

Bill No. SPB 7062



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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: FAV	.	
2/20/2008	.	
	.	
	.	

1 The Committee on Higher Education (Oelrich) recommended the
 2 following **amendment**:

Senate Amendment (with title amendment)

5 Delete everything after the enacting clause
6 and insert:

8 Section 1. Section 1009.89, Florida Statutes, is amended
9 to read:

10 1009.89 The William L. Boyd, IV, Florida resident access
11 grants.--

12 (1) The Legislature finds and declares that independent
13 nonprofit colleges and universities eligible to participate in
14 the William L. Boyd, IV, Florida Resident Access Grant Program
15 are an integral part of the higher education system in this



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16 state and that a significant number of state residents choose
17 this form of higher education. The Legislature further finds
18 that a strong and viable system of independent nonprofit
19 colleges and universities reduces the tax burden on the citizens
20 of the state. ~~Because~~ The William L. Boyd, IV, Florida Resident
21 Access Grant Program is ~~not~~ related to a student's financial
22 need ~~or other criteria upon which financial aid programs are~~
23 ~~based, it is the intent of the Legislature that the William L.~~
24 ~~Boyd, IV, Florida Resident Access Grant Program not be~~
25 ~~considered a financial aid program but rather a tuition~~
26 ~~assistance program for its citizens.~~

27 (2) The William L. Boyd, IV, Florida Resident Access Grant
28 Program shall be administered by the Department of Education.
29 The State Board of Education shall adopt rules for the
30 administration of the program.

31 (3) The department shall issue through the program a
32 William L. Boyd, IV, Florida resident access grant to any full-
33 time degree-seeking undergraduate student registered at an
34 independent nonprofit college or university that ~~which~~ is
35 located in and chartered by the state; that ~~which~~ is accredited
36 by the Commission on Colleges of the Southern Association of
37 Colleges and Schools; that ~~which~~ grants baccalaureate degrees;
38 that has a mean retention rate, based on data for baccalaureate-
39 degree-seeking students reported the prior year to the federal
40 Integrated Postsecondary Education Data System, which is no more
41 than two standard deviations below the mean retention rate for
42 all public and private baccalaureate degree-granting
43 institutions in the state; that ~~which~~ is not a state university

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44 or state community college; and that ~~which~~ has a secular
45 purpose, so long as the receipt of state aid by students at the
46 institution would not have the primary effect of advancing or
47 impeding religion or result in an excessive entanglement between
48 the state and any religious sect. Any independent college or
49 university that was eligible to receive tuition vouchers on
50 January 1, 1989, and that ~~which~~ continues to meet the criteria
51 under which its eligibility was established, shall remain
52 eligible to receive William L. Boyd, IV, Florida resident access
53 grant payments. An institution that does not meet the required
54 retention rate on July 1, 2008, remains eligible to participate
55 until July 1, 2011.

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

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

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

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

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



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71 4. He or she files with the department information
72 concerning financial need on a form approved by the department;
73 and

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

76 (5) (a) Funding for the William L. Boyd, IV, Florida
77 Resident Access Grant Program shall be based on a formula
78 composed of planned enrollment and the state cost of funding
79 undergraduate enrollment at public institutions pursuant to s.
80 1011.90. The amount of the William L. Boyd, IV, Florida resident
81 access grant issued to a full-time student shall be an amount as
82 specified in the General Appropriations Act. The William L.
83 Boyd, IV, Florida resident access grant may be paid on a
84 prorated basis in advance of the registration period. The
85 department shall make such payments to the college or university
86 in which the student is enrolled for credit to the student's
87 account for payment of tuition and fees. Institutions shall
88 certify to the department the amount of funds disbursed to each
89 student and shall remit to the department any undisbursed
90 advances or refunds within 60 days of the end of regular
91 registration. Each institution shall annually remit to the
92 department the amount of the grant expended under this program
93 for each student who failed to maintain a cumulative grade point
94 average of at least 2.25 on a 4.0 scale or who failed to earn 12
95 hours of academic credit for each semester, or the equivalent
96 for each quarter, that he or she received an award. Students
97 shall not be eligible to receive the award for more than 8 9



98 semesters or an equivalent number of 14 quarters, except as
99 otherwise provided in s. 1009.40(3).

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

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

111 Section 2. Section 1009.891, Florida Statutes, is amended
112 to read:

113 1009.891 The Access to Better Learning and Education Grant
114 Program.--

115 (1) The Legislature finds and declares that independent
116 for-profit colleges and universities eligible to participate in
117 the Access to Better Learning and Education Grant Program are an
118 integral part of the higher education system in this state and
119 that a significant number of state residents choose this form of
120 higher education. The Legislature further finds that strong,
121 viable independent for-profit colleges and universities reduce
122 the tax burden on the residents of the state. ~~Because~~ The Access
123 to Better Learning and Education Grant Program is ~~not~~ related to
124 a student's financial need ~~or other criteria upon which~~
125 ~~financial aid programs are based, it is the intent of the~~



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126 ~~Legislature that the Access to Better Learning and Education~~
127 ~~Grant Program not be considered a financial aid program but~~
128 ~~rather a tuition assistance program for state residents.~~

129 (2) The Access to Better Learning and Education Grant
130 Program shall be administered by the Department of Education.
131 The State Board of Education shall adopt rules for administering
132 the program.

133 (3) The department shall issue an access grant to any
134 full-time student seeking a baccalaureate degree who is
135 registered at a for-profit college or university that is located
136 in and chartered by the state and that is accredited by the
137 Commission on Colleges of the Southern Association of Colleges
138 and Schools or who is registered at a nonprofit college or
139 university that is chartered out of the state, that has been
140 located in the state for 10 years or more, and that is
141 accredited by the Commission on Colleges of the Southern
142 Association of Colleges and Schools, the Middle States
143 Association of Colleges and Schools, the North Central
144 Association of Colleges and Schools, or the New England
145 Association of Colleges and Schools; that grants baccalaureate
146 degrees; that has a mean retention rate, based on data reported
147 to the federal Integrated Postsecondary Education Data System,
148 which is no more than two standard deviations below the mean
149 retention rate for all public and private baccalaureate degree-
150 granting institutions in the state; that is not a state
151 university or state community college; and that has a secular
152 purpose, if the receipt of state aid by students at the
153 institution would not have the primary effect of advancing or

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154 impeding religion or result in an excessive entanglement between
155 the state and any religious sect. Institutions eligible for the
156 Access to Better Learning and Education Grant Program in the
157 initial year of funding shall include only those for-profit
158 colleges or universities identified in this subsection.

159 Nonprofit colleges or universities identified in this subsection
160 shall be eligible for financial support in the second year of
161 funding. An institution that does not meet the required
162 retention rate on July 1, 2008, remains eligible to participate
163 until July 1, 2011.

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

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

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

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

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

179 4. He or she files with the department information
180 concerning financial need on a form approved by the department;
181 and



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

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

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

208 (6) If the number of eligible students exceeds the total
209 authorized in the General Appropriations Act, an institution may



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210 use its own resources to assure that each eligible student
211 receives the full benefit of the grant amount authorized.

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

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

215
216 ===== T I T L E A M E N D M E N T =====

217 And the title is amended as follows:

218 Delete everything before the enacting clause
219 and insert:

220 A bill to be entitled
221 An act relating to student financial aid; amending ss.
222 1009.89 and 1009.891, F.S., relating to the William L.
223 Boyd, IV, Florida Resident Access Grant Program and the
224 Access to Better Learning and Education Grant Program;
225 deleting provisions indicating that the programs are
226 tuition assistance programs rather than financial aid
227 programs; requiring that an institution meet a specified
228 retention rate in order to participate in either program;
229 requiring that a student receiving an award under either
230 program maintain a specified grade point average, earn a
231 certain amount of academic credit each semester or
232 equivalent term, file certain information with the
233 Department of Education concerning financial need, and
234 demonstrate unmet financial need at the institution;
235 requiring institutions participating in either program to
236 remit to the department the amount of tuition assistance
237 expended for students who fail to meet certain

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238 | requirements; limiting the period during which a student
239 | may receive an award of tuition assistance; providing an
240 | effective date.