

## Council Substitute for House Bill No. 343

An act relating to public postsecondary need-based student financial assistance; amending s. 1009.40, F.S.; requiring state residency for a public postsecondary career education student assistance grant; revising eligibility criteria for the renewal of specified financial aid awards; creating s. 1009.505 F.S.; creating the Florida Public Postsecondary Career Education Student Assistance Grant Program; providing for program administration; defining terms; providing that grants are available to specified students in specified postsecondary career certificate programs; providing for annual grant amounts; providing eligibility criteria for career certificate students; requiring reporting by participating institutions; providing for distribution of appropriated funds; providing for transmittal of grant payments to community college presidents or district school superintendents; providing for period of eligibility; requiring participating institutions to certify amounts disbursed to students; requiring the State Board of Education to adopt rules; providing that the program shall only be implemented to the extent funded and authorized by law; amending s. 1009.77, F.S.; revising the purpose of the Florida Work Experience Program; providing that the program is available to students in specified career education programs and educator preparation institutes; authorizing a participating institution to use up to 100 percent of its allocation for student employees within the institution and to reimburse itself for 100 percent of the student wages; lowering the percentage of student wages that must be reimbursed to employers; providing that participating postsecondary educational institutions must pay for specified preemployment expenses for students employed with public schools; requiring employers to pay specified wages; prescribing student eligibility requirements; providing for distribution of funds; requiring certification of funds disbursed to students; removing provisions that require funds appropriated for the program to be deposited in the State Student Financial Assistance Trust Fund and that specify Chief Financial Officer responsibilities; removing provision that requires program balances to be retained; providing an effective date.

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

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

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

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

WHEREAS, students who are willing to work for their need-based financial aid in a field for which they are studying is of benefit to the student, the employer, and the state, NOW, THEREFORE,

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

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

1009.40 General requirements for student eligibility for state financial aid.—

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

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

2. Residency in this state for no less than 1 year preceding the award of aid for a program established pursuant to s. 1009.50, ~~s. 1009.505~~, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.54, s. 1009.56, s. 1009.57, s. 1009.60, s. 1009.62, s. 1009.63, s. 1009.68, s. 1009.72, s. 1009.73, s. 1009.76, s. 1009.77, or s. 1009.89. Residency in this state must be for purposes other than to obtain an education. Resident status for purposes of receiving state financial aid awards shall be determined in the same manner as resident status for tuition purposes pursuant to s. 1009.21 and rules of the State Board of Education.

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

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

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

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

2. A student who earns the minimum number of credits required for renewal, but who fails to meet the minimum 2.0 cumulative grade point average, may be granted a probationary award for up to the equivalent of 1 academic year and shall be required to earn a cumulative grade point average of 2.0 on a 4.0 scale by the end of the probationary period to be eligible for subsequent renewal. A student who receives a probationary award and who fails to meet the conditions for renewal by the end of his or her probationary period shall be ineligible to receive additional awards for the equivalent of 1 academic year following his or her probationary period. Each such student may, however, reapply for assistance during a subsequent application period and may be eligible for an award if he or she has earned a cumulative grade point average of 2.0 on a 4.0 scale.

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

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

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

1009.505 Florida Public Postsecondary Career Education Student Assistance Grant Program.—

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

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

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

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

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

(3)(a) Student assistance grants through the program may be made only to certificate-seeking students enrolled at least half-time in a public postsecondary career certificate program who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. The grants shall be awarded annually to any recipient for the amount of demonstrated unmet need for the cost of education and may not exceed the average annual cost of tuition and registration fees or such other amount as specified in the General Appropriations Act. A demonstrated unmet need of less than \$200 shall render the applicant ineligible for a grant under this section. Recipients of the grants must have been accepted at a community college authorized by Florida law or a career center operated by a district school board under s. 1001.44. A student is eligible for the award for 110 percent of the number of clock hours required to complete the program in which enrolled.

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

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

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

(b) Payment of Florida public postsecondary career education student assistance grants shall be transmitted to the president of the community college or to the district school superintendent, or to the designee thereof, in advance of the registration period. Institutions shall notify students of the amount of their awards.

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

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

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

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

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

1009.77 Florida Work Experience Program.—

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

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

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

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

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

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

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

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

(4) The participating postsecondary educational institution shall be responsible for reimbursing employers for student wages from its program allocation moneys it receives from the trust fund pursuant to subsection (8). ~~Public elementary or secondary school employers or postsecondary institution employers~~ shall be reimbursed for 100 percent of the student's wages

by the participating institution. All other employers ~~may~~ shall be reimbursed for up to 70 percent of the student's wages. When a college or university employs a student on campus through this program, other student financial aid funds may not be used to fund the institution's ~~30-percent~~ portion of the student's wages.

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

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

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

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

(a) Is enrolled;

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

2. In an eligible postsecondary career certificate program as no less than a half-time student in good standing. Eligible programs must be approved by the Department of Education and must consist of no less than 450 clock hours of instruction. Such programs must be offered by a career center operated by a district school board under s. 1001.44 or by a community college; or

3. At an educator preparation institute established under s. 1004.85 as no less than a half-time student in good standing.

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

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

(c) Demonstrates financial need.

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

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

(10) A participating institution that receives funds from the program shall certify to the department the amount of funds disbursed to each student within 30 days after the end of each term.

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

Section 4. This act shall take effect July 1, 2007.

Approved by the Governor June 12, 2007.

Filed in Office Secretary of State June 12, 2007.