

1                   A bill to be entitled  
 2           An act relating to the William L. Boyd, IV, Effective  
 3           Access to Student Education grants; amending s.  
 4           1009.89, F.S.; revising legislative findings;  
 5           providing that tuition assistance through the program  
 6           shall be based on specified performance metrics and  
 7           tiers; revising eligibility criteria for institutions  
 8           and persons to participate in the program; revising  
 9           the requirements for a specified report institutions  
 10          must annually submit; providing for annual minimum  
 11          performance benchmarks and standards; providing  
 12          requirements for such benchmarks and standards;  
 13          requiring the legislature to annually adopt benchmarks  
 14          and standards for specified purposes and evaluate  
 15          institutions based on such benchmarks for tier  
 16          placement; providing funding requirements for such  
 17          institutions based on such tiers; providing an  
 18          effective date.

19  
 20 Be It Enacted by the Legislature of the State of Florida:

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 22           Section 1.   Section 1009.89, Florida Statutes, is amended  
 23   to read:  
 24           1009.89   The William L. Boyd, IV, Effective Access to  
 25   Student Education grants.—

26 (1) The Legislature finds and declares that independent  
27 nonprofit colleges and universities eligible to participate in  
28 the William L. Boyd, IV, Effective Access to Student Education  
29 Grant Program are an integral part of the higher education  
30 system in this state and that a significant number of state  
31 residents choose this form of higher education. The Legislature  
32 further finds that a strong and viable system of high-performing  
33 independent nonprofit colleges and universities reduces the tax  
34 burden on the citizens of the state. Because the William L.  
35 Boyd, IV, Effective Access to Student Education Grant Program is  
36 not related to a student's financial need or other criteria upon  
37 which financial aid programs are based, but is instead based on  
38 specified performance metrics for each eligible institution, it  
39 is the intent of the Legislature that the William L. Boyd, IV,  
40 Effective Access to Student Education Grant Program not be  
41 considered a financial aid program but rather a tuition  
42 assistance program for its citizens. Such tuition assistance  
43 shall be tiered based on each eligible institution's performance  
44 metrics.

45 (2) The William L. Boyd, IV, Effective Access to Student  
46 Education Grant Program shall be administered by the Department  
47 of Education. The State Board of Education shall adopt rules for  
48 the administration of the program.

49 (3) An institution is eligible to participate in the  
50 ~~department shall issue through the program~~ a William L. Boyd,

51 IV, Effective Access to Student Education grant program if the  
52 institution is ~~to any full-time degree-seeking undergraduate~~  
53 ~~student registered at~~ an independent nonprofit college or  
54 university ~~which is~~ located in and chartered by the state; ~~which~~  
55 is accredited by the Commission on Colleges of the Southern  
56 Association of Colleges and Schools; ~~which~~ grants baccalaureate  
57 degrees; ~~which~~ is not a state university or Florida College  
58 System institution; is in compliance with the reporting,  
59 disclosure, and transparency requirements of this section and  
60 other general law; and ~~which~~ has a secular purpose, so long as  
61 the receipt of state aid by students at the institution would  
62 not have the primary effect of advancing or impeding religion or  
63 result in an excessive entanglement between the state and any  
64 religious sect.

65 (4) A person is eligible to receive such William L. Boyd,  
66 IV, Effective Access to Student Education grant if:

67 (a) He or she meets the general requirements, including  
68 residency, for student eligibility as provided in s. 1009.40,  
69 except as otherwise provided in this section.

70 (b)1. He or she is enrolled as a full-time undergraduate  
71 student at an eligible college or university that is ranked Tier  
72 1 or Tier 2 under paragraph (6)(a) in a program of study leading  
73 to a baccalaureate degree.

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

76           3. He or she is making satisfactory academic progress as  
77 defined by the State Board of Education.

78           4. He or she has not completed more than 110 percent of  
79 the degree program in which he or she is enrolled.

80           (5)(a) Funding for the William L. Boyd, IV, Effective  
81 Access to Student Education Grant Program for eligible  
82 institutions shall be as provided in the General Appropriations  
83 Act. The William L. Boyd, IV, Effective Access to Student  
84 Education grant may be paid on a prorated basis in advance of  
85 the registration period. The department shall make such payments  
86 to the college or university in which the student is enrolled  
87 for credit to the student's account for payment of tuition and  
88 fees. Institutions shall certify to the department the amount of  
89 funds disbursed to each student and shall remit to the  
90 department any undisbursed advances or refunds within 60 days of  
91 the end of regular registration. A student is not eligible to  
92 receive the award for more than 9 semesters or 14 quarters,  
93 except as otherwise provided in s. 1009.40(3).

94           (b) If the combined amount of the William L. Boyd, IV,  
95 Effective Access to Student Education grant issued pursuant to  
96 this act and all other scholarships and grants for tuition or  
97 fees exceeds the amount charged to the student for tuition and  
98 fees, the department shall reduce the William L. Boyd, IV,  
99 Effective Access to Student Education grant issued pursuant to  
100 this act by an amount equal to such excess.

101 (c) By September 1 of each year, institutions ~~receiving~~  
 102 ~~funding as provided in the General Appropriations Act~~ must  
 103 submit an Effective Access to Student Education Grant Program  
 104 Accountability Report to the Department of Education, in a  
 105 format prescribed by the department. The institution's president  
 106 or chief administrative officer shall certify in the report,  
 107 that the institution is in compliance with the reporting,  
 108 disclosure, and transparency requirements of this section and  
 109 other general law and that the institution has provided each  
 110 resident student with data on its performance on the metrics  
 111 listed in this paragraph, the student's net cost to complete his  
 112 or her degree, and, for students that have declared a major, the  
 113 declared major's expected earnings outcomes 1, 5, and 10 years  
 114 after graduation. The report must also use the most recently  
 115 available information on Florida resident students and include,  
 116 at a minimum, the following performance metrics, by institution:  
 117 1. Access rate based upon percentage of Pell Grant-  
 118 eligible students.  
 119 2. Affordability rate based upon average student loan  
 120 debt; federal, state, and institutional financial assistance;  
 121 and average tuition and fees.  
 122 3. Graduation rate.  
 123 4. Retention rate.  
 124 5. Postgraduate employment or continuing education rate.  
 125 6. Workforce graduation rate based upon the percentage of

126 grant recipient graduates in high-demand programs that are  
127 included on the Department of Economic Opportunity or Labor  
128 Market Estimating Conference lists for statewide or regional  
129 demand as a percentage of total grant recipient graduates.

130 7. Workforce employment rate based on the percentage of  
131 grant recipient graduates who obtain employment in their field  
132 of study within 120 days after graduation as a percentage of  
133 total graduates employed within 120 days after graduation.

134  
135 ~~The department shall recommend minimum performance standards~~  
136 ~~that institutions must meet to remain eligible to receive grants~~  
137 ~~pursuant to this section.~~ Each eligible institution shall post  
138 prominently on its website, by October 1 of each year, its  
139 performance on these metrics, as reported to the department.

140 (d) By October 1 of each year, the department shall submit  
141 a report to the chair of the House Appropriations Committee, the  
142 chair of the Senate Appropriations Committee, and the Governor's  
143 Office of Policy and Budget on the performance of each eligible  
144 institution. The report must also recommend annual minimum  
145 performance benchmarks for the performance metrics in paragraph  
146 (c) and strategies to ensure continuous improvement of eligible  
147 institutions and the program. The minimum performance benchmarks  
148 included in the report must increase annually.

149 (e) For fiscal year 2023-2024, the benchmarks and minimum  
150 standards for each benchmark are as follows:

- 151 |       1. An access rate of 32 percent.
- 152 |       2. An affordability rate of \$7,263.
- 153 |       3. A graduation rate of 45 percent.
- 154 |       4. A retention rate of 65 percent.
- 155 |       5. A postgraduate employment or continuing education rate
- 156 | of 64 percent.

157 |       (f) Beginning with the 2024-2025 General Appropriations  
 158 | Act and thereafter, the Legislature must also consider each  
 159 | institution's workforce employment rate when determining  
 160 | institutional eligibility ~~institutions and the institutions that~~  
 161 | ~~have not met the minimum performance standards recommended by~~  
 162 | ~~the department.~~

163 |       (6) (a) Each year, the Legislature shall adopt benchmarks  
 164 | and minimum standards specified in the General Appropriations  
 165 | Act and shall evaluate each institution's performance based on  
 166 | such benchmarks and place each institution in one of three tiers  
 167 | for the purpose of determining award amounts. The tiers are  
 168 | established as follows:

169 |       1. Tier 1: an institution that meets the requirements of a  
 170 | Tier 2 institution and also meets or exceeds a workforce  
 171 | graduation rate of 56 percent.

172 |       2. Tier 2: an institution that meets or exceeds at least 3  
 173 | out of 5 benchmarks.

174 |       3. Tier 3: an institution that meets no more than 2 out of  
 175 | 5 benchmarks.

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176        (b) The per student award amounts for each tier shall be  
177 as follows:

178        1. Tier 1: \$500 more than the Tier 2 per student award  
179 amount.

180        2. Tier 2: As specified in the General Appropriations Act.

181        3. Tier 3: \$0.

182        ~~(7)(6)~~ If the number of eligible students exceeds the  
183 total authorized in the General Appropriations Act, an  
184 institution may use its own resources to assure that each  
185 eligible student receives the full benefit of the grant amount  
186 authorized.

187        ~~(8)(7)~~ The State Board of Education shall adopt rules to  
188 implement this section.

189        Section 2. This act shall take effect July 1, 2023.