

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: SB 1034
INTRODUCER: Senator Gruters
SUBJECT: William L. Boyd, IV, Effective Access to Student Education Grant Program
DATE: January 24, 2022 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	ED	Pre-meeting
2.	_____	_____	AED	_____
3.	_____	_____	AP	_____

I. Summary:

SB 1034 revises the institutions a student must attend to be eligible to receive a William L. Boyd, Effective Access to Student Education (EASE) tuition assistance grant to include for-profit independent colleges or universities that have a Level 5 accreditation from the Commission on Colleges of the Southern Association of College and Schools.

The bill has an indeterminate fiscal impact.

This bill is effective July 1, 2022.

II. Present Situation:

William L. Boyd, IV, Effective Access to Student Education (EASE) Tuition Assistance Grant Program

The William L. Boyd, IV, Effective Access to Student Education (EASE) program¹ provides tuition assistance to Florida undergraduate students attending an eligible private, non-profit Florida college or university.² The program is not related to a student’s financial need or other criteria upon which financial aid programs are based.³ The program is administered by the Department of Education (DOE)⁴ with the following parameters:

- Student initial eligibility requirements:⁵
 - Must be a resident of Florida and meet the eligibility requirements for receipt of state aid.

¹ Section 471, ch. 2002-387, L.O.F.; The EASE program was formerly known as the Florida Resident Access Grant (FRAG).

² Section 1009.89(3)-(4), F.S.

³ Section 1009.89(1), F.S.

⁴ Section 1009.89(2), F.S.; See also Rule 6A-20.007, F.A.C.

⁵ Section 1009.89(4)(a)-(b), F.S.

- Must be enrolled as a full-time undergraduate student at an eligible college or university in a program of study leading to a baccalaureate degree.⁶
- Must not be enrolled in a program of study leading to a degree in theology or divinity.
- Must be making satisfactory academic progress as defined by the State Board of Education.
- Must not have completed more than 110 percent of the degree program in which the student is enrolled.
- Institutional eligibility requirements:⁷
 - Must be an independent nonprofit college or university.
 - Must be located in and chartered by the state of Florida.
 - Must be accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC).
 - Must grant baccalaureate degrees.
 - Must not be a state university or Florida College System (FCS) institution.
 - Must have a secular purpose, so long as the receipt of state aid by students at the institution would not have the primary effect of advancing or impeding religion or result in an excessive entanglement between the state and any religious group.

Funding for the EASE program is provided for in the General Appropriations Act (GAA).⁸ In fiscal year (FY) 2021-2022, the Legislature appropriated \$114,861,630 million for the EASE program to support 40,430 eligible students with an average award amount per student of \$2,841 in tuition assistance.⁹ Currently, 34 institutions participate in the EASE program.¹⁰

During the 2021 Regular Session, the Legislature required an institution which receives EASE funding to submit an accountability report to the DOE by September 1 of each year.¹¹ The report must, at a minimum, report the following performance metrics:¹²

- Access rate based upon percentage of Pell-eligible students.
- Affordability rate based upon average student load debt; federal, state, and institutional financial assistance; and average tuition and fees.
- Graduation rate.
- Retention rate.
- Postgraduate employment or continuing education rate.

The DOE is required to provide recommendations regarding minimum performance standards an institution must meet to remain eligible to receive EASE funding.¹³ By October 1 of each year,

⁶ The student may not have previously received a baccalaureate degree. Florida Department of Education, Office of Student Financial Assistance, *EASE 2021-22 End of Year Fact Sheet*, at 1, available at <https://www.floridastudentfinancialaidsg.org/PDF/factsheets/EASE.pdf>.

⁷ Section 1009.89(3), F.S.

⁸ Section 1009.89(5)(a), F.S.

⁹ Specific Appropriation 64, s. 2, ch. 2021-36, L.O.F.

¹⁰ Florida Department of Education, Presentation to the Higher Education Appropriations Subcommittee, *Effective Access to Student Education (EASE) Grant Accountability Reporting* (Oct. 21, 2021), at 18, available at <https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3089&Session=2022&DocumentType=Meeting+Packets&FileName=hea+10-21-21.pdf>.

¹¹ Section. 4, ch. 2021-46, L.O.F., *codified at* s. 1009.89(5)(c), F.S.

¹² *Id.*

¹³ Section 1009.89(5)(c), F.S. (flush left provision at the end of the subparagraph)

the DOE must submit a report to the chair of the House Appropriations Committee, the chair of the Senate Appropriations Committee, and the Governor’s Office of Policy and Budget on the performance of eligible institutions and the institutions which have not met the minimum performance standards recommended by the DOE.¹⁴

Based on the first collection of accountability data from participating EASE institutions in 2021,¹⁵ the DOE recommended the following benchmarks for 2022-2023 continued eligibility in the EASE program:¹⁶

EASE Eligibility Metric	Benchmark
Access Rate	53 Percent
Affordability Rate	\$6,343
Graduation Rate	53 Percent
Retention Rate	68 Percent
Postgraduate Employment/Continuing Education Rate	49 Percent

The Access to Better Learning and Education (ABLE) Tuition Assistance Grant Program

In 2003, the Legislature established the Access to Better Learning and Education (ABLE) Tuition Assistance Grant Program within the DOE.¹⁷ The grant program provided tuition assistance to Florida undergraduate students at eligible institutions until its repeal by the Legislature in 2021.¹⁸ Previously under ABLE, eligible Florida undergraduate students attending an eligible private, for-profit Florida college or university or an eligible non-profit college or university were eligible for tuition assistance.¹⁹ The program was not related to a student’s financial need or other criteria upon which financial aid programs are based.²⁰ The grant program was administered by the DOE with the following institutional eligibility requirements:²¹

- For-profit college or university:
 - Must be located in and chartered by the state of Florida.
 - Must be accredited by the SACSCOC.
- Nonprofit college or university:
 - Must be chartered out of the state.
 - Must have been located in the state for 10 years or more.
 - Must be accredited by one of the following: SACSCOC, Middle States Association of Colleges and Schools, North Central Association of Colleges and Schools, or the New England Association of Colleges and Schools.
 - Must grant baccalaureate degrees.

¹⁴ Section 1009.89(5)(d), F.S.

¹⁵ Florida Department of Education, Presentation to the Higher Education Appropriations Subcommittee, *Effective Access to Student Education (EASE) Grant Accountability Reporting* (Oct. 21, 2021), at 17, 19, & 20, available at <https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3089&Session=2022&DocumentType=Meeting+Packets&FileName=hea+10-21-21.pdf>.

¹⁶ *Id.* at 21. The DOE calculated the benchmarks by removing the three highest reported institution numbers and three lowest reported institution numbers from the calculation and averaged the remaining data to establish the metrics.

¹⁷ Section 1, ch. 2003-65, L.O.F., codified at s. 1009.891, F.S.

¹⁸ Section 5, ch. 2021-46, L.O.F.

¹⁹ Section 1009.891(3), F.S. (2020) repealed s. 5, ch. 2021-46, L.O.F.

²⁰ *Id.* at (1).

²¹ *Id.* at (3).

- Must not be a state university or FCS institution.
- Must have a secular purpose, so long as the receipt of state aid by students at the institution would not have the primary effect of advancing or impeding religion or result in an excessive entanglement between the state and any religious group.

In the FY 2020-21 GAA, the Legislature appropriated \$5,025,729 for ABLE to support 1,769 eligible students with an average award amount per student of \$2,841 in tuition assistance.²²

Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)

The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) is the regional body for the accreditation of degree-granting higher education institutions in the Southern states.²³ The mission of the SACSCOC is the enhancement of education quality throughout the region and the improvement of the effectiveness of institutions by ensuring that they meet standards established by the higher education community that address the needs of society and students.²⁴

Accreditation by SACSCOC signifies that the institution has a mission appropriate to higher education, has resources, programs, and services sufficient to accomplish and sustain that mission, and maintains clearly specified educational objectives that are consistent with its mission and appropriate to the degrees it offers, and that indicate whether it is successful in achieving its stated objectives.²⁵

Classified according to the highest degree offered, SACSCOC member institutions are placed into one of the following six categories:²⁶

- Level I – Associate
- Level II – Baccalaureate
- Level III – Master
- Level IV – Educational Specialist
- Level V – Doctorate (3 or fewer programs)
- Level VI – Doctorate (4 or more programs)

III. Effect of Proposed Changes:

The bill amends s. 1009.89, F.S., revising the institutions a student must attend to be eligible to receive an Effective Access to Student Education (EASE) grant to include for-profit independent colleges or universities that have a Level 5 accreditation from the Commission on Colleges of the Southern Association of College and Schools (SACSCOC). Students at for-profit institutions

²² Specific Appropriation 64, s. 2, ch. 2020-111, L.O.F.

²³ SACSCOC, *About SACSCOC*, <https://sacscoc.org/> (last visited Jan. 13, 2022). The SACSCOC accredits institutions in the following Southern states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia, and Latin America and certain other international sites.

²⁴ *Id.*

²⁵ SACSCOC, *The Principles of Accreditation: Foundations for Quality Enhancement* (December 2017), available at <https://sacscoc.org/app/uploads/2019/08/2018PrinciplesOfAccreditation.pdf>.

²⁶ Southern Association of Colleges and Schools Commission on Colleges, *SACSCOC Accredited and Candidate List* (July 2021), available at <https://sacscoc.org/app/uploads/2019/11/Institutionswebmemlist.pdf>.

that met the eligibility for the Access to Better Learning and Education (ABLE) program prior to its repeal and have level 5 accreditation may now be eligible for an EASE grant.

Florida has five for-profit independent colleges and universities that have accreditation from SACSCOC,²⁷ with two having a Level 5 or higher classification.²⁸

This bill is effective July 1, 2022.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

²⁷ Florida has five SACSCOC accredited institutions: EPCI University, Florida National University, Lincoln Memorial University, St. John Vianney College Seminary, and Troy University – Ft. Walton Beach. Staff Analysis of the Florida Senate Appropriation Subcommittee on Education, Florida Department of Education, Commission for Independent Education, *Nonpublic Postsecondary School/College Search*, <https://web02.fldoe.org/CIE/SearchSchools/SchoolSearch.aspx> (last visited Jan. 13, 2022).

²⁸ Southern Association of Colleges and Schools Commission on Colleges, *SACSCOC Accredited and Candidate List (July 2021)* available at <https://sacscoc.org/app/uploads/2019/11/Institutionswebmemlist.pdf>. SACSCOC has classified Lincoln Memorial University as a Level 6 and Troy University as a Level 5. It is unclear in the bill whether an institution must have Level 5 accreditation, or Level 5 or above.

B. Private Sector Impact:

The bill may provide a cost savings to eligible students by way of tuition assistance for those students who are enrolled in a postsecondary institution which may now be eligible to participate in the Effective Access to Student Education (EASE) grant program.

C. Government Sector Impact:

The fiscal impact of the bill is indeterminate. Removing the nonprofit requirement for institutions to participate in the EASE program could increase the number of institutions and students that may be eligible to receive EASE grants.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1009.89 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.