

1                   A bill to be entitled  
2           An act relating to postsecondary education student  
3           debt; amending ss. 1008.45 and 1008.46, F.S.; revising  
4           the accountability standards of Florida College System  
5           institutions and State University System institutions  
6           to include standards for student retention and  
7           placement rates; amending s. 1009.01, F.S.; defining  
8           the term "student default risk index"; amending ss.  
9           1009.89 and 1009.891, F.S.; prohibiting an institution  
10          whose student default risk index exceeds a specified  
11          percentage from receiving William L. Boyd, IV, Florida  
12          resident access grant payments and Access to Better  
13          Learning and Education Grant Program payments until  
14          the student default risk index declines below a  
15          specified percentage; creating s. 1009.965, F.S.;  
16          establishing the Student Loan Debt Advisory Council;  
17          providing for the membership, organization, and duties  
18          of the advisory council; requiring the council to  
19          furnish a report to the Governor, the President of the  
20          Senate, and the Speaker of the House of  
21          Representatives; requiring the Board of Governors to  
22          consider an institution's student default risk index  
23          in their Performance Based Funding Model; requiring  
24          that the Office of Program Policy Analysis and  
25          Government Accountability conduct a study on the  
26          effectiveness of the Florida Bright Futures

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27 Scholarship Program, the William L. Boyd, IV, Florida  
28 Resident Access Grant Program, and the Access to  
29 Better Learning and Education Grant Program by a  
30 specified date; providing an effective date.  
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32 WHEREAS, the Legislature finds that postsecondary education  
33 has expanded opportunities for Floridians to qualify for high-  
34 quality jobs and entry into the middle class, providing an  
35 enhanced workforce that strengthens this state's economy, and

36 WHEREAS, the Legislature finds that rising higher education  
37 costs force an increasing number of students to borrow greater  
38 amounts of money to pay for higher education, with the resulting  
39 burden of substantial student debt damaging not only the  
40 individual student's ability to succeed financially but also  
41 posing grave consequences for the future economy of this state,  
42 NOW, THEREFORE,  
43

44 Be It Enacted by the Legislature of the State of Florida:  
45

46 Section 1. Present subsections (2) and (3) of section  
47 1008.45, Florida Statutes, are redesignated as subsections (3)  
48 and (4), respectively, and a new subsection (2) is added to that  
49 section, to read:

50 1008.45 Florida College System institution accountability  
51 process.—

52 (2) The State Board of Education shall implement standards

53 to require Florida College System institutions to track, report,  
54 and maintain acceptable student retention and placement rates.

55 Section 2. Section 1008.46, Florida Statutes, is amended  
56 to read:

57 1008.46 State university accountability process.—It is the  
58 intent of the Legislature that an accountability process be  
59 implemented that provides for the systematic, ongoing evaluation  
60 of quality and effectiveness of state universities. It is  
61 further the intent of the Legislature that this accountability  
62 process monitor performance at the system level in each of the  
63 major areas of instruction, research, and public service, while  
64 recognizing the differing missions of each of the state  
65 universities. The accountability process shall provide for the  
66 adoption of systemwide performance standards and performance  
67 goals for each standard identified through a collaborative  
68 effort involving state universities, the Board of Governors, the  
69 Legislature, and the Governor's Office, consistent with  
70 requirements specified in s. 1001.706. These standards must  
71 include requirements for institutions to track, report, and  
72 maintain acceptable student retention and placement rates. These  
73 standards and goals shall be consistent with s. 216.011(1) to  
74 maintain congruity with the performance-based budgeting process.  
75 This process requires that university accountability reports  
76 reflect measures defined through performance-based budgeting.  
77 The performance-based budgeting measures must also reflect the  
78 elements of teaching, research, and service inherent in the

79 | missions of the state universities.

80 |       (1) By December 31 of each year, the Board of Governors  
 81 | shall submit an annual accountability report providing  
 82 | information on the implementation of performance standards,  
 83 | actions taken to improve university achievement of performance  
 84 | goals, the achievement of performance goals during the prior  
 85 | year, and initiatives to be undertaken during the next year. The  
 86 | accountability reports shall be designed in consultation with  
 87 | the Governor's Office, the Office of Program Policy Analysis and  
 88 | Government Accountability, and the Legislature.

89 |       (2) The Board of Governors shall recommend in the annual  
 90 | accountability report any appropriate modifications to this  
 91 | section.

92 |       Section 3. Section 1009.01, Florida Statutes, is reordered  
 93 | and amended to read:

94 |       1009.01 Definitions.—The term:

95 |       (3)~~(1)~~ "Tuition" means the basic fee charged to a student  
 96 | for instruction provided by a public postsecondary educational  
 97 | institution in this state. A charge for any other purpose may  
 98 | ~~shall~~ not be included within this fee.

99 |       (1)~~(2)~~ "Out-of-state fee" means the additional fee for  
 100 | instruction provided by a public postsecondary educational  
 101 | institution in this state, which fee is charged to a student who  
 102 | does not qualify for the in-state tuition rate pursuant to s.  
 103 | 1009.21. A charge for any other purpose may ~~shall~~ not be  
 104 | included within this fee.

105           (2) "Student default risk index" means an institution's  
 106 cohort default rate multiplied by the percentage of students who  
 107 have student loans at that institution.

108           ~~(4)(3)~~ "Tuition differential" means the supplemental fee  
 109 charged to a student by a public university in this state  
 110 pursuant to s. 1009.24(16).

111           Section 4. Subsection (3) of section 1009.89, Florida  
 112 Statutes, is amended to read:

113           1009.89 The William L. Boyd, IV, Florida resident access  
 114 grants.—

115           (3) The department shall issue through the program a  
 116 William L. Boyd, IV, Florida resident access grant to any full-  
 117 time degree-seeking undergraduate student registered at an  
 118 independent nonprofit college or university which is located in  
 119 and chartered by the state; which is accredited by the  
 120 Commission on Colleges of the Southern Association of Colleges  
 121 and Schools; which grants baccalaureate degrees; which is not a  
 122 state university or Florida College System institution; and  
 123 which has a secular purpose, so long as the receipt of state aid  
 124 by students at the institution would not have the primary effect  
 125 of advancing or impeding religion or result in an excessive  
 126 entanglement between the state and any religious sect. Any  
 127 independent college or university that was eligible to receive  
 128 tuition vouchers on January 1, 1989, and which continues to meet  
 129 the criteria under which its eligibility was established, shall  
 130 remain eligible to receive William L. Boyd, IV, Florida resident

131 access grant payments. An eligible institution whose student  
132 default risk index exceeds 20 percent is ineligible to receive a  
133 William L. Boyd, IV, Florida resident access grant payment for  
134 an incoming student until the institution's student default risk  
135 index declines to 20 percent or less.

136 Section 5. Subsection (3) of section 1009.891, Florida  
137 Statutes, is amended to read:

138 1009.891 The Access to Better Learning and Education Grant  
139 Program.—

140 (3) The department shall issue an access grant to any  
141 full-time student seeking a baccalaureate degree who is  
142 registered at a for-profit college or university that is located  
143 in and chartered by the state and that is accredited by the  
144 Commission on Colleges of the Southern Association of Colleges  
145 and Schools or who is registered at a nonprofit college or  
146 university that is chartered out of the state, that has been  
147 located in the state for 10 years or more, and that is  
148 accredited by the Commission on Colleges of the Southern  
149 Association of Colleges and Schools, the Middle States  
150 Association of Colleges and Schools, the North Central  
151 Association of Colleges and Schools, or the New England  
152 Association of Colleges and Schools; that grants baccalaureate  
153 degrees; that is not a state university or Florida College  
154 System institution; and that has a secular purpose, if the  
155 receipt of state aid by students at the institution would not  
156 have the primary effect of advancing or impeding religion or

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157 result in an excessive entanglement between the state and any  
158 religious sect. Institutions eligible for the Access to Better  
159 Learning and Education Grant Program in the initial year of  
160 funding shall include only those for-profit colleges or  
161 universities identified in this subsection. Nonprofit colleges  
162 or universities identified in this subsection shall be eligible  
163 for financial support in the second year of funding. An eligible  
164 institution whose student default risk index exceeds 20 percent  
165 shall be ineligible to receive an Access to Better Learning and  
166 Education Grant Program payment for an incoming student until  
167 the institution's student default risk index declines to 20  
168 percent or less.

169 Section 6. Section 1009.965, Florida Statutes, is created  
170 to read:

171 1009.965 Student Loan Debt Advisory Council.—There is  
172 established within the department a Student Loan Debt Advisory  
173 Council, which is an advisory council as defined in s. 20.03.

174 (1) MEETINGS; ORGANIZATION.—

175 (a) The council shall consist of nine members, five of  
176 whom are appointed by the Governor, two of whom are appointed by  
177 the President of the Senate, and two of whom are appointed by  
178 the Speaker of the House of Representatives. The council members  
179 shall serve 4-year terms, except that for the purpose of  
180 providing staggered terms, the Governor, the President of the  
181 Senate, and the Speaker of the House of Representatives  
182 initially shall each appoint one member to serve a 2-year term,

183 and the Governor shall appoint at least one member to serve a 3-  
184 year term. All other initial appointments and any subsequent  
185 appointments are for 4-year terms.

186 (b) The council shall adopt internal organizational  
187 procedures as necessary for its efficient organization which  
188 must, at a minimum, require the council to elect a chair and  
189 vice chair whose duties shall be established by the council.

190 (c) The department shall provide the staff, information,  
191 and other assistance reasonably necessary to assist the council  
192 in carrying out its responsibilities.

193 (d) Members of the council serve without compensation, but  
194 may receive reimbursement as provided in s. 112.061, for travel  
195 and other necessary expenses incurred in the performance of  
196 their official duties.

197 (e) The department shall establish a time and place for  
198 regular meetings of the council. The council must meet at least  
199 twice a year.

200 (2) DUTIES.—The council shall compile and review  
201 information regarding an institution's student default risk  
202 index and student loan rates, repayment plans, default rates,  
203 and monthly loan payment amounts at public and nonpublic  
204 postsecondary institutions in this state.

205 (3) REPORT.—By December 1 of each year, the council shall  
206 prepare a written report for the Governor, the President of the  
207 Senate, and the Speaker of the House of Representatives  
208 containing an accounting of its activities and recommending



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209 policies, priorities, and objectives to help reduce the burden  
210 of student loan debt in this state.

211 Section 7. The Board of Governors shall consider an  
212 institution's student default risk index in the board's  
213 Performance Based Funding Model.

214 Section 8. The Office of Program Policy Analysis and  
215 Government Accountability (OPPAGA) shall conduct a study of the  
216 effectiveness of the Florida Bright Futures Scholarship Program  
217 established pursuant to ss. 1009.53-1009.538, the William L.  
218 Boyd, IV, Florida Resident Access Grant Program, and the Access  
219 to Better Learning and Education Grant Program. OPPAGA shall  
220 submit the results of the study to the Governor, the President  
221 of the Senate, and the Speaker of the House of Representatives  
222 no later than July 2, 2016.

223 Section 9. This act shall take effect July 1, 2015.