

# FLORIDA DEPARTMENT OF EDUCATION



Gerard Robinson  
Commissioner of Education

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## MEMORANDUM

OSFA-STATE: #11-12:10

**TO:** Financial Aid Directors at Institutions Participating in  
State Scholarship and Grant Programs

**FROM:** Levis Hughes

**DATE:** March 8, 2012

**SUBJECT:** Federal Ability to Benefit (ATB) and State of Florida Financial Aid Eligibility

The Consolidated Appropriations Act, 2012, amended Title IV student financial aid programs. Section 484(d) of the Higher Education Act of 2008 was amended to eliminate the Ability to Benefit (ATB) federal student aid eligibility provision. Under this new provision, students who enroll in a career and technical certificate or degree program without a high school diploma or its equivalent, beginning on or after July 1, 2012, will be ineligible for Title IV funds. According to Assistant General Counsel with the Florida Department of Education, applicants for need-based state aid may be impacted on a limited basis by the elimination of the ATB provision.

The ATB provision will affect students receiving state of Florida scholarship and grant programs, as noted below:

- Under Sections 1009.50, .505, .51, and .52, Florida Statutes, (**Florida Public Student Assistance Grant (FSAG), Florida Public Postsecondary Career Education Student Assistance Grant, Florida Private Student Assistance Grant, and Florida Postsecondary Student Assistance Grant**, respectively), students who are admitted to a postsecondary education institution without a high school diploma must apply for the Pell Grant via an error-free Free Application for Federal Student Aid (FAFSA). These students are eligible for the FSAG programs even though they do not qualify for the Pell Grant.

LEVIS HUGHES  
CHIEF OF STUDENT FINANCIAL ASSISTANCE

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- Under Section 1009.77, Florida Statutes, **Florida Work Experience Program (FWEP)**, students who are admitted to a postsecondary education institution without a high school diploma will be given lower priority than students who have qualified for a Pell Grant. FWEP provides for first priority of funding to be given to students who demonstrate need by qualifying for and receiving federal Pell Grant funds.
- Under Section 1009.701, Florida Statutes, **First Generation Matching Grant (FGMG)**, students are required to meet the eligibility requirements in Section 1009.50, Florida Statutes, FSAG. Like FWEP, FGMG provides for first priority of funding to be given to students who demonstrate need by qualifying for and receiving federal Pell Grant funds.

Although other state programs (Bright Futures, José Martí, Florida Resident Access Grant, Access to Better Learning and Education Grant, and Rosewood Family Scholarship) require students to file the FAFSA, Pell eligibility is not considered. The ATB provision does not affect home-educated students.

Should you have any questions about the ATB provisions and state scholarship and grant programs, you may contact Hollis Key, Decentralized Programs, at 850-410-5183, or your Outreach Representative.