

## HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

**BILL #:** CS/HB 1019 Independent Postsecondary Educational Grants  
**SPONSOR(S):** Higher Education Appropriations Subcommittee, McClain and others  
**TIED BILLS:**           **IDEN./SIM. BILLS:**

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**FINAL HOUSE FLOOR ACTION:** 114 Y's      0 N's            **GOVERNOR'S ACTION:** Approved

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### SUMMARY ANALYSIS

CS/HB 1019 passed the House on May 3, 2023, as CS/SB 1272.

The bill creates educational grants to students enrolled in certain independent nonprofit and for-profit colleges and universities. Specifically, the bill makes institutions that meet specified requirements eligible to receive funds from the Effective Access to Student Education (EASE) Grant program.

The bill authorizes a Florida resident who meets general student financial aid requirements, is a, full-time, degree-seeking undergraduate student, who is registered at an independent nonprofit or for-profit college or university that meets specified requirements, to be eligible to receive an EASE grant.

The bill has an indeterminate fiscal impact. See Fiscal Comments.

The bill was approved by the Governor on May 17, 2023, ch. 2023-93, L.O.F., and became effective on that date.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF CHANGES:

#### Background

##### Effective Access to Student Education (EASE) Tuition Assistance Program

The EASE (formerly known as the Florida Resident Access Grant, or FRAG) grant program is administered by the Department of Education (DOE)<sup>1</sup> and provides funds towards the cost of tuition and fees for students who, among other things, meet general tuition assistance requirements in Florida law.<sup>2</sup> Additionally, a student 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; and make satisfactory academic progress as defined by the State Board of Education.<sup>3</sup> An EASE recipient may not have completed more than 110 percent of the degree program in which they are enrolled.<sup>4</sup> A student's receipt of an EASE grant is limited to 9 semesters or 14 quarters, except under specified conditions.<sup>5</sup>

An EASE grant recipient must attend an independent nonprofit college or university that grants baccalaureate degrees and is located in and chartered by the state of Florida.<sup>6</sup> The institution must be accredited by the Commission on Colleges of the Southern Association of Colleges and Schools.<sup>7</sup>

An eligible student is prohibited from enrolling in a program of study leading to a degree in theology or divinity.<sup>8</sup> And, an institution receiving EASE funds 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."<sup>9</sup>

A state university or Florida College System institution may not receive EASE funds for its students.

All institutions that receive EASE funding are required to submit an annual accountability report to DOE with the most recently available information on Florida resident students and include, at a minimum, the following performance metrics, by institution:<sup>10</sup>

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

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<sup>1</sup> S. 1009.89(2), F.S.

<sup>2</sup> See s. 1009.40, F.S. Recipients of an EASE grant must establish Florida residency for no less than 1 year preceding the award of a tuition assistance grant.

<sup>3</sup> S. 1009.89(4), F.S.

<sup>4</sup> *Id.*

<sup>5</sup> S. 1009.89(5)(a), F.S. See s. 1009.40(3), F.S., authorizing undergraduate students participating in developmental education and students enrolled in a 5-year undergraduate degree program to receive financial aid for a maximum of 10 semesters or 15 quarters.

<sup>6</sup> S. 1009.89(3), F.S.

<sup>7</sup> *Id.*

<sup>8</sup> S. 1009.89(4)(b)2., F.S.

<sup>9</sup> S. 1009.89(3), F.S.

<sup>10</sup> S. 1009.89(5)(c), F.S.

Funding for the EASE grant program is appropriated in the General Appropriations Act (GAA).<sup>11</sup> Award amounts may be prorated based on the number of students eligible to receive the award. As specified in the Fiscal Year (FY) 2022-2023 GAA, the Legislature appropriated funds to support 37,705 qualified Florida residents with an award of \$2,000,<sup>12</sup> at 34 EASE-eligible institutions. The total appropriation for FY 2022-23 was \$75.4 million.

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

The ABLE grant program was administered by DOE and provided funds towards the cost of tuition and fees for students who, among other things, met general tuition assistance requirements in Florida law.<sup>13</sup> During the 2021 regular session, the Legislature repealed the statutory framework and eliminated funding for the program.<sup>14</sup>

Student eligibility requirements for ABLE were similar to current EASE requirements in that a student had to be enrolled as a full-time undergraduate student at an eligible college or university in a program of study, other than theology or divinity, leading to a baccalaureate degree.<sup>15</sup> A student's receipt of an ABLE grant was limited to 9 semesters or 14 quarters, except under specified conditions.<sup>16</sup> However, the ABLE grant program did not limit payment of tuition and fees only up to 110 percent of degree completion.

Unlike the EASE program which is limited to independent nonprofit colleges and universities, the ABLE program also authorized student grant recipients to attend for-profit institutions as well. A for-profit institution receiving ABLE funds was required to be located in and chartered by the state of Florida and be accredited by the Commission on Colleges of the Southern Association of Colleges and Schools.<sup>17</sup>

The ABLE grant program requirements for nonprofit colleges or universities that received funds were distinct from EASE requirements in that these institutions had to be chartered out of the state but located in Florida for 10 years or more.<sup>18</sup> Because these institutions were chartered out of state, in addition to accreditation by the Commission on Colleges of the Southern Association of Colleges and Schools, they could also be accredited by: Middle States Association of Colleges and Schools; North Central Association of Colleges and Schools; or, New England Association of Colleges and Schools.<sup>19</sup>

All institutions, for-profit and nonprofit, that received ABLE funds were required to grant baccalaureate degrees and 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.<sup>20</sup> State universities and Florida College System institutions were prohibited from receiving ABLE funds for attending students.<sup>21</sup>

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<sup>11</sup> S. 1009.89(5), F.S.

<sup>12</sup> See Specific Appropriation 58, ch. 2022-156, L.O.F.

<sup>13</sup> S. 1009.891(4), F.S. (2020). See s. 1009.40, F.S. (2020). Recipients of an ABLE grant must establish Florida residency for no less than 1 year preceding the award of a tuition assistance grant.

<sup>14</sup> Section 5, ch. 2021-46, L.O.F.

<sup>15</sup> S. 1009.891(4), F.S. (2020). A student's "satisfactory academic progress" was defined by the institution in which they were enrolled, not the State Board of Education, as is required in the EASE grant program.

<sup>16</sup> S. 1009.891(5)(a), F.S. (2020) See s. 1009.40(3), F.S. (2020), authorizing undergraduate students participating in developmental education and students enrolled in a 5-year undergraduate degree program to receive financial aid for a maximum of 10 semesters or 15 quarters.

<sup>17</sup> S. 1009.891(3), F.S. (2020).

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

Funding for the ABLE grant program was appropriated in the GAA.<sup>22</sup> As specified in the FY 2020-21 GAA, the last year for which ABLE funds were available, the Legislature provided funds to support 1,769 eligible students with an average award of \$2,841.<sup>23</sup> The total appropriation for FY 2020-21 was \$5 million.

### General Requirements for Student Eligibility for State Financial Aid Awards and Tuition Assistance Grants

The general student eligibility requirements for state financial aid awards and tuition assistance grants include gaining acceptance to an accredited postsecondary institution; being a Florida resident for at least one year; and attesting to the accuracy of information provided to determine eligibility.<sup>24</sup>

The general requirements for renewal of awards and grants include maintaining a minimum grade point average; earning a minimum number of credits; and making satisfactory academic progress as determined by the department.<sup>25</sup>

Additionally, a student's receipt of an award or grant pursuant to s. 1009.40, F.S., is limited to 8 semesters or 12 quarters, except under specified conditions.<sup>26</sup>

### **Effect of Changes**

The bill creates an additional eligibility process for certain nonprofit and for-profit colleges and universities to receive EASE funds for grants to any full-time degree-seeking undergraduate student who is registered at an institution that meets the requirements outlined below. Pursuant to s. 1009.40, F.S., students must also meet general student eligibility requirements for state financial aid, including residency requirements, and be enrolled full-time in a program of study leading to a baccalaureate degree.

To be eligible, an independent nonprofit college or university must:

- Offer nursing programs at its Florida campus, including practical nursing programs, registered nursing programs, or accelerated and bridge nursing programs that lead to an associate's and bachelor's degree, and be accredited by the Higher Learning Commission.
- Have a secular purpose. The receipt of state aid by students at the college or university may not have the primary effect of advancing or impeding religion, or result in an excessive entanglement between the state and any religious sect.
- Notify DOE in writing of its decision to apply for the grant no later than September 1, 2023, and comply with the reporting requirements outlined for EASE.

Qualifying nonprofit colleges and universities must have been eligible for the ABLE Grant Program as of January 1, 2021, and have been located in Florida for more than 20 years. Such institutions may not be state universities or Florida College System institutions.

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<sup>22</sup> S. 1009.891(7), F.S. (2020).

<sup>23</sup> See Specific Appropriation 64, ch. 2020-111, L.O.F.

<sup>24</sup> S. 1009.40(1)(a), F.S.

<sup>25</sup> S. 1009.40(1)(b), F.S.

<sup>26</sup> S. 1009.40(3), F.S.

To be eligible, an independent for-profit college or university must:

- Have a level 6 accreditation from the Commission on Colleges of the Southern Association of Colleges and Schools.
- Be located in and chartered by the state of Florida.
- Have a secular purpose. The receipt of state aid by students at the college or university may not have the primary effect of advancing or impeding religion, or result in an excessive entanglement between the state and any religious sect.
- Notify DOE in writing of its decision to apply for the grant no later than September 1, 2023, and comply with the reporting requirements outlined for EASE.

Qualifying for-profit colleges and universities must have been licensed by DOE on or before October 1, 2021. Such institutions may not be state universities or Florida College System institutions.

The bill specifies that institutions eligible for an EASE grant are outside the jurisdiction of, and not subject to licensure by, the Commission for Independent Education.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:  
None.
2. Expenditures:  
See Fiscal Comments.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:  
None.
2. Expenditures:  
None.

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

The bill may save students money and increase access to postsecondary opportunities by authorizing DOE to award additional educational grants.

### D. FISCAL COMMENTS:

The fiscal impact of the bill is estimated to be \$2.8 million. By authorizing additional institutions to meet eligibility requirements under the EASE Grant Program, the estimated number of additional students who may qualify is 800.

The conference report on the FY 2023-24 GAA provides \$2.8 million to implement provisions of the bill at \$3,500 per student.