

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HB 957 Florida Bright Futures Scholarship Program  
**SPONSOR(S):** Kendrick and others  
**TIED BILLS:** **IDEN./SIM. BILLS:** SB 2262

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Committee on Education Innovation & Career Preparation	6 Y, 0 N	Beagle	White
2) Schools & Learning Council	15 Y, 0 N	Beagle	Cobb
3) Policy & Budget Council			
4) _____			
5) _____			

**SUMMARY ANALYSIS**

The Florida Medallion Scholars (FMS) award is one of three lottery funded scholarships available to Florida students under the Florida Bright Futures Scholarship (Bright Futures) Program. FMS awards may be used for tuition and fees at private and public postsecondary colleges and universities, and award amounts range from 75 to 100 percent of the cost of public postsecondary tuition and fees.

To receive a FMS award, statute requires public, private, and home education students to satisfy specified criteria that include residency, conduct, and Scholastic Aptitude Test (SAT) or ACT Assessment Program (ACT) requirements. Statute directs the State Board of Education (SBE) to adopt rule establishing minimum SAT and ACT scores. Such rule, however, has not been adopted. Instead, Department of Education (DOE) policies currently require the following:

- A combined score of 970 on the SAT or a 20 on the ACT for public and private school students and for home education students who have taken a SBE approved college-preparatory curriculum in grades 11 and 12; or
- A combined score of 1070 on the SAT or a 23 on the ACT for home education students who have taken a non-SBE approved college preparatory curriculum in grades 11 and 12.

House Bill 957 amends s. 1009.535, F.S., to statutorily codify DOE’s above-described current policy for required SAT and ACT scores for home education students. Thus, under the bill, a home education student will be eligible for a FMS award if he or she takes: (a) a SBE approved college-preparatory curriculum in grades 11 and 12, and achieves the same SAT or ACT score required for public and private school students; or (b) a non-SBE approved college-preparatory curriculum in grades 11 and 12, and achieves a SAT score that is 100 points higher (or the equivalent ACT score) than that required for public and private school students.

The bill’s codification of the DOE’s current practice will: enable greater public notice of FMS award requirements for home education students; mandate uniform application among home education students; and remove any possibility of agency changes to the current practice in the future.

The bill does not appear to have a fiscal impact on state or local governments.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

**Empower Families.--** The bill codifies existing DOE policy relating to FMS award eligibility requirements for home education students; thereby, enabling greater public awareness of the requirements and ensuring consistent, future application for such students.

#### B. EFFECT OF PROPOSED CHANGES:

##### Present Situation

The FMS award is one of three lottery funded scholarships available to Florida students under the Bright Futures Program. FMS scholarship recipients enrolled in a state university or community college baccalaureate degree program are eligible for an award amounting to 75% of tuition and fees. Recipients enrolled in a community college associate degree program are eligible for an award amounting to 100% of tuition and fees for college credit courses. Recipients enrolled in a nonpublic postsecondary education institution are eligible for an award amounting to 75% of the tuition and fees charged by a comparable public postsecondary education institution.<sup>1</sup>

For initial FMS award eligibility, a student must satisfy the general eligibility requirements for the Bright Futures Program. A student must:

- Be a Florida resident;
- Earn a standard Florida high school diploma or its equivalent;
- Be accepted by and enroll in an eligible Florida public or independent postsecondary education institution;
- Enroll in at least six semester credit hours or the equivalent in quarter hours or clock hours.
- Never have been adjudicated for a felony charge unless pardoned by the state; and
- Apply for a scholarship before high school graduation.<sup>2</sup>

In addition, a student must complete 15 credits in high school-level college-preparatory<sup>3</sup> coursework and achieve a weighted<sup>4</sup> grade point average (GPA) of 3.0. The student must also achieve a 970 on the combined verbal and quantitative parts of the SAT or a score of 20 on the ACT.<sup>5</sup> Students

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<sup>1</sup> Section 1009.535(2), F.S.

<sup>2</sup> Section 1009.531(1), F.S.

<sup>3</sup> Section 1004.02, F.S. (This section defines "College-preparatory instruction" to mean "courses through which a high school graduate who applies for any college credit program may attain the communication and computation skills necessary to enroll in college credit instruction." Section 1001.02, F.S., requires the SBE to identify college-preparatory high school coursework and postsecondary-level coursework that prepares students with the academic skills necessary to succeed in postsecondary education. The college-preparatory courses that a student must take to satisfy the FMS eligibility requirements are those courses reviewed and approved by the SBE, and listed in the course code directory. See Florida Department of Education, *2007-2008 Florida Course Code Directory and Personnel Assignments* (February 2007) available at <http://www.fl DOE.org/bii/curriculum/CCD/0708.asp>).

<sup>4</sup> For purposes of calculating a student's weighted GPA, the DOE is required to assign additional weighting to Advanced Placement, pre-International Baccalaureate, International Baccalaureate, International General Certificate of Secondary Education, Advanced International Certificate of Education, academic dual enrollment courses, and other courses it identifies as academically rigorous. The additional weight assigned to a course must not exceed 0.5 per course. See Section 1009.531(3), F.S.

<sup>5</sup> Section 1009.535(1)(a), F.S. (This section also lists the Scholastic Assessment Test and the recentered Scholastic Assessment Test of the College Entrance Examination as authorized assessments for FMS eligibility. According to the DOE, these are obsolete versions of the SAT that are no longer used. See also Florida Department of Education, Office of Student Financial Assistance, *Initial Eligibility Requirements of 2008 High School Graduates* (Accessed March 12, 2008) available at <http://www.floridastudentfinancialaid.org/SSFAD/bf/fmsrequire.htm>).

recognized as scholars or finalists by the National Merit Scholarship Corporation or as a scholar by the National Hispanic Recognition Program, who have not completed the community service requirements for a Florida Academic Scholars award, may also qualify for a FMS award.<sup>6</sup>

Home education students are also eligible for Bright Futures scholarships, including FMS scholarships.<sup>7</sup> Such students must satisfy the residency, enrollment, conduct, application, and test score requirements for Bright Futures eligibility. In addition, the student must have attended a home education program during grades 11 and 12.<sup>8</sup>

The DOE Office of Student Financial Assistance (OSFA) has established separate test score requirements for home education students based on the type of home education curriculum that the student completed. Home education students who complete a SBE-approved college-preparatory curriculum offered through a Florida public school, private school, or dual enrollment program must achieve the same score required for other FMS applicants, i.e., a 970 on the SAT, or an equivalent score of 20 on the ACT. Home education students who complete a non-SBE approved home education curriculum must achieve a score that is at least 100 points higher than the standard eligibility score, i.e., a 1070 on the SAT, or an equivalent score of 23 on the ACT.<sup>9</sup> Current statute does not reflect this variance. The SBE has not adopted a rule designating required test scores.

OSFA has implemented separate test score requirements for students who take non-SBE approved home education curricula because it is difficult to quantify whether the courses taken via such curricula are college-preparatory in nature. In contrast, state-approved home education curricula are based upon, or comparable to, Florida's high school curriculum; thus, making it possible to determine for FMS award eligibility purposes whether the home education student has successfully completed college-preparatory coursework.<sup>10</sup>

### **Effect of Proposed Changes**

House Bill 957 amends s. 1009.535, F.S., to codify OSFA's current eligibility score requirements for home education students. A home education student who completes:

- A SBE approved college-preparatory curriculum must achieve the standard eligibility score on the SAT or an equivalent ACT score.
- A non-SBE approved home education curriculum must achieve a score of at least 100 points higher than the standard score or an equivalent ACT score.

The bill also clarifies that, to be eligible for the FMS award, a home education student must have attended a home education program in *at least* grades 11 and 12.

#### C. SECTION DIRECTORY:

**Section 1.:** Amending s. 1009.535, F.S.; amending the FMS program eligibility requirements for home education students; codifying current test score requirements for home education students.

**Section 2.:** Providing an effective date.

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<sup>6</sup> Section 1009.535(1), F.S.

<sup>7</sup> Section 1002.41(5), F.S.

<sup>8</sup> Section 1009.535(1)(b), F.S.

<sup>9</sup> Florida Department of Education, Office of Student Financial Assistance, *Initial Eligibility Requirements of 2008 High School Graduates* (Accessed March 12, 2008) available at <http://www.floridastudentfinancialaid.org/SSFAD/bf/fmsrequire.htm>.

<sup>10</sup> Correspondence with Florida Department of Education staff, Office of Student Financial Assistance, March 12, 2008.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

The bill does not appear to have a fiscal impact on state revenues.

#### 2. Expenditures:

The bill does not appear to have a fiscal impact on state expenditures.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

#### 1. Revenues:

The bill does not appear to have a fiscal impact on local revenues.

#### 2. Expenditures:

The bill does not appear to have a fiscal impact on local expenditures.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill does not appear to have a direct economic impact on the private sector.

### D. FISCAL COMMENTS:

None.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

#### 1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds; reduce the authority that counties or municipalities had as of February 1, 1989, to raise revenue in the aggregate; or reduce the percentage of state tax shared with counties or municipalities as of February 1, 1989.

#### 2. Other:

None.

### B. RULE-MAKING AUTHORITY:

None.

### C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

D. STATEMENT OF THE SPONSOR

None.

**IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES**