

1 A bill to be entitled

2 An act relating to public postsecondary need-based student
3 financial assistance; amending s. 1009.40, F.S.; requiring
4 state residency for a public postsecondary career
5 education grant; revising eligibility criteria for the
6 renewal of specified financial aid awards; creating s.
7 1009.505 F.S.; creating the Florida Public Postsecondary
8 Career Education Student Assistance Grant Program;
9 providing for program administration; defining terms;
10 providing that grants are available to specified students
11 in specified postsecondary career certificate programs;
12 providing for annual grant amounts; providing eligibility
13 criteria for career certificate students; requiring
14 reporting by participating institutions; providing for
15 distribution of appropriated funds; providing for
16 transmittal of grant payments to community college
17 presidents or district school board superintendents;
18 providing for period of eligibility; requiring
19 participating institutions to certify amounts disbursed to
20 students; requiring the State Board of Education to adopt
21 rules; providing that the program shall only be
22 implemented to the extent funded and authorized by law;
23 amending s. 1009.77, F.S.; revising the purpose of the
24 Florida Work Experience Program; providing that the
25 program is available to students in specified career
26 education programs and educator preparation institutes;
27 authorizing a participating institution to use up to 100
28 percent of its allocation for student employees within the
29 institution and to reimburse itself for 100 percent of the

30 student wages; lowering the percentage of student wages
 31 that must be reimbursed to employers; providing that
 32 participating postsecondary educational institutions must
 33 pay for specified preemployment expenses for students
 34 employed with public schools; requiring employers to pay
 35 specified wages; prescribing student eligibility
 36 requirements; providing for distribution of funds;
 37 requiring certification of funds disbursed to students;
 38 providing that funds appropriated for the program may be
 39 deposited in the State Student Financial Assistance Trust
 40 Fund; conforming cross-references; providing
 41 appropriations; providing an effective date.

42
 43 WHEREAS, the public postsecondary career certificate
 44 programs were created by the state to provide affordable access
 45 to higher education for Florida's residents, and

46 WHEREAS, students enrolled in public postsecondary career
 47 certificate programs have no access to state need-based financial
 48 aid and must rely on student loans and scholarships to finance
 49 their higher education, and

50 WHEREAS, student debt has escalated at an unprecedented
 51 level, causing students to owe large sums of money that often are
 52 difficult to repay, especially with compounding interest, and

53 WHEREAS, the State of Florida needs a trained workforce, and
 54 between 70 percent and 80 percent of jobs for the future will
 55 require education beyond high school but less than a
 56 baccalaureate degree, and

57 WHEREAS, students who are willing to work for their need-
 58 based financial aid in a field for which they are studying is of

59 | benefit to the student, the employer, and the state, NOW,
 60 | THEREFORE,

61 |
 62 | Be It Enacted by the Legislature of the State of Florida:

63 | Section 1. Subsection (1) of section 1009.40, Florida
 64 | Statutes, is amended to read:

65 | 1009.40. General requirements for student eligibility for
 66 | state financial aid.

67 | (1)(a) The general requirements for eligibility of students
 68 | for state financial aid awards consist of the following:

69 | 1. Achievement of the academic requirements of and
 70 | acceptance at a state university or community college; a nursing
 71 | diploma school approved by the Florida Board of Nursing; a
 72 | Florida college, university, or community college which is
 73 | accredited by an accrediting agency recognized by the State Board
 74 | of Education; any Florida institution the credits of which are
 75 | acceptable for transfer to state universities; any career center;
 76 | or any private career institution accredited by an accrediting
 77 | agency recognized by the State Board of Education.

78 | 2. Residency in this state for no less than 1 year
 79 | preceding the award of aid for a program established pursuant to
 80 | s. 1009.50, s. 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s.
 81 | 1009.54, s. 1009.56, s. 1009.57, s. 1009.60, s. 1009.62, s.
 82 | 1009.63, s. 1009.68, s. 1009.72, s. 1009.73, s. 1009.76, s.
 83 | 1009.77, or s. 1009.89. Residency in this state must be for
 84 | purposes other than to obtain an education. Resident status for
 85 | purposes of receiving state financial aid awards shall be
 86 | determined in the same manner as resident status for tuition

87 | purposes pursuant to s. 1009.21 and rules of the State Board of
88 | Education.

89 | 3. Submission of certification attesting to the accuracy,
90 | completeness, and correctness of information provided to
91 | demonstrate a student's eligibility to receive state financial
92 | aid awards. Falsification of such information shall result in the
93 | denial of any pending application and revocation of any award
94 | currently held to the extent that no further payments shall be
95 | made. Additionally, students who knowingly make false statements
96 | in order to receive state financial aid awards shall be guilty of
97 | a misdemeanor of the second degree subject to the provisions of
98 | s. 837.06 and shall be required to return all state financial aid
99 | awards wrongfully obtained.

100 | (b)1. Eligibility for the renewal of undergraduate or
101 | career certificate financial aid awards shall be evaluated at the
102 | end of the second semester or third quarter of each academic
103 | year. As a condition for renewal, a student shall:

104 | a. Have earned a minimum cumulative grade point average of
105 | 2.0 on a 4.0 scale; and

106 | b. Have earned, for undergraduate full-time study, 12
107 | credits per term or the equivalent for the number of terms for
108 | which aid was received, or have earned, for career certificate
109 | study, at least the equivalent in clock hours of 6 semester
110 | credit hours per term or the equivalent for the number of terms
111 | for which aid was received.

112 | 2. A student who earns the minimum number of credits
113 | required for renewal, but who fails to meet the minimum 2.0
114 | cumulative grade point average, may be granted a probationary
115 | award for up to the equivalent of 1 academic year and shall be

116 required to earn a cumulative grade point average of 2.0 on a 4.0
117 scale by the end of the probationary period to be eligible for
118 subsequent renewal. A student who receives a probationary award
119 and who fails to meet the conditions for renewal by the end of
120 his or her probationary period shall be ineligible to receive
121 additional awards for the equivalent of 1 academic year following
122 his or her probationary period. Each such student may, however,
123 reapply for assistance during a subsequent application period and
124 may be eligible for an award if he or she has earned a cumulative
125 grade point average of 2.0 on a 4.0 scale.

126 3. A student who fails to earn the minimum number of
127 credits required for renewal shall lose his or her eligibility
128 for renewal for a period equivalent to 1 academic year. However,
129 the student may reapply during a subsequent application period
130 and may be eligible for an award if he or she has earned a
131 minimum cumulative grade point average of 2.0 on a 4.0 scale.

132 4. Students who receive state student aid and subsequently
133 fail to meet state academic progress requirements due to
134 verifiable illness or other emergencies may be granted an
135 exception from the academic requirements. Such students shall
136 make a written appeal to the institution. The appeal shall
137 include a description and verification of the circumstances.
138 Verification of illness or other emergencies may include but not
139 be limited to a physician's statement or written statement of a
140 parent or college official. The institution shall recommend
141 exceptions with necessary documentation to the department. The
142 department may accept or deny such recommendations for exception
143 from the institution.

144 Section 2. Section 1009.505, Florida Statutes, is created
 145 to read:

146 1009.505 Florida Public Postsecondary Career Education
 147 Student Assistance Grant.--

148 (1) There is hereby created a Florida Public Postsecondary
 149 Career Education Student Assistance Grant Program. The program
 150 shall be administered by the participating institutions in
 151 accordance with rules of the State Board of Education.

152 (2) For purposes of this section, the term:

153 (a) "Average annual cost of tuition and registration fees"
 154 means the average cost for the prior academic year of tuition and
 155 registration fees for the equivalent in clock hours at a public
 156 postsecondary career certificate program of 30 semester credit
 157 hours at a state university.

158 (b) "Half-time" means the equivalent in clock hours at a
 159 public postsecondary career certificate program of 6 semester
 160 credit hours at a community college.

161 (c) "Public postsecondary career certificate program" means
 162 a postsecondary program that: consists of 450 or more clock
 163 hours; is offered by a community college authorized by Florida
 164 law or a career center operated by a district school board under
 165 s. 1001.44; and terminates in a career certificate.

166 (3) (a) Student assistance grants through the program may be
 167 made only to certificate-seeking students enrolled at least half-
 168 time in a public postsecondary career certificate program who
 169 meet the general requirements for student eligibility as provided
 170 in s. 1009.40, except as otherwise provided in this section. The
 171 grants shall be awarded annually for the amount of demonstrated
 172 unmet need for the cost of education and may not exceed the

173 average annual cost of tuition and registration fees or such
174 other amount as specified in the General Appropriations Act to
175 any recipient. A demonstrated unmet need of less than \$200 shall
176 render the applicant ineligible for a grant under this section.
177 Recipients of the grants must have been accepted at a community
178 college authorized by Florida law or a career center operated by
179 a district school board under s. 1001.44. A student is eligible
180 for the award for 110 percent of the number of clock hours
181 required to complete the program in which enrolled.

182 (b) A student applying for a Florida public postsecondary
183 career education student assistance grant shall be required to
184 apply for the Pell Grant. A Pell Grant entitlement shall be
185 considered when conducting an assessment of the financial
186 resources available to each student; however, a Pell Grant
187 entitlement shall not be required as a condition of receiving a
188 grant under this section.

189 (c) Each participating institution shall report, to the
190 department by the established date, the eligible students to whom
191 grant moneys are disbursed each academic term. Each institution
192 shall also report to the department necessary demographic and
193 eligibility data for such students.

194 (4) (a) The funds appropriated for the Florida Public
195 Postsecondary Career Education Student Assistance Grant shall be
196 distributed to eligible community colleges and district school
197 boards in accordance with a formula approved by the department.

198 (b) Payment of Florida public postsecondary career
199 education student assistance grants shall be transmitted to the
200 president of the community college or to the district school
201 board superintendent, or to the designee thereof, in advance of

202 the registration period. Institutions shall notify students of
 203 the amount of their awards.

204 (c) The eligibility status of each student to receive a
 205 disbursement shall be determined by each institution as of the
 206 end of its regular registration period, inclusive of a drop-add
 207 period. Institutions shall not be required to reevaluate a
 208 student's eligibility status after this date for purposes of
 209 changing eligibility determinations previously made.

210 (d) Participating institutions shall certify to the
 211 department the amount of funds disbursed to each student and
 212 shall remit to the department any undisbursed advances by June 1
 213 of each year.

214 (5) The State Board of Education shall establish rules
 215 necessary to implement this section.

216 (6) This section shall be implemented only to the extent
 217 specifically funded and authorized by law.

218 Section 3. Section 1009.77, Florida Statutes, is amended to
 219 read:

220 1009.77 Florida Work Experience Program.--

221 (1) There is established the Florida Work Experience
 222 Program to be administered by the Department of Education. The
 223 purpose of the program is to introduce eligible students to work
 224 experience that will complement and reinforce their educational
 225 program and career goals and provide a self-help student aid
 226 program that reduces student loan indebtedness. Additionally, the
 227 program's opportunities for employment at a student's school will
 228 serve as a retention tool because students employed on campus are
 229 more likely to complete their postsecondary education. The Such
 230 program shall be available to:

231 (a) Any student attending a state university or community
 232 college authorized by Florida law; ~~or~~

233 (b) Any student attending a nonprofit Florida postsecondary
 234 education institution that is eligible to participate in either
 235 of the student assistance grant programs established in ss.
 236 1009.51 and 1009.52;

237 (c) Any postsecondary student attending a career center
 238 operated by a district school board under s. 1001.44; or

239 (d) Any student attending an educator preparation institute
 240 established under s. 1004.85. Such student may participate in
 241 this program despite having previously earned a baccalaureate
 242 degree.

243 (2) (a) A participating institution may use up to 100 ~~25~~
 244 percent of its program allocation for student employment within
 245 the institution.

246 (b) A participating institution may use up to 10 percent of
 247 its program allocation for program administration.

248 (3) Each participating institution is authorized to enter
 249 into contractual agreements with private or public employers for
 250 the purpose of establishing a Florida work experience program.

251 (4) The participating postsecondary educational institution
 252 shall be responsible for reimbursing employers for student wages
 253 from moneys it receives from the trust fund pursuant to
 254 subsection (11) ~~(8)~~. Public elementary or secondary school
 255 employers or postsecondary institution employers shall be
 256 reimbursed for 100 percent of the student's wages by the
 257 participating institution. All other employers may ~~shall~~ be
 258 reimbursed for up to 70 percent of the student's wages. When a
 259 college or university employs a student on campus through this

260 program, other student financial aid funds may not be used to
 261 fund the institution's ~~30-percent~~ portion of the student's wages.

262 (5) The employer is responsible for furnishing the full
 263 cost of any mandatory benefits. Such benefits may not be
 264 considered part of the ~~30-percent~~ wage requirement total for
 265 matching purposes.

266 (6) Each participating postsecondary educational
 267 institution is responsible for furnishing the full cost of all
 268 preemployment requirements, including, but not limited to,
 269 background screenings and tuberculosis testing, that are
 270 necessary for a student to be employed by a public elementary or
 271 secondary school employer. Expenditures under this subsection
 272 shall be paid from the funds received by the participating
 273 postsecondary educational institution from the trust fund under
 274 subsection (11).

275 (7) The employer is responsible for paying no less than the
 276 federal minimum wage established under the Fair Labor Standards
 277 Act or the state minimum wage established under s. 24, Art. X of
 278 the State Constitution and s. 448.110, whichever is greater.
 279 Employers are encouraged to pay students a competitive wage to
 280 increase student participation in this program.

281 (8)~~(6)~~ A student is eligible to participate in the Florida
 282 Work Experience Program if the student:

283 (a) Is enrolled:

284 1. At an eligible college or university as no less than a
 285 half-time undergraduate student in good standing;

286 2. In an eligible postsecondary career certificate program
 287 as no less than a half-time student in good standing. Eligible
 288 programs must be approved by the Department of Education and must

289 consist of no less than 450 clock hours of instruction. Such
 290 programs must be offered by a career center operated by a
 291 district school board under s. 1001.44 or a community college; or
 292 3. At an educator preparation institute established under
 293 s. 1004.85 as no less than a half-time student in good standing.

294
 295 However, a student may be employed during the break between two
 296 consecutive terms or employed, although not enrolled, during a
 297 term if the student was enrolled at least half time during the
 298 preceding term and preregisters as no less than a half-time
 299 student for the subsequent academic term. A student who attends
 300 an institution that does not provide preregistration shall
 301 provide documentation of intent to enroll as no less than a half-
 302 time student for the subsequent academic term.

303 (b) Meets the general requirements for student eligibility
 304 as provided in s. 1009.40, except as otherwise provided in this
 305 section.

306 (c) Demonstrates financial need.

307 (d) Maintains the equivalent of a 2.0 cumulative grade
 308 point average of a 2.0 on a 4.0 scale ~~for all college work.~~

309 (9) (7) The State Board of Education shall adopt ~~prescribe~~
 310 ~~such~~ rules for the program as are necessary for its
 311 administration, for the determination of eligibility and
 312 selection of institutions to receive funds for students, to
 313 ensure the proper expenditure of funds, and to provide an
 314 equitable distribution of funds between students at public and
 315 independent colleges and universities and career centers operated
 316 by district school boards under s. 1001.44 .

317 (10) A participating institution that receives funds from

318 the program shall certify to the department the amount of funds
 319 disbursed to each student within 30 days after the end of each
 320 term.

321 (11) ~~(8)~~ Funds appropriated by the Legislature for the
 322 Florida Work Experience Program may ~~shall~~ be deposited in the
 323 State Student Financial Assistance Trust Fund. The Chief
 324 Financial Officer shall authorize expenditures from the trust
 325 fund upon receipt of vouchers approved by the department ~~of~~
 326 ~~Education~~. Any balance remaining therein at the end of any fiscal
 327 year that has been allocated to the program shall remain therein
 328 and shall be available for carrying out the purposes of the
 329 program.

330 Section 4. For fiscal year 2007-2008, the sum of \$2,600,000
 331 in non-recurring funds is appropriated from the Student Loan
 332 Operating Trust Fund to the Florida Public Postsecondary Career
 333 Education Student Assistance Grant Program to fund student
 334 assistance grants under s. 1009.505, Florida Statutes.

335 Section 5. For fiscal year 2007-2008, the sum of \$500,000
 336 in non-recurring funds is appropriated from the Student Loan
 337 Operating Trust Fund to the Florida Work Experience Program to
 338 fund participation by postsecondary career certificate students
 339 enrolled at a community college or career center operated by a
 340 district school board under s. 1001.44, Florida Statutes, and by
 341 students enrolled in an educator preparation institute under s.
 342 1004.85, Florida Statutes.

343 Section 6. This act shall take effect July 1, 2007.