

Committee Substitute for Senate Bill No. 638

An act relating to student tuition assistance; creating the Access to Better Learning and Education Grant Program; providing legislative findings with respect to education provided by for-profit colleges and universities; providing for the Department of Education to administer the grant program; providing requirements for eligibility; providing for an annual appropriation; requiring institutions to remit undisbursed funds to the department; limiting the period a student may receive a grant; providing for implementation only to the extent funded and authorized by law; providing an effective date.

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

Section 1. The Access to Better Learning and Education Grant Program.—

(1) The Legislature finds and declares that independent for-profit colleges and universities eligible to participate in the Access to Better Learning and Education Grant Program are an integral part of the higher education system in this state and that a significant number of state residents choose this form of higher education. The Legislature further finds that strong, viable independent for-profit colleges and universities reduce the tax burden on the residents of the state. Because the Access to Better Learning and Education Grant Program is not related to a student's financial need or other criteria upon which financial aid programs are based, it is the intent of the Legislature that the Access to Better Learning and Education Grant Program not be considered a financial aid program but rather a tuition assistance program for state residents.

(2) The Access to Better Learning and Education Grant Program shall be administered by the Department of Education. The State Board of Education shall adopt rules for administering the program.

(3) The department shall issue an access grant to any full-time student seeking a baccalaureate degree who is registered at a for-profit college or university that is located in and chartered by the state and that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or who is registered at a nonprofit college or university that is chartered out of the state, that has been located in the state for 10 years or more, and that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools, the Middle States Association of Colleges and Schools, the North Central Association of Colleges and Schools, or the New England Association of Colleges and Schools; that grants baccalaureate degrees; that is not a state university or state community college; and that has a secular purpose, if 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 sect. Institutions eligible for the Access to Better Learning and Education Grant Program in the initial year of funding shall include only

those for-profit colleges or universities identified in this subsection. Non-profit colleges or universities identified in this subsection shall be eligible for financial support in the second year of funding.

(4) A person is eligible to receive an access grant if:

(a) He or she meets the general requirements, including residency, for student eligibility as provided in section 1009.40, Florida Statutes, except as otherwise provided in this section; and

(b)1. He or she is enrolled as a full-time undergraduate student at an eligible college or university in a program of study leading to a baccalaureate degree;

2. He or she is not enrolled in a program of study leading to a degree in theology or divinity; and

3. He or she is making satisfactory academic progress as defined by the college or university in which he or she is enrolled.

(5)(a) The amount of the access grant issued to a full-time student shall be an amount specified in the General Appropriations Act. The access grant may be paid on a prorated basis in advance of the registration period. The department shall make payments to the college or university in which the student is enrolled for credit to the student's account for payment of tuition and fees. Institutions shall certify to the department the amount of funds disbursed to each student and shall remit to the department any undisbursed advances or refunds within 60 days after the end of regular registration. A student may not receive the award for more than 9 semesters or 14 quarters, except as otherwise provided in section 1009.40(3), Florida Statutes.

(b) If the combined amount of the access grant issued pursuant to this section and all other scholarships and grants for tuition or fees exceeds the amount charged to the student for tuition and fees, the department shall reduce the grant issued under this section by an amount equal to the excess.

(6) If the number of eligible students exceeds the total authorized in the General Appropriations Act, an institution may use its own resources to assure that each eligible student receives the full benefit of the grant amount authorized.

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

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 2, 2003.

Filed in Office Secretary of State June 2, 2003.