

By Senator Kirkpatrick

5-1089-98

1                                   A bill to be entitled  
2           An act relating to the Florida Bright Futures  
3           Scholarship Program; amending s. 240.40201,  
4           F.S.; allowing certain institutions of higher  
5           education which are located out of this country  
6           or state to qualify as eligible institutions;  
7           requiring the Department of Education to make a  
8           reasonable effort to notify certain military  
9           personnel about the program; amending s.  
10          240.40204, F.S.; providing requirements for  
11          institutional eligibility for institutions that  
12          are located outside this country or state;  
13          amending s. 240.404, F.S.; specifying  
14          requirements for student eligibility; providing  
15          an effective date.

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

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19           Section 1. Subsections (1) and (3) of section  
20          240.40201, Florida Statutes, are amended to read:

21           240.40201 Florida Bright Futures Scholarship  
22          Program.--

23           (1) The Florida Bright Futures Scholarship Program is  
24          created to establish a lottery-funded scholarship program to  
25          reward any Florida high school graduate who merits recognition  
26          of high academic achievement and who enrolls in an eligible  
27          ~~Florida~~ public or private postsecondary education institution  
28          within 3 years of graduation from high school. To qualify as  
29          eligible, an institution must be located in this state, except  
30          that an educational institution located in a state or country  
31          in which a Florida resident is stationed as a member of the

1 military is eligible, with respect to an otherwise eligible  
2 child of that armed-forces member, as long as the institution  
3 conforms to the other requirements for eligibility which are  
4 set forth in s. 240.40204(6).

5 (3) The Department of Education shall administer the  
6 Bright Futures Scholarship Program according to rules and  
7 procedures established by the Commissioner of Education. A  
8 single application must be sufficient for a student to apply  
9 for any of the three types of awards. The department must  
10 advertise the availability of the scholarship program and must  
11 notify students, teachers, parents, guidance counselors, and  
12 principals or other relevant school administrators of the  
13 criteria and application procedures. In addition to notifying  
14 specified residents of this state, the department must make a  
15 reasonable effort to notify military personnel who are Florida  
16 residents but are residing out of state or out of the United  
17 States about the scholarship program, so that the children of  
18 such military personnel may apply for scholarships under the  
19 program.The department must begin this process of  
20 notification no later than January 1 of each year.

21 Section 2. Subsection (6) is added to section  
22 240.40204, Florida Statutes, to read:

23 240.40204 Florida Bright Futures Scholarship Program;  
24 eligible postsecondary education institutions.--A student is  
25 eligible for an award or the renewal of an award from the  
26 Florida Bright Futures Scholarship Program if the student  
27 meets the requirements for the program as described in this  
28 act and is enrolled in a postsecondary education institution  
29 that meets the description in any one of the following  
30 subsections:  
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1           (6) A public university, community college, or  
2 technical center located in another state, or in a country  
3 other than the United States, in which is stationed a member  
4 of the United States armed forces who is the parent of a child  
5 who is eligible for the scholarship program and is enrolled in  
6 that university, community college, or technical school. In  
7 order to be a qualified institution under this subsection, an  
8 educational institution must be accredited by an accrediting  
9 agency approved by the department, must show evidence of sound  
10 financial condition, and must have operated in that state or  
11 country for at least the 3 years preceding the enrollment of  
12 such an eligible scholar without having its approval,  
13 accreditation, or license placed on probation.

14           Section 3. Paragraph (a) of subsection (1) of section  
15 240.404, Florida Statutes, is amended to read:

16           240.404 General requirements for student eligibility  
17 for state financial aid.--

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

21           1. Achievement of the academic requirements of and  
22 acceptance at a state university or community college; a  
23 nursing diploma school approved by the Florida Board of  
24 Nursing; a Florida college, university, or community college  
25 which is accredited by a member of the Commission on  
26 Recognition of Postsecondary Accreditation; any Florida  
27 institution the credits of which are acceptable for transfer  
28 to state universities; any area technical center; ~~or~~ any  
29 private vocational-technical institution accredited by a  
30 member of the Commission on Recognition of Postsecondary  
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1 Accreditation; or any out-of-state institution that meets the  
2 requirements of s. 240.40204(6).

3           2. Residency in this state for no less than 1 year  
4 preceding the award of aid for a program established pursuant  
5 to s. 240.409, s. 240.4095, s. 240.4097, s. 240.412, s.  
6 240.4125, s. 240.413, s. 240.4987, s. 240.605, or s. 240.606.  
7 Residency in this state must be for purposes other than to  
8 obtain an education. Resident status for purposes of receiving  
9 state financial aid awards shall be determined in the same  
10 manner as resident status for tuition purposes pursuant to s.  
11 240.1201 and rules of the State Board of Education.

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

24           Section 4. This act shall take effect July 1, 1998.  
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SENATE SUMMARY

Amends provisions of the Florida Bright Futures Scholarship Program. Allows children of military personnel who are Florida residents but are stationed outside this country or state to qualify for the scholarship program and to attend out-of-state institutions located in the state or country where the parent is stationed. Requires the Department of Education to make a reasonable effort to notify military personnel who are stationed out of state about this program.