

FOR CONSIDERATION By the Committee on Higher Education

589-04052A-08

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1 A bill to be entitled

2 An act relating to tuition assistance; 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, and file  
13 certain information with the Department of Education  
14 concerning financial need; requiring institutions  
15 participating in either program to remit to the department  
16 the amount of tuition assistance expended for students who  
17 fail to meet certain requirements; limiting the period  
18 during which a student may receive an award of tuition  
19 assistance; providing an 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 has a  
52 mean retention rate, based on data reported to the federal  
53 Integrated Postsecondary Education Data System, which is no more  
54 than two standard deviations below the mean retention rate for  
55 all public and private baccalaureate degree-granting institutions  
56 in the state; that ~~which~~ is not a state university or state  
57 community college; and that ~~which~~ has a secular purpose, so long  
58 as the receipt of state aid by students at the institution would

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59 | not have the primary effect of advancing or impeding religion or  
60 | result in an excessive entanglement between the state and any  
61 | religious sect. Any independent college or university that was  
62 | eligible to receive tuition vouchers on January 1, 1989, and that  
63 | ~~which~~ continues to meet the criteria under which its eligibility  
64 | was established, shall remain eligible to receive William L.  
65 | Boyd, IV, Florida resident access grant payments. An institution  
66 | that does not meet the required retention rate on July 1, 2008,  
67 | remains eligible to participate until July 1, 2011.

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

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

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

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

77 | 3. He or she maintains a cumulative grade point average of  
78 | at least 2.5 on a 4.0 scale and earns 12 hours of academic credit  
79 | for each semester that he or she receives an award; and ~~is making~~  
80 | ~~satisfactory academic progress as defined by the college or~~  
81 | ~~university in which he or she is enrolled.~~

82 | 4. He or she files with the department information  
83 | concerning financial need on a form approved by the department.

84 | (5) (a) Funding for the William L. Boyd, IV, Florida  
85 | Resident Access Grant Program shall be based on a formula  
86 | composed of planned enrollment and the state cost of funding  
87 | undergraduate enrollment at public institutions pursuant to s.

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88 | 1011.90. The amount of the William L. Boyd, IV, Florida resident  
89 | access grant issued to a full-time student shall be an amount as  
90 | specified in the General Appropriations Act. The William L. Boyd,  
91 | IV, Florida resident access grant may be paid on a prorated basis  
92 | in advance of the registration period. The department shall make  
93 | such payments to the college or university in which the student  
94 | is enrolled for credit to the student's account for payment of  
95 | tuition and fees. Institutions shall certify to the department  
96 | the amount of funds disbursed to each student and shall remit to  
97 | the department any undisbursed advances or refunds within 60 days  
98 | of the end of regular registration. Each institution shall  
99 | annually remit to the department the amount of tuition assistance  
100 | expended under this program for each student who failed to  
101 | maintain a cumulative grade point average of at least 2.5 on a  
102 | 4.0 scale or who failed to earn 12 hours of academic credit for  
103 | each semester that he or she received an award. Students shall  
104 | not be eligible to receive the award for more than ~~8~~ 9 semesters  
105 | or 14 quarters, except as otherwise provided in s. 1009.40(3).

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

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

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117 Section 2. Section 1009.891, Florida Statutes, is amended  
118 to read:

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

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

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

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

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146 | for 10 years or more, and that is accredited by the Commission on  
147 | Colleges of the Southern Association of Colleges and Schools, the  
148 | Middle States Association of Colleges and Schools, the North  
149 | Central Association of Colleges and Schools, or the New England  
150 | Association of Colleges and Schools; that grants baccalaureate  
151 | degrees; that has a mean retention rate, based on data reported  
152 | to the federal Integrated Postsecondary Education Data System,  
153 | which is no more than two standard deviations below the mean  
154 | retention rate for all public and private baccalaureate degree-  
155 | granting institutions in the state; that is not a state  
156 | university or state community college; and that has a secular  
157 | purpose, if the receipt of state aid by students at the  
158 | institution would not have the primary effect of advancing or  
159 | impeding religion or result in an excessive entanglement between  
160 | the state and any religious sect. Institutions eligible for the  
161 | Access to Better Learning and Education Grant Program in the  
162 | initial year of funding shall include only those for-profit  
163 | colleges or universities identified in this subsection. Nonprofit  
164 | colleges or universities identified in this subsection shall be  
165 | eligible for financial support in the second year of funding. An  
166 | institution that does not meet the required retention rate on  
167 | July 1, 2008, remains eligible to participate until July 1, 2011.

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

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

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

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

177           3. He or she maintains a cumulative grade point average of  
178 at least 2.5 on a 4.0 scale and earns 12 hours of academic credit  
179 for each semester that he or she receives an award; and ~~is making~~  
180 satisfactory academic progress as defined by the college or  
181 university in which he or she is enrolled.

182           4. He or she files with the department information  
183 concerning financial need on a form approved by the department.

184           (5) (a) The amount of the access grant issued to a full-time  
185 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 shall  
188 make payments to the college or university in which the student  
189 is enrolled for credit to the student's account for payment of  
190 tuition and fees. Institutions shall certify to the department  
191 the amount of funds disbursed to each student and shall remit to  
192 the department any undisbursed advances or refunds within 60 days  
193 after the end of regular registration. Each institution shall  
194 annually remit to the department the amount of tuition assistance  
195 expended under this program for each student who failed to  
196 maintain a cumulative grade point average of at least 2.5 on a  
197 4.0 scale or who failed to earn 12 hours of academic credit for  
198 each semester that he or she received an award. A student may not  
199 receive the award for more than 8 ~~9~~ semesters or 14 quarters,  
200 except as otherwise provided in s. 1009.40(3).

201           (b) If the combined amount of the access grant issued  
202 pursuant to this section and all other scholarships and grants  
203 for tuition or fees exceeds the amount charged to the student for

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204 tuition and fees, the department shall reduce the grant issued  
205 under this section by an amount equal to the excess.

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

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

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