time
182 | student shall be an amount specified in the General
183 | Appropriations Act. The access grant may be paid on a prorated
184 | basis in advance of the registration period. The department shall
185 | make payments to the college or university in which the student
186 | is enrolled for credit to the student's account for payment of
187 | tuition and fees. Institutions shall certify to the department
188 | the amount of funds disbursed to each student and shall remit to
189 | the department any undisbursed advances or refunds within 60 days
190 | after the end of regular registration. Each institution shall
191 | annually remit to the department the amount of tuition assistance
192 | expended under this program for each student who failed to
193 | maintain a cumulative grade point average of at least 2.25 on a
194 | 4.0 scale or who failed to earn 12 hours of academic credit for
195 | each semester, or the equivalent for each quarter, that he or she
196 | received an award. A student may not receive the award for more
197 | than ~~8~~ 9 semesters or an equivalent number of 14 quarters, except
198 | as otherwise provided in s. 1009.40(3).

199 | (b) If the combined amount of the access grant issued
200 | pursuant to this section and all other scholarships and grants
201 | for tuition or fees exceeds the amount charged to the student for
202 | tuition and fees, the department shall reduce the grant issued
203 | under this section by an amount equal to the excess.

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

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

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