



Post-It™ brand fax transmittal memo 7671		# of pages <u>2</u>
To <u>Guy Robinson</u>	From <u>West Perez</u>	
Co.	Co.	
Dept.	Phone #	
Fax # <u>473-4496</u>	Fax #	

FLORIDA DEPARTMENT OF EDUCATION

Doug Jamerson
Commissioner of Education

September 27, 1994

MEMORANDUM

TO: Members, State Board of Education

FROM: Doug Jamerson *Doug Jamerson*

SUBJECT: Proposed Amendment to Proposed Rule 6A-20.027, FAC.

Based on staff recommendation, I recommend an amendment to Proposed Rule 6A-20.027. The proposed change is in paragraph (8)(a). The beginning sentence will be amended to read:

A direct descendant of an African-American Rosewood family is an applicant whose ancestor is a member of a family identified as an affected Rosewood resident as provided in Sections 3 and/or 4 of CS/HB 591, as enacted by the 1994 Legislature.

I recommend approval of the rule as amended.

cga

Attachment

14-16

Tallahassee, Florida 32399

This is a new rule.

6A-20.027 Rosewood Family Scholarship Fund.

(1) General eligibility criteria for awards. To receive aid, a student shall meet the provisions of Sections 240.404, 240.4042, 240.4045, and 240.4126, Florida Statutes, and Rules 6A-20.001, 6A-20.004, 6A-20.005, and 6A-20.006, FAC., and:

(a) Be a minority individual belonging to one (1) of the following race/ethnic categories: Black, not of Hispanic origin; Hispanic; Asian or Pacific Islander; American Indian or Alaskan native.

(b) If an initial or reinstatement applicant, submit a completed application to the Department, Form RFS-1, Rosewood Family Scholarship Application, by the established deadlines. Form RFS-1 is hereby incorporated by reference and made a part of this rule to become effective October, 1994. A copy of Form RFS-1 may be obtained from the Office of Student Financial Assistance, Department of Education, The Florida Education Center, Tallahassee, Florida 32399-0400.

1. For the 1994-95 academic year, a completed Form RFS-1 must be postmarked to the Department no later than November 1, 1994.

2. For the 1995-96 and subsequent academic years, a completed Form RFS-1 must be postmarked no later than April 1 prior to the academic year for which the award is sought.

(c) Submit to the appropriate processor a completed need analysis document which is designed to use the need analysis methodology currently approved by the U.S. Congress:



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(c) Submit to the appropriate processor a completed need analysis document which is designed to use the need analysis methodology currently approved by the U.S. Congress:



ROBERT A. BUTTERWORTH
Attorney General
State of Florida

From the Desk of...

GUY DAVID ROBINSON
Assistant Attorney General

September 9, 1994

Dear Kent,

Attached are correspondences from the Department of Education and Steve Hanlon. There still exists a minor problem regarding the scholarship situation.

DOE needs to change the "and" in their rule to and "or". Curtis Richardson from DOE has been copied with this information.

We will continue to keep you abreast of any developments as we become aware of them.

Guy

LAW OFFICES

HOLLAND & KNIGHT

FORT LAUDERDALE
JACKSONVILLE
LAKELAND
MIAMI
ORLANDO
ST. PETERSBURG
TALLAHASSEE
TAMPA
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WASHINGTON, D.C.

315 SOUTH CALHOUN STREET
P.O. DRAWER 810 (ZIP 32302-0810)
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SPECIAL COUNSEL
SHAW, LICITRA,
PARENTE, ESERNIO
& SCHWARTZ, P.C.
GARDEN CITY, NY
NEW YORK, NY

August 1, 1994

Joy C. Frank
Executive Staff Director
Florida Department of Education
The Capitol
Tallahassee, Florida 32399

Dear Ms. Frank:

Thank you for your July 6, 1994 letter enclosing the Emergency Rule relating to Rosewood Scholarships which was approved by the State Board of Education on June 28, 1994. In reviewing the provisions of the Emergency Rule, I have some concern about the provisions of Section (8)(a) on page 5 of that rule, defining a direct descendant as "an applicant whose ancestor is a member of a family paid compensation for property loss or a member of a family identified as an affected Rosewood resident as provided in Sections 3 and 4 of CS/HB 591, as enacted by the 1994 Legislature." (emphasis added).

My concern with that definition is that it appears to require that the ancestor either be paid compensation for property loss or be identified as an affected Rosewood resident in both Sections 3 and 4 of the bill. Section 3 of the bill refers to compensation for property losses and Section 4 of the bill refers to compensation for survivors who were present and affected by the violence that took place at Rosewood. It is clear that such a result was not intended by the Legislature. Section 5 of the bill refers only to "the direct descendants of the Rosewood families."

RECEIVED

AUG 3 1994

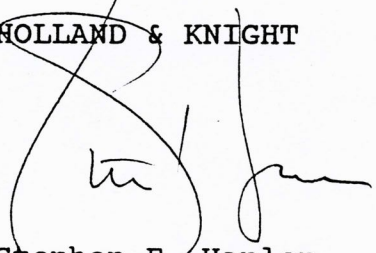
DEPARTMENT OF LEGAL AFFAIRS
HOLLAND & KNIGHT
TALLAHASSEE

Ms. Joy Frank
August 1, 1994
Page 2

I am most hopeful that this problem will be corrected in the final rule. I would appreciate your calling me about this matter at your earliest opportunity.

Very truly yours,

HOLLAND & KNIGHT



Stephen F. Hanlon

SFH/kp

cc: ✓ Gregory Durden, Esquire
Chief of Civil Rights,
Office of the Attorney General

LAW OFFICES

HOLLAND & KNIGHT

ATLANTA
FORT LAUDERDALE
JACKSONVILLE
LAKE LAND
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315 SOUTH CALHOUN STREET
P.O. DRAWER 810 (ZIP 32302-0810)
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FAX (904) 224-8832

SPECIAL COUNSEL

SHAW, LICITRA,
PARENTE, ESERNIO
& SCHWARTZ, P.C.

GARDEN CITY, NY
NEW YORK, NY

September 1, 1994

Gregory Durden, Esquire
Chief of Civil Rights
Office of the Attorney General
4000 Hollywood Blvd.
505-South
Hollywood, Florida 33021

Re: Rosewood Claims

Dear Greg:

Enclosed please find a copy of Joy Frank's August 18, 1994 letter concerning revisions to the rule pertaining to Rosewood scholarships.

My initial reading of the revisions in paragraph (8)(a) leads me to believe that the problem we are concerned about still has not been addressed.

After you have had a chance to review the new rule, please call me and we can discuss this matter.

Thank you again for the excellent efforts being put forth by your office in the entire claims bill process.

Sincerely,

HOLLAND & KNIGHT


Stephen F. Hanlon

SFH/jc

Enclosure

TAL-49423

RECEIVED

SEP 06 1994

DEPARTMENT OF LEGAL AFFAIRS
HOLLYWOOD OFFICE
Civil Rights



FLORIDA DEPARTMENT OF EDUCATION

Doug Jamerson
Commissioner of Education

August 18, 1994

Mr. Stephen F. Hanlon
Holland & Knight
315 South Calhoun Street
P.O. Drawer 810
Tallahassee, FL 32302-0810

Dear Mr. Hanlon:

In response to your concerns and those of Mr. Gregory Durden of the Attorney General's office, the definition of direct descendant has been revised for inclusion in the permanent rule. The revised language is in paragraph (8)(a) of the attached page 6.

For your information, the applications should be mailed out this Friday, August 19th, to the approximately 300 names and addresses submitted to the Attorney General's office. Arnett Doctor will also receive several applications. Finally, the public postsecondary institutions will receive application information.

If you have any questions, please feel free to contact me.

Sincerely,

Joy C. Frank
Executive Staff Director

cc: Larry Arnold
Linda Whitefeather
Cecil Golden
Barbara Staros



This is a new rule.

6A-20.027 Rosewood Family Scholarship Fund.

(1) General eligibility criteria for awards. To receive aid, a student shall meet the provisions of Sections 240.404, 240.4042, 240.4045, and 240.4126, Florida Statutes, and Rules 6A-20.001, 6A-20.004, 6A-20.005, and 6A-20.006, FAC., and:

(a) Be a minority individual belonging to one (1) of the following race/ethnic categories: Black, not of Hispanic origin; Hispanic; Asian or Pacific Islander; American Indian or Alaskan native.

(b) If an initial or reinstatement applicant, submit a completed application to the Department, Form RFS-1, Rosewood Family Scholarship Application, by the established deadlines. Form RFS-1 is hereby incorporated by reference and made a part of this rule to become effective October, 1994. A copy of Form RFS-1 may be obtained from the Office of Student Financial Assistance, Department of Education, The Florida Education Center, Tallahassee, Florida 32399-0400.

1. For the 1994-95 academic year, a completed Form RFS-1 must be postmarked to the Department no later than November 1, 1994.

2. For the 1995-96 and subsequent academic years, a completed Form RFS-1 must be postmarked no later than April 1 prior to the academic year for which the award is sought.

(c) Submit to the appropriate processor a completed need analysis document which is designed to use the need analysis methodology currently approved by the U.S. Congress:

1. For the 1994-95 academic year, out-of-state applicants must postmark a copy of the student aid report (SAR) received from the need analysis agency with the application by November 1. All Florida residents must submit the need analysis document in sufficient time for it to be considered by November 1.

2. For the 1995-96 and subsequent academic years, a Florida resident must submit the need analysis document in time for it to be processed by the U.S. Department of Education no later than May 15.

3. For the 1995-96 and subsequent academic years, a non-Florida resident, must postmark a copy of the SAR received from the need analysis agency to the Department no later than May 15.

(d) Be enrolled in an undergraduate degree or certificate program at a state university, state community college, or state postsecondary vocational-technical school. A certificate-seeking student must be enrolled in a program that requires a minimum of nine hundred (900) clock hours to complete.

(e) At the end of the regular registration period, inclusive of the drop add period for each academic term for which aid is received, an eligible student shall be:

1. Enrolled for a minimum of twelve (12) credits for a degree program or

2. Enrolled for a minimum of twenty-four (24) clock hours per week for a certificate program, to include the Associate in Applied Science (A.A.S.) Degree.

(f) Not have previously received a baccalaureate degree.

(g) Have met the College-Level Academic Skills Test (CLAST) requirements for the receipt of state student aid, pursuant to Rule 6A-20.005, FAC.

(h) Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.

(i) Not owe a repayment of a federal Title IV grant, or any state grant or scholarship unless satisfactory arrangements have been made to repay.

(j) Not be in default on any state or federal student loan program unless satisfactory arrangements have been made to repay.

(2) Academic criteria for renewal awards. Academic eligibility is determined at the end of the second semester or third quarter of each academic year.

(a) To be eligible for a renewal award, a student shall:

1. Have earned a minimum cumulative grade point average of 2.0 on a 4.0 scale for postsecondary work.

2. If degree-seeking, have earned during the previous summer and two (2) semesters, a minimum of twelve (12) credit hours per term or the equivalent for the number of terms for which the award was received.

3. If certificate-seeking, have completed eighty (80) percent of the clock hours for which the student was enrolled during the terms for which the award was received. A student who earns less than the required clock hours will be eligible for renewal if the institution certifies that the student successfully completed all competencies on an accelerated basis and that the student was

unable to continue full-time enrollment because there were no courses available in the program of study.

(3) Probationary awards. A student who earns the minimum number of credit or clock hours, but who fails to earn the minimum cumulative 2.0 grade point average, may be granted a probationary award for two (2) semesters. To be eligible for renewal the following year, the student must earn the required credit or clock hours for the probationary award year and a cumulative grade point average of 2.0 on a 4.0 scale.

(4) Reinstatement awards. A student who failed to earn the minimum number of credit or clock hours required for renewal, or who failed to meet the requirements for renewal of a probationary award, is eligible to apply for reinstatement after one (1) academic year if the student has earned a cumulative grade point average of 2.0 on a 4.0 scale as of the end of the second semester or third quarter of the academic year preceding the year the award is sought. A student who met the requirements for a renewal award but did not receive an award may apply for reinstatement in any subsequent year provided that the student has earned a cumulative grade point average of 2.0 on a 4.0 scale as of the end of the second semester or third quarter of the academic year preceding the year the award is sought.

(5) Maximum terms of eligibility. A student will be eligible to receive an award for a maximum of eight (8) semesters or twelve (12) quarters or until receipt of the first baccalaureate degree, whichever is less. However, a student who is required to

participate in college preparatory or remedial courses, who needs additional time to meet the minimum standards of the CLAST, or who is enrolled in a five (5) year undergraduate degree program may receive an award for a maximum of ten (10) semesters or fifteen (15) quarters. Five (5) year eligibility does not extend to a program of study that leads to the simultaneous award of a graduate and an undergraduate degree. Additional terms of eligibility for five (5) year degree programs will be based on the number of credit hours required by the institution for completion of the program of study as follows:

Semester Hours Required	Terms of Eligibility
132-143	9
144 or more	10
Quarter Hours Required	Terms of Eligibility
192-203	13
204-215	14
216 or more	15

(6) Appeals. An applicant may appeal decisions of ineligibility made due to failure to meet academic progress requirements or selective service registration requirements, or errors made by the Office of Student Financial Assistance under the provisions of Rules 6A-20.004, 6A-20.006 and 6A-20.0371, FAC.

(7) Amount of award. The amount of each annual award may not exceed four thousand (4,000) dollars; the amount of tuition and fees in the state university system, the public community colleges or the public postsecondary vocational-technical schools for the

equivalent of fifteen (15) semester hours or four hundred fifty (450) clock hours per term of undergraduate study; or the amount established in the General Appropriations Act, whichever is less. If the appropriation is insufficient to provide the maximum award to each of the twenty-five (25) recipients, the amount of each award will be prorated.

(8) Award procedures. The Department will make awards based on the annual appropriation, not to exceed twenty-five (25) scholarship awards per year.

(a) A direct descendant of an African-American Rosewood family is an applicant whose ancestor is a member of a family identified as an affected Rosewood resident as provided in Sections 3 and 4 of CS/HB 591, as enacted by the 1994 Legislature. The applicant shall provide the Department proof sufficient to establish eligibility as a Rosewood descendant as defined by this rule. The Department may verify eligibility by using records already in possession of the State of Florida. Among eligible Rosewood family descendant applicants:

1. First priority will be given to renewal applicants.
2. Second priority for awards will be given to initial applicants. If the number of awards remaining is insufficient to award all such applicants, they will be ranked and selected first by the least family contribution as specified on the need analysis report and second by the earliest postmark date of the application, Form RFS-1. If the number of awards remaining is insufficient to award all equally ranked applicants, the tie will be broken through

random selection.

3. Third priority for awards will be given to reinstatement applicants. If the number of awards remaining is insufficient to award all such applicants, they will be ranked and selected first by the least family contribution as specified on the need analysis report and second by the earliest postmark date of the application, Form RFS-1. If the number of awards remaining is insufficient to award all equally ranked applicants, the tie will be broken through random selection.

(b) Other minority applicants. If awards remain after all eligible applicants who are direct descendants of Rosewood families have received awards, all other eligible minority applicants will be divided into renewal, initial and reinstatement applicants. Among eligible minority applicants:

1. First priority for awards will be given to renewal applicants. If the number of awards remaining is insufficient to award all renewal applicants, they will be ranked and selected by the least family contribution as specified on the need analysis report. If the number of awards remaining is insufficient to award all equally ranked applicants, the tie will be broken through random selection.

2. Second priority for awards will be given to initial applicants. If the number of awards remaining is insufficient to award all initial applicants, they will be ranked and selected using the procedures specified in Subparagraph (8)(a)2., of this rule.

3. Third priority for awards will be given to reinstatement applicants. If the number of awards remaining is insufficient to award all reinstatement applicants, they will be ranked and selected using the procedures specified in Subparagraph (8)(a)3., of this rule.

(9) Payment of awards. The Department will provide for the delivery of funds to students each academic term by transmitting the funds to the institution for distribution to students. To be eligible for payment, the student must be enrolled full time at the end of the institution's drop/add period. After disbursement of funds to a student or to the student's account, the student may not return part or all of the award for the purpose of restoring a term of eligibility.

(10) Institutional responsibilities. Participating institutions must verify the continued eligibility of awarded students, provide for the disbursement of funds to students, comply with the Department's reporting and refund requirements as specified in Rules 6A-20.002 and 6A-20.0021, FAC. Specific Authority 229.053(1), 240.4126(2) FS. Law Implemented 240.404, 240.4042, 240.4045, 240.4126 FS. History - New



OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LEGAL AFFAIRS

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-1050

ROBERT A. BUTTERWORTH
Attorney General
State of Florida

Reply to:

Office of the Attorney General
4000 Hollywood Boulevard, 505-South
Hollywood, Florida 33021

September 6, 1994

Stephen F. Hanlon, Esquire
Holland and Knight
315 South Calhoun St.
P.O. Drawer 810
Tallahassee, FL 32302-0810

Dear Mr. Hanlon,

We are in receipt of your letter dated September 1, 1994. We agree with you that the Rosewood Scholarship Rule, as written, is contrary to the legislative intent as articulated in section five of CS/HB 591.

In effect, the rule would require a scholarship recipient to be a descendent of a family in section three and a descendent of a survivor in section four. However, section five of the bill refers to "...the direct descendants of the Rosewood families...", which would be a descendent in section three or four.

Based on our reading of the rule and the legislation we believe that the Department of Education can solve this problem by changing the "and" to an "or" in paragraph (8) (a).

Please contact me upon receipt of this letter so that we can discuss the rule further.

Sincerely,

Gregory Durden, Esquire
Chief of Civil Rights

GD/GDR

FROM : WM. CECIL GOLDEN
FLORIDA DEPARTMENT OF EDUCATION
1702, THE CAPITOL
TALLAHASSEE, FLORIDA 32399

FAX: 904/922-9620 SUNCOM 292-9620
TELEPHONE: 904/488-6539 SUNCOM 278-6539

PAGE(S) FORTHCOMING: 1

TO:

Guy Robinson

AGENCY & CITY

FAX NO.

305 / 985-4408

Left message/Any

Copy as agreed

Final Language

ineligibility made due to failure to meet academic progress requirements or selective service registration requirements, or errors made by the Office of Student Financial Assistance under the provisions of Rules 6A-20.004, 6A-20.006 and 6A-20.0371, FAC.

(7) Amount of award. The amount of each annual award may not exceed four thousand (4,000) dollars; the average amount of in-state tuition and fees set by the state university system, the public community colleges or the public postsecondary vocational-technical schools for the equivalent of fifteen (15) semester hours or four hundred fifty (450) clock hours per term; or the amount established in the General Appropriations Act, whichever is less.

(8) Award procedures. The Department will make awards based on the annual appropriation, not to exceed twenty-five (25) scholarship awards per year.

(a) Priority for awards will be given to direct descendants of African-American Rosewood families affected by the incidents of January 1923. A direct descendant is an applicant whose ancestor is a member of a family paid compensation for property loss or a member of a family identified as an affected Rosewood resident as provided in Sections 3 and 4 of CS/HB 591, as enacted by the 1994 Legislature. Among eligible Rosewood family descendant applicants:

1. First priority will be given to renewal applicants.
2. Second priority for awards will be given to initial applicants. If the number of awards remaining is insufficient to award all such applicants, they will be ranked first by the least family contribution as specified on the need analysis report and

Per Department of Education. This language will be modified before rule is made permanent.



OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LEGAL AFFAIRS

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-1050

ROBERT A. BUTTERWORTH

Attorney General
State of FloridaFAX COVER SHEETDATE: 6/20/94TO: Greg Durden

PHONE: _____

FAX #: 473-4496FROM: Kent Perez Kent PerezPHONE: 904/487-1963 5-277-1963FAX #: 904/487-2564RE: Please contact prior to
Cabinet meeting (6/28/94)Thanks!TOTAL PAGES INCLUDING COVER SHEET: 11

IF YOU DO NOT RECEIVE ALL PAGES, CONTACT: _____



FLORIDA DEPARTMENT OF EDUCATION

Doug Jamerson
Commissioner of Education

June 28, 1994

MEMORANDUM

TO: Members, State Board of Education

FROM: Doug Jamerson

SUBJECT: Proposed Emergency Rule 6AER94-1
Rosewood Family Scholarship Fund

The 1994 Legislature established the Rosewood Family Scholarship Fund to become effective for the 1994-95 school year. In order for scholarships to be awarded to students for the first semester of the 1994-95 school year, it is necessary to adopt a rule establishing administrative procedures for the operation of the program. This rule establishes the administrative responsibilities of the Department and participating institutions, identifies student eligibility criteria and specifies application procedures.

I recommend approval of the attached rule.

cga

Attachment

13-1

Tallahassee, Florida 32399

6AER94-1 Rosewood Family Scholarship Fund.

— (1) General eligibility criteria for awards. To receive aid, a student shall meet the provisions of Sections 240.404, 240.4042, 240.4045, 240.4126, Florida Statutes, and Rules 6A-20.001, 6A-20.004, 6A-20.005, and 6A-20.006, FAC., and:

(a) Be a minority individual belonging to one (1) of the following race/ethnic categories: black, not of hispanic origin; hispanic; asian or pacific islander; american indian or alaskan native.

(b) If an initial or reinstatement applicant, submit a completed application to the Department, Form RFS-1, Rosewood Family Scholarship Application, by the established deadlines. Form RFS-1 is hereby incorporated by reference and made a part of this rule to become effective July 1, 1994. A copy of Form RFS-1 may be obtained from the Office of Student Financial Assistance, Department of Education, The Florida Education Center, Tallahassee, Florida 32399-0400.

1. For the 1994-95 academic year, a completed Form RFS-1 must be postmarked to the Department no later than November 1, 1994.

2. For the 1995-96 and subsequent academic years, a completed Form RFS-1 must be postmarked no later than April 1 prior to the academic year.

(c) If an initial or reinstatement applicant, submit a completed need analysis document specified by the Department.

1. For the 1994-95 academic year, all applicants must postmark a copy of the student aid report (SAR) received from the

need analysis agency with the application by November 1.

2. If a Florida resident, submit the need analysis document in time for it to be processed by the U.S. Department of Education no later than May 15.

3. If a non-Florida resident, postmark a copy of the SAR received from the need analysis agency to the Department no later than May 15.

(d) Be enrolled in a degree or certificate program at a state university, state community college, or state postsecondary vocational-technical school.

(e) Be enrolled for a minimum of twelve (12) credits for a degree program or a minimum of twenty-four (24) contact hours per week for a certificate program, at the end of the regular registration period inclusive of the drop-add period for each academic term in which aid is received.

(f) Not have previously received a baccalaureate degree.

(g) Have met the College-Level Academic Skills Test (CLAST) requirements for the receipt of state student aid, pursuant to Rule 6A-20.005, FAC.

(h) Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.

(i) Not owe a repayment of a federal Title IV grant, or any state grant or scholarship unless satisfactory arrangements have been made to repay.

(j) Not be in default on any state or federal student loan program unless satisfactory arrangements have been made to repay.

(2) Academic criteria for renewal awards. Academic eligibility is determined at the end of the second semester or third quarter of each academic year.

(a) To be eligible for a renewal award, a student shall:

1. Have earned a minimum cumulative grade point average of 2.0 on a 4.0 scale for postsecondary work.

2. If degree-seeking, have earned during the previous summer and two (2) semesters, a minimum of twelve (12) credit hours per term or the equivalent for the number of terms for which the award was received.

3. If certificate-seeking, have completed eighty (80) percent of the clock hours for which the student was enrolled during the terms for which the award was received. A student who earns less than the required clock hours will be eligible for renewal if the institution certifies that the student successfully completed all competencies on an accelerated basis and that the student was unable to continue full-time enrollment because there were no courses available in the program of study.

(3) Probationary awards. A student who earns the minimum number of credit or clock hours, but who fails to earn the minimum cumulative 2.0 grade point average, may be granted a probationary award for two (2) semesters. To be eligible for renewal the following year, the student must earn the required credit or clock hours and a cumulative grade point average of 2.0 on a 4.0 scale.

(4) Reinstatement awards. A student who failed to earn the minimum number of credit or clock hours required for renewal, or

who failed to meet the requirements for renewal of a probationary award, is eligible to apply for reinstatement after one (1) academic year if the student has earned a cumulative grade point average of 2.0 on a 4.0 scale.

(5) Maximum terms of eligibility. A student will be eligible to receive an award for a maximum of eight (8) semesters or twelve (12) quarters or until receipt of the first baccalaureate degree, whichever is less. However, a student who is required to participate in college preparatory or remedial courses, who needs additional time to meet the minimum standards of the CLAST, or who is enrolled in a five (5) year undergraduate degree program may receive an award for a maximum of ten (10) semesters or fifteen (15) quarters. Five (5) year eligibility does not extend to a program of study that leads to the simultaneous award of a graduate and an undergraduate degree. Additional terms of eligibility for five (5) year degree programs will be based on the number of credit hours required by the institution for completion of the program of study as follows:

Semester Hours Required	Terms of Eligibility
132-143	9
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192-203	13
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(6) Appeals. An applicant may appeal decisions of

ineligibility made due to failure to meet academic progress requirements or selective service registration requirements, or errors made by the Office of Student Financial Assistance under the provisions of Rules 6A-20.004, 6A-20.006 and 6A-20.0371, FAC.

(7) Amount of award. The amount of each annual award may not exceed four thousand (4,000) dollars; the average amount of in-state tuition and fees set by the state university system, the public community colleges or the public postsecondary vocational-technical schools for the equivalent of fifteen (15) semester hours or four hundred fifty (450) clock hours per term; or the amount established in the General Appropriations Act, whichever is less.

(8) Award procedures. The Department will make awards based on the annual appropriation, not to exceed twenty-five (25) scholarship awards per year.

(a) Direct descendants of African-American Rosewood families affected by the incidents of January 1923. Priority for awards will be given to applicants who are direct descendants. The applicant's ancestor must have been among those individuals identified by the Attorney General as of December 31, 1994 as an affected Rosewood resident. Among eligible Rosewood applicants:

This language has been changed. See page entitled Final language. HLR

removed

1. First priority will be given to renewal applicants.
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(c) If the appropriation is insufficient to provide the maximum award to each of the twenty-five (25) recipients, the amount of each award will be prorated.

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Specific Authority 229.053(1), 240.4126(2) FS. Law Implemented
240.404, 240.4042, 240.4045, 240.4126 FS. History - New

I. RULE NO.: 6A-20.

TITLE: Rosewood Family Scholarship Fund

II. SUMMARY OF RULE:

This rule establishes the general eligibility criteria for students to receive awards, specifies academic requirements for renewal awards, identifies the application form and application deadlines, establishes conditions for probationary awards and for reinstatement of awards, specifies the maximum terms of eligibility, establishes circumstances under which appeals are allowed, identifies the award amount and award procedures, specifies the process for payment of awards, and establishes institutional responsibilities.

III. SUMMARY OF AMENDMENT:

This is a new rule.

IV. PURPOSE OF RULE/AMENDMENT (Note any legislative changes):

Since the statute creating this scholarship was enacted during the 1994 Legislative Session, no rule currently exist for this program. The purpose of this rule is to establish the administrative procedures necessary to administer the Rosewood Family Scholarship Fund and to identify the eligibility criteria and application procedures required for receipt of student awards.

V. ECONOMIC IMPACT (If any):

This rule regulates a state student financial assistance program. There is no economic impact to small or minority business as defined in the Florida Small and Minority Business Act of 1985.

VI. SOURCE OF FUNDING (Where applicable):

With legislative approval, the Department is authorized to expend funds from the Florida Student Assistance Grants Trust Fund to make Rosewood Family Scholarship awards for the 1994-95 academic year.

VII. RELATIONSHIP TO SCHOOL IMPROVEMENT/ACCOUNTABILITY:

N. A.

VIII. PUBLIC HEARING(S) HELD (IF YES, WHAT WAS THE OUTCOME(S)):

None were necessary.

13-10

FROM : WM. CECIL GOLDEN
FLORIDA DEPARTMENT OF EDUCATION
1702, THE CAPITOL
TALLAHASSEE, FLORIDA 32399

FAX: 904/922-9620 SUNCOM 292-9620
TELEPHONE: 904/488-6539 SUNCOM 278-6539

PAGE(S) FORTHCOMING: 1

TO:

Guy Robinson

AGENCY & CITY

FAX NO.

305 / 985-4408

Left message / Amy

Copy as agreed

Final Language

ineligibility made due to failure to meet academic progress requirements or selective service registration requirements, or errors made by the Office of Student Financial Assistance under the provisions of Rules 6A-20.004, 6A-20.006 and 6A-20.0371, FAC.

(7) Amount of award. The amount of each annual award may not exceed four thousand (4,000) dollars; the average amount of in-state tuition and fees set by the state university system, the public community colleges or the public postsecondary vocational-technical schools for the equivalent of fifteen (15) semester hours or four hundred fifty (450) clock hours per term; or the amount established in the General Appropriations Act, whichever is less.

(8) Award procedures. The Department will make awards based on the annual appropriation, not to exceed twenty-five (25) scholarship awards per year.

(a) Priority for awards will be given to direct descendants of African-American Rosewood families affected by the incidents of January 1923. A direct descendant is an applicant whose ancestor is a member of a family paid compensation for property loss or a member of a family identified as an affected Rosewood resident as provided in Sections 3 and 4 of CS/HB 591, as enacted by the 1994 Legislature. Among eligible Rosewood family descendant applicants:

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Re Department of Education. This will be modified before rule is made permanent.



ROBERT A. BUTTERWORTH
Attorney General
State of Florida

OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LEGAL AFFAIRS

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-1050

FAX COVER SHEET

DATE: 6/20/94

TO: Greg Darden

PHONE: _____

FAX #: 473-4496

FROM: Kent Perez Kent Perez

PHONE: 904/487-1963 5-277-1963

FAX #: 904/487-2564

RE: Please connect prior to
Cabinet meeting (6/28/94)

Thanks!

TOTAL PAGES INCLUDING COVER SHEET: 11

IF YOU DO NOT RECEIVE ALL PAGES, CONTACT: _____



FLORIDA DEPARTMENT OF EDUCATION
Doug Jamerson
Commissioner of Education

**OFFICE OF CABINET AFFAIRS
FAX COVER SHEET**

Please Deliver To: Guy Robinson

From: Curtis Richardson

Fax Number: 305-985-4408 Our Fax Number: 904-488-1492

Total Number of Pages (Including Cover Sheet): 5

Comments

Following is the new amended language for the Rosewood Scholarship Fund. Please give me a call once you have had a chance to look over the revisions.

If there are any problems with this transmission, please call:

Paula at (904) 488-0080.

Tallahassee, Florida 32399

Affirmative action/equal opportunity employer



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Doug Jamerson
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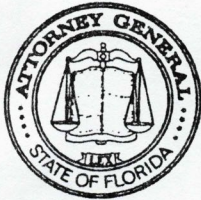
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OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LEGAL AFFAIRS

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-1050

ROBERT A. BUTTERWORTH
Attorney General
State of Florida

Reply to:

Office of the Attorney General
4000 Hollywood Boulevard, 505-South
Hollywood, Florida 33021

FACSIMILE COVER SHEET

DATE: 6/22/94

TO: Kent Perez FAX # (904) 487-1963

FROM: GUY DAVID ROBINSON For: Greg Dorden
ASSISTANT ATTORNEY GENERAL
Office Of Civil Rights
Telephone Number (305) 985-4445
Facsimile Number (305) 985-4408

NUMBER OF PAGES (INCLUDING COVER SHEET): 5

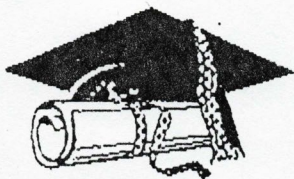
COMMENTS/SPECIAL INSTRUCTIONS: Enclosed is the replacement page for the rule, provided to me by Liz Sweeney. She also faxed the original page showing where the original language has been crossed out. Also included is both pages of the application.

THIS FACSIMILE MACHINE IS ATTENDED MONDAY THRU FRIDAY, 8:30 A.M. TO 5:30 P.M. IF YOU DO NOT RECEIVE THE NUMBER OF PAGES LISTED ABOVE OR HAVE A PROBLEM WITH THE TRANSMISSION OF THIS FAX, PLEASE CALL THIS OFFICE AS SOON AS POSSIBLE. THANK YOU.

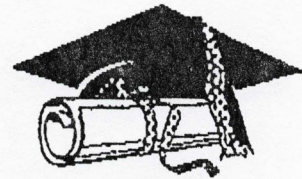
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FAX COVER SHEET



325 West Gaines Street
Suite 1344 FEC
Tallahassee, Florida 32399-0400



(904) 488-4095 or SunCom 278-4095

Fax Number: (904) 488-3612

DATE: 6-22-94TO: Guy Robinson

ORGANIZATION: _____

FAX NUMBER: (305) 985-4408FROM: Liz Sweeney

DEPARTMENT OF EDUCATION

PHONE NUMBER: (904) 488-6056TOTAL NUMBER OF PAGES, INCLUDING THIS PAGE: 5

MESSAGE: Enclosed is a replacement page for the
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the application form is on page 2 w/a checkmark (✓)
beside it.

PLEASE CALL OUR OFFICE IF THERE ARE ANY PROBLEMS
WITH THE TRANSMISSION OF IF THERE ARE ANY QUESTIONS
ABOUT DOCUMENTATION.



OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LEGAL AFFAIRS

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-1050

ROBERT A. BUTTERWORTH
Attorney General
State of Florida

Reply to:

Office of the Attorney General
4000 Hollywood Boulevard, 505-South
Hollywood, Florida 33021

FACSIMILE COVER SHEET

DATE:

6/22/94

TO:

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Telephone Number (305) 985-4445
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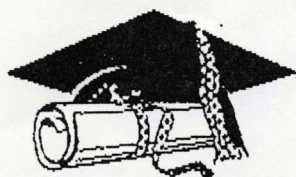
5

COMMENTS/SPECIAL INSTRUCTIONS:

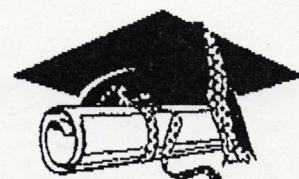
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Tallahassee, Florida 32399-0400



(904) 488-4095 or SunCom 278-4095
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DATE: 6-22-94

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**STATE OF FLORIDA - DEPARTMENT OF EDUCATION
OFFICE OF STUDENT FINANCIAL ASSISTANCE**

ROSEWOOD FAMILY SCHOLARSHIP APPLICATION

APPLICATIONS MUST BE POSTMARKED BY APRIL 1
For 1994-95, Applications Must Be Postmarked by November 1, 1994

SECTION A: APPLICANT CERTIFICATION

I have read and understand the conditions for participation in this program. The information I am supplying in this application is true, complete and correct. To the best of my knowledge and belief, I am eligible for this program as defined under Florida law.

Applicant's Signature

Date _____

NOTICE: If you purposely give false information on this form, you may be subject to fine or imprisonment or both under Section 837.06, Florida Statutes.

SECTION B: APPLICANT'S IDENTIFICATION INFORMATION

Financial assistance will not be denied for failure to disclose the SSN. Without a SSN, correct identification of the applicant's record cannot be assured and may result in an error in the award amount or delay in the disbursement of an award.

- [illegible]

SECTION C: STATEMENT OF SELECTIVE SERVICE REGISTRATION STATUS

- ☐
- I certify that I am registered with the Selective Service.

I certify that I am not required to be registered with the Selective Service because:

- ☐ I am female.
- ☐ I am in the armed services on active duty. (Note: This exception does not apply to members of the reserves and National Guard who are not on active duty.)
- ☐ I have not reached my 18th birthday.
- ☐ I was born before 1960.
- ☐ I am a citizen of the Federated States of Micronesia, the Marshall Islands or a permanent resident of the Trust Territory of the Pacific Islands (Palau).

SECTION D: ADDITIONAL APPLICANT INFORMATION

1. Are you applying for reinstatement? ☐ Yes ☐ No (See eligibility criteria in program conditions.)
2. Have you completed a need analysis form? ☐ Yes ☐ No (See eligibility criteria in program conditions.)
- ✓ 3. Are you a direct decendent of a Rosewood family affected by the incidents of January 1923?
☐ Yes ☐ No (Rosewood descendants will receive priority for awards.)

Awards are provided to eligible applicants without discriminating on the basis of race, sex, national origin, marital status or handicap.

POSTMARK COMPLETED APPLICATION BY APRIL 1 TO:

Office of Student Financial Assistance
Florida Department of Education
1344 Florida Education Center
Tallahassee, Florida 32399-0400

For 1994-95 ONLY:

Completed Applications Must Be Postmarked By November 1
AND

All Applicants Must Submit A Copy of the Student Aid Report (SAR) With the Application



FLORIDA DEPARTMENT OF EDUCATION
Doug Jamerson
Commissioner of Education

**OFFICE OF CABINET AFFAIRS
FAX COVER SHEET**

Please Deliver To: Guy Robinson

From: Curtis Richardson

Fax Number: 305-985-4408 **Our Fax Number:** 904-488-1492

Total Number of Pages (Including Cover Sheet): 5

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Affirmative action/equal opportunity employer

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JUN-23-'94 THU 11:02 ID: TEL NO:
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Specific Authority 229.053(1), 240.4126(2) FS. Law Implemented 240.404, 240.4042, 240.4045, 240.4126 FS. History - New



ROBERT A. BUTTERWORTH
Attorney General
State of Florida

OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LEGAL AFFAIRS

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-1050

Reply to:

Office of the Attorney General
4000 Hollywood Boulevard, 505-South
Hollywood, Florida 33021

FACSIMILE COVER SHEET

DATE:

6/22/94

TO:

Arnett Doctor/Stephen Hanlon

FAX # (813) 229-0134

FROM:

GUY DAVID ROBINSON
ASSISTANT ATTORNEY GENERAL
Office Of Civil Rights
Telephone Number (305) 985-4445
Facsimile Number (305) 985-4408

NUMBER OF PAGES (INCLUDING COVER SHEET):

14

COMMENTS/SPECIAL INSTRUCTIONS:

Enclosed is the original rule ending on
page 13-10. The final two pages of this fax show the language that
was deleted, at this offices request, and the language that will now be
the rule. Also enclosed is a copy of the scholarship application form. It is
understanding that this is what will be submitted to the cabinet.

THIS FACSIMILE MACHINE IS ATTENDED MONDAY THRU FRIDAY, 8:30 A.M.
TO 5:30 P.M. IF YOU DO NOT RECEIVE THE NUMBER OF PAGES LISTED
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CALL THIS OFFICE AS SOON AS POSSIBLE. THANK YOU.

NOTICE!! This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this notice is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us by telephone and return these papers to us via first class mail, at the address shown above. All rights reserved, all wrongs reversed.

6AER94-1 Rosewood Family Scholarship Fund.

— (1) General eligibility criteria for awards. To receive aid, a student shall meet the provisions of Sections 240.404, 240.4042, 240.4045, 240.4126, Florida Statutes, and Rules 6A-20.001, 6A-20.004, 6A-20.005, and 6A-20.006, FAC., and:

(a) Be a minority individual belonging to one (1) of the following race/ethnic categories: black, not of hispanic origin; hispanic; asian or pacific islander; american indian or alaskan native.

(b) If an initial or reinstatement applicant, submit a completed application to the Department, Form RFS-1, Rosewood Family Scholarship Application, by the established deadlines. Form RFS-1 is hereby incorporated by reference and made a part of this rule to become effective July 1, 1994. A copy of Form RFS-1 may be obtained from the Office of Student Financial Assistance, Department of Education, The Florida Education Center, Tallahassee, Florida 32399-0400.

1. For the 1994-95 academic year, a completed Form RFS-1 must be postmarked to the Department no later than November 1, 1994.

2. For the 1995-96 and subsequent academic years, a completed Form RFS-1 must be postmarked no later than April 1 prior to the academic year.

(c) If an initial or reinstatement applicant, submit a completed need analysis document specified by the Department.

1. For the 1994-95 academic year, all applicants must postmark a copy of the student aid report (SAR) received from the

6AER94-1

need analysis agency with the application by November 1.

2. If a Florida resident, submit the need analysis document in time for it to be processed by the U.S. Department of Education no later than May 15.

3. If a non-Florida resident, postmark a copy of the SAR received from the need analysis agency to the Department no later than May 15.

(d) Be enrolled in a degree or certificate program at a state university, state community college, or state postsecondary vocational-technical school.

(e) Be enrolled for a minimum of twelve (12) credits for a degree program or a minimum of twenty-four (24) contact hours per week for a certificate program, at the end of the regular registration period inclusive of the drop-add period for each academic term in which aid is received.

(f) Not have previously received a baccalaureate degree.

(g) Have met the College-Level Academic Skills Test (CLAST) requirements for the receipt of state student aid, pursuant to Rule 6A-20.005, FAC.

(h) Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.

(i) Not owe a repayment of a federal Title IV grant, or any state grant or scholarship unless satisfactory arrangements have been made to repay.

(j) Not be in default on any state or federal student loan program unless satisfactory arrangements have been made to repay.

(2) Academic criteria for renewal awards. Academic eligibility is determined at the end of the second semester or third quarter of each academic year.

(a) To be eligible for a renewal award, a student shall:

1. Have earned a minimum cumulative grade point average of 2.0 on a 4.0 scale for postsecondary work.

2. If degree-seeking, have earned during the previous summer and two (2) semesters, a minimum of twelve (12) credit hours per term or the equivalent for the number of terms for which the award was received.

3. If certificate-seeking, have completed eighty (80) percent of the clock hours for which the student was enrolled during the terms for which the award was received. A student who earns less than the required clock hours will be eligible for renewal if the institution certifies that the student successfully completed all competencies on an accelerated basis and that the student was unable to continue full-time enrollment because there were no courses available in the program of study.

(3) Probationary awards. A student who earns the minimum number of credit or clock hours, but who fails to earn the minimum cumulative 2.0 grade point average, may be granted a probationary award for two (2) semesters. To be eligible for renewal the following year, the student must earn the required credit or clock hours and a cumulative grade point average of 2.0 on a 4.0 scale.

(4) Reinstatement awards. A student who failed to earn the minimum number of credit or clock hours required for renewal, or

who failed to meet the requirements for renewal of a probationary award, is eligible to apply for reinstatement after one (1) academic year if the student has earned a cumulative grade point average of 2.0 on a 4.0 scale.

(5) Maximum terms of eligibility. A student will be eligible to receive an award for a maximum of eight (8) semesters or twelve (12) quarters or until receipt of the first baccalaureate degree, whichever is less. However, a student who is required to participate in college preparatory or remedial courses, who needs additional time to meet the minimum standards of the CLAST, or who is enrolled in a five (5) year undergraduate degree program may receive an award for a maximum of ten (10) semesters or fifteen (15) quarters. Five (5) year eligibility does not extend to a program of study that leads to the simultaneous award of a graduate and an undergraduate degree. Additional terms of eligibility for five (5) year degree programs will be based on the number of credit hours required by the institution for completion of the program of study as follows:

Semester Hours Required	Terms of Eligibility
132-143	9
144 or more	10
Quarter Hours Required	Terms of Eligibility
192-203	13
204-215	14
216 or more	15

(6) Appeals. An applicant may appeal decisions of

ineligibility made due to failure to meet academic progress requirements or selective service registration requirements, or errors made by the Office of Student Financial Assistance under the provisions of Rules 6A-20.004, 6A-20.006 and 6A-20.0371, FAC.

(7) Amount of award. The amount of each annual award may not exceed four thousand (4,000) dollars; the average amount of in-state tuition and fees set by the state university system, the public community colleges or the public postsecondary vocational-technical schools for the equivalent of fifteen (15) semester hours or four hundred fifty (450) clock hours per term; or the amount established in the General Appropriations Act, whichever is less.

(8) Award procedures. The Department will make awards based on the annual appropriation, not to exceed twenty-five (25) scholarship awards per year.

(a) Direct descendants of African-American Rosewood families affected by the incidents of January 1923. Priority for awards will be given to applicants who are direct descendants. The applicant's ancestor must have been among those individuals identified by the Attorney General as of December 31, 1994 as an affected Rosewood resident. Among eligible Rosewood applicants:

1. First priority will be given to renewal applicants.
2. Second priority for awards will be given to initial applicants. If the number of awards remaining is insufficient to award all such applicants, they will be ranked first by the least family contribution as specified on the need analysis report and second by the earliest postmark date of the application, Form RES-6AER94-1

1. If the number of awards remaining is still insufficient to award all such applicants, recipients will be selected by cumulative grade point average.

3. Third priority for awards will be given to reinstatement applicants. If the number of awards remaining is insufficient to award all such applicants, they will be ranked first by the least family contribution as specified on the need analysis report and second by the earliest postmark date of the application, Form RFS-1.

1. If the number of awards remaining is still insufficient to award all such applicants, recipients will be selected by cumulative grade point average.

(b) Other minority applicants. If awards remain after all eligible applicants who are direct descendants of Rosewood families have received an award, all other eligible minority applicants will be divided into renewal, initial and reinstatement applicants. Among eligible minority applicants:

1. First priority for awards will be given to renewal applicants. If the number of awards remaining is insufficient to award all renewal applicants, recipients will be selected randomly.

2. Second priority for awards will be given to initial applicants. If the number of awards remaining is insufficient to award all initial applicants, they will be ranked first by the least family contribution as specified on the need analysis report and second by the earliest postmark date of the application, Form RFS-1. If the number of awards remaining is still insufficient to award all such applicants, recipients will be selected randomly.

3. Third priority for awards will be given to reinstatement applicants. If the number of awards remaining is insufficient to award all reinstatement applicants, they will be ranked first by the least family contribution as specified on the need analysis report and second by the earliest postmark date of the application, Form RFS-1. If the number of awards remaining is still insufficient to award all such applicants, recipients will be selected randomly.

(c) If the appropriation is insufficient to provide the maximum award to each of the twenty-five (25) recipients, the amount of each award will be prorated.

(9) Payment of awards. The Department will provide for the delivery of funds to students each academic term by transmitting the funds to the institution, for distribution to students. To be eligible for payment, the student must be enrolled full time at the end of the institution's drop/add period. For open enrollment programs, the student must be enrolled full time at the end of institution's drop/add period for each academic term to be eligible for payment. After disbursement of funds to a student or to the student's account, the student may not return part or all of the award for the purpose of restoring a term of eligibility.

(10) Institutional responsibilities. Participating institutions must verify the continued eligibility of awarded students, provide for the disbursement of funds to students, comply with, the Department's reporting and refund requirements as specified in Rules 6A-20.002 and 6A-20.0021, FAC.

Specific Authority 229.053(1), 240.4126(2) FS. Law Implemented
240.404, 240.4042, 240.4045, 240.4126 FS. History - New

I. RULE NO.: 6A-20.

TITLE: Rosewood Family Scholarship Fund

II. SUMMARY OF RULE:

This rule establishes the general eligibility criteria for students to receive awards, specifies academic requirements for renewal awards, identifies the application form and application deadlines, establishes conditions for probationary awards and for reinstatement of awards, specifies the maximum terms of eligibility, establishes circumstances under which appeals are allowed, identifies the award amount and award procedures, specifies the process for payment of awards, and establishes institutional responsibilities.

III. SUMMARY OF AMENDMENT:

This is a new rule.

IV. PURPOSE OF RULE/AMENDMENT (Note any legislative changes):

Since the statute creating this scholarship was enacted during the 1994 Legislative Session, no rule currently exist for this program. The purpose of this rule is to establish the administrative procedures necessary to administer the Rosewood Family Scholarship Fund and to identify the eligibility criteria and application procedures required for receipt of student awards.

V. ECONOMIC IMPACT (If any):

This rule regulates a state student financial assistance program. There is no economic impact to small or minority business as defined in the Florida Small and Minority Business Act of 1985.

VI. SOURCE OF FUNDING (Where applicable):

With legislative approval, the Department is authorized to expend funds from the Florida Student Assistance Grants Trust Fund to make Rosewood Family Scholarship awards for the 1994-95 academic year.

VII. RELATIONSHIP TO SCHOOL IMPROVEMENT/ACCOUNTABILITY:

N. A.

VIII. PUBLIC HEARING(S) HELD (IF YES, WHAT WAS THE OUTCOME(S)):

None were necessary.

appropriation, not to exceed twenty-five (25) scholarship awards per year.

gee
p. 13-6

(a) Direct descendants of African-American Rosewood families affected by the incidents of January 1923. Priority for awards will be given to applicants who are direct descendants. ~~The applicant's ancestor must have been among those individuals identified by the Attorney General as of December 31, 1994 as an affected Rosewood resident.~~ Among eligible Rosewood applicants:

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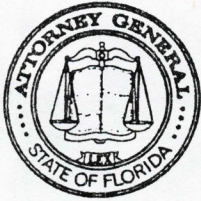
appropriation, not to exceed twenty-five (25) scholarship awards per year.

Final
Language for
the rule.

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OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LEGAL AFFAIRS

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-1050

ROBERT A. BUTTERWORTH
Attorney General
State of Florida

Reply to:

Office of the Attorney General
4000 Hollywood Boulevard, 505-South
Hollywood, Florida 33021

FACSIMILE COVER SHEET

DATE: 6/22/94

TO: Kent Perez FAX # (904) 487-1963

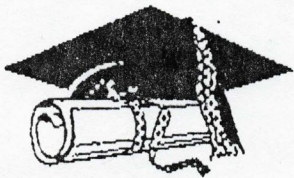
FROM: GUY DAVID ROBINSON For: Greg Dorden
ASSISTANT ATTORNEY GENERAL
Office Of Civil Rights
Telephone Number (305) 985-4445
Facsimile Number (305) 985-4408

NUMBER OF PAGES (INCLUDING COVER SHEET): 5

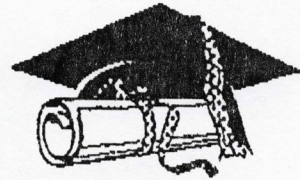
COMMENTS/SPECIAL INSTRUCTIONS: Enclosed is the replacement page for the rule, provided to me by Liz Sweecney. She also faxed the original page showing where the original language has been crossed out. Also included is both pages of the application.

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**OFFICE OF STUDENT FINANCIAL ASSISTANCE
FAX COVER SHEET**

325 West Gaines Street
Suite 1344 FEC
Tallahassee, Florida 32399-0400



(904) 488-4095 or SunCom 278-4095
Fax Number: (904) 488-3612

DATE: 6-22-94

TO: Guy Robinson

ORGANIZATION: _____

FAX NUMBER: (305) 985-4408

FROM: Liz Sweeney

DEPARTMENT OF EDUCATION

PHONE NUMBER: (904) 488-6056

TOTAL NUMBER OF PAGES, INCLUDING THIS PAGE: 5

MESSAGE: Enclosed is a replacement page for the
rule as we discussed. There is also one where
the language has been lined out. Both
pages of the application are included. The change on
the application form is on page 2 w/a checkmark (✓)
beside it.

PLEASE CALL OUR OFFICE IF THERE ARE ANY PROBLEMS
WITH THE TRANSMISSION OF IF THERE ARE ANY QUESTIONS
ABOUT DOCUMENTATION.

appropriation, not to exceed twenty-five (25) scholarship awards per year.

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STATE OF FLORIDA - DEPARTMENT OF EDUCATION
OFFICE OF STUDENT FINANCIAL ASSISTANCEROSEWOOD FAMILY SCHOLARSHIP
APPLICATION

APPLICATIONS MUST BE POSTMARKED BY APRIL 1
For 1994-95, Applications Must Be Postmarked by November 1, 1994

SECTION A: APPLICANT CERTIFICATION

I have read and understand the conditions for participation in this program. The information I am supplying in this application is true, complete and correct. To the best of my knowledge and belief, I am eligible for this program as defined under Florida law.

Applicant's Signature

Date

NOTICE: If you purposely give false information on this form, you may be subject to fine or imprisonment or both under Section 837.06, Florida Statutes.

SECTION B: APPLICANT'S IDENTIFICATION INFORMATION

Financial assistance will not be denied for failure to disclose the SSN. Without a SSN, correct identification of the applicant's record cannot be assured and may result in an error in the award amount or delay in the disbursement of an award.

1. Social Security Number - -

2. Name

Last

First

MI

3. Birthdate

Month

Day

Year

4. Race/ethnic group ☐1 White, 2 Black, 3 Hispanic, 4 Asian/Pacific
Islander, 5 American Indian/Alaskan Native5. Sex ☐ M ☐ F

6. Permanent

Street

Address

City

State

County Code

Zip Code

7. Home telephone number

(Area Code)

8. Institution you plan to attend

(See Institution Codes)

9. I am applying for financial aid for the 19 - 19 academic year during which I will be classified as a:
☐ college freshman ☐ college sophomore ☐ college junior ☐ college senior

SECTION C: STATEMENT OF SELECTIVE SERVICE REGISTRATION STATUS

☐ I certify that I am registered with the Selective Service.

I certify that I am not required to be registered with the Selective Service because:

- ☐ I am female.
- ☐ I am in the armed services on active duty. (Note: This exception does not apply to members of the reserves and National Guard who are not on active duty.)
- ☐ I have not reached my 18th birthday.
- ☐ I was born before 1960.
- ☐ I am a citizen of the Federated States of Micronesia, the Marshall Islands or a permanent resident of the Trust Territory of the Pacific Islands (Palau).

SECTION D: ADDITIONAL APPLICANT INFORMATION

1. Are you applying for reinstatement? ☐ Yes ☐ No (See eligibility criteria in program conditions.)
2. Have you completed a need analysis form? ☐ Yes ☐ No (See eligibility criteria in program conditions.)
- ✓ 3. Are you a direct decendent of a Rosewood family affected by the incidents of January 1923?
☐ Yes ☐ No (Rosewood descendants will receive priority for awards.)

Awards are provided to eligible applicants without discriminating on the basis of race, sex, national origin, marital status or handicap.

POSTMARK COMPLETED APPLICATION BY APRIL 1 TO:

Office of Student Financial Assistance
Florida Department of Education
1344 Florida Education Center
Tallahassee, Florida 32399-0400

For 1994-95 ONLY:

Completed Applications Must Be Postmarked By November 1
AND

All Applicants Must Submit A Copy of the Student Aid Report (SAR) With the Application

FROM : WM. CECIL GOLDEN
FLORIDA DEPARTMENT OF EDUCATION
1702, THE CAPITOL
TALLAHASSEE, FLORIDA 32399

FAX: 904/922-9620 SUNCOM 292-9620
TELEPHONE: 904/488-6539 SUNCOM 278-6539

PAGE(S) FORTHCOMING: 1

TO: Guy Robinson

AGENCY & CITY

305 / 985-4408
FAX NO.

Left message/Amey

Copy as agreed



ROBERT A. BUTTERWORTH

Attorney General
State of Florida

OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LEGAL AFFAIRS

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-1050

FAX COVER SHEET

DATE:

6/20/94

TO:

Greg Duder

PHONE:

FAX #:

473-4496

FROM:

Kent Perez Kent Perez

PHONE:

904/487-1963S-277-1963

FAX #:

904/487-2564

RE:

Please contact prior to
Cabinet meeting (6/28/94)Thanks!

TOTAL PAGES INCLUDING COVER SHEET:

11

IF YOU DO NOT RECEIVE ALL PAGES, CONTACT:



FLORIDA DEPARTMENT OF EDUCATION

Doug Jamerson
Commissioner of Education

June 28, 1994

MEMORANDUM

TO: Members, State Board of Education

FROM: Doug Jamerson

A handwritten signature in cursive script that reads "Doug Jamerson".

SUBJECT: Proposed Emergency Rule 6AER94-1
Rosewood Family Scholarship Fund

The 1994 Legislature established the Rosewood Family Scholarship Fund to become effective for the 1994-95 school year. In order for scholarships to be awarded to students for the first semester of the 1994-95 school year, it is necessary to adopt a rule establishing administrative procedures for the operation of the program. This rule establishes the administrative responsibilities of the Department and participating institutions, identifies student eligibility criteria and specifies application procedures.

I recommend approval of the attached rule.

cga

Attachment

13-1

Tallahassee, Florida 32399

6AER94-1 Rosewood Family Scholarship Fund.

— (1) General eligibility criteria for awards. To receive aid, a student shall meet the provisions of Sections 240.404, 240.4042, 240.4045, 240.4126, Florida Statutes, and Rules 6A-20.001, 6A-20.004, 6A-20.005, and 6A-20.006, FAC., and:

(a) Be a minority individual belonging to one (1) of the following race/ethnic categories: black, not of hispanic origin; hispanic; asian or pacific islander; american indian or alaskan native.

(b) If an initial or reinstatement applicant, submit a completed application to the Department, Form RFS-1, Rosewood Family Scholarship Application, by the established deadlines. Form RFS-1 is hereby incorporated by reference and made a part of this rule to become effective July 1, 1994. A copy of Form RFS-1 may be obtained from the Office of Student Financial Assistance, Department of Education, The Florida Education Center, Tallahassee, Florida 32399-0400.

1. For the 1994-95 academic year, a completed Form RFS-1 must be postmarked to the Department no later than November 1, 1994.

2. For the 1995-96 and subsequent academic years, a completed Form RFS-1 must be postmarked no later than April 1 prior to the academic year.

(c) If an initial or reinstatement applicant, submit a completed need analysis document specified by the Department.

1. For the 1994-95 academic year, all applicants must postmark a copy of the student aid report (SAR) received from the

6AER94-1

need analysis agency with the application by November 1.

2. If a Florida resident, submit the need analysis document in time for it to be processed by the U.S. Department of Education no later than May 15.

3. If a non-Florida resident, postmark a copy of the SAR received from the need analysis agency to the Department no later than May 15.

(d) Be enrolled in a degree or certificate program at a state university, state community college, or state postsecondary vocational-technical school.

(e) Be enrolled for a minimum of twelve (12) credits for a degree program or a minimum of twenty-four (24) contact hours per week for a certificate program, at the end of the regular registration period inclusive of the drop-add period for each academic term in which aid is received.

(f) Not have previously received a baccalaureate degree.

(g) Have met the College-Level Academic Skills Test (CLAST) requirements for the receipt of state student aid, pursuant to Rule 6A-20.005, FAC.

(h) Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.

(i) Not owe a repayment of a federal Title IV grant, or any state grant or scholarship unless satisfactory arrangements have been made to repay.

(j) Not be in default on any state or federal student loan program unless satisfactory arrangements have been made to repay.

(2) Academic criteria for renewal awards. Academic eligibility is determined at the end of the second semester or third quarter of each academic year.

(a) To be eligible for a renewal award, a student shall:

1. Have earned a minimum cumulative grade point average of 2.0 on a 4.0 scale for postsecondary work.

2. If degree-seeking, have earned during the previous summer and two (2) semesters, a minimum of twelve (12) credit hours per term or the equivalent for the number of terms for which the award was received.

3. If certificate-seeking, have completed eighty (80) percent of the clock hours for which the student was enrolled during the terms for which the award was received. A student who earns less than the required clock hours will be eligible for renewal if the institution certifies that the student successfully completed all competencies on an accelerated basis and that the student was unable to continue full-time enrollment because there were no courses available in the program of study.

(3) Probationary awards. A student who earns the minimum number of credit or clock hours, but who fails to earn the minimum cumulative 2.0 grade point average, may be granted a probationary award for two (2) semesters. To be eligible for renewal the following year, the student must earn the required credit or clock hours and a cumulative grade point average of 2.0 on a 4.0 scale.

(4) Reinstatement awards. A student who failed to earn the minimum number of credit or clock hours required for renewal, or

who failed to meet the requirements for renewal of a probationary award, is eligible to apply for reinstatement after one (1) academic year if the student has earned a cumulative grade point average of 2.0 on a 4.0 scale.

(5) Maximum terms of eligibility. A student will be eligible to receive an award for a maximum of eight (8) semesters or twelve (12) quarters or until receipt of the first baccalaureate degree, whichever is less. However, a student who is required to participate in college preparatory or remedial courses, who needs additional time to meet the minimum standards of the CLAST, or who is enrolled in a five (5) year undergraduate degree program may receive an award for a maximum of ten (10) semesters or fifteen (15) quarters. Five (5) year eligibility does not extend to a program of study that leads to the simultaneous award of a graduate and an undergraduate degree. Additional terms of eligibility for five (5) year degree programs will be based on the number of credit hours required by the institution for completion of the program of study as follows:

Semester Hours Required	Terms of Eligibility
132-143	9
144 or more	10
Quarter Hours Required	Terms of Eligibility
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204-215	14
216 or more	15

(6) Appeals. An applicant may appeal decisions of

ineligibility made due to failure to meet academic progress requirements or selective service registration requirements, or errors made by the Office of Student Financial Assistance under the provisions of Rules 6A-20.004, 6A-20.006 and 6A-20.0371, FAC.

(7) Amount of award. The amount of each annual award may not exceed four thousand (4,000) dollars; the average amount of in-state tuition and fees set by the state university system, the public community colleges or the public postsecondary vocational-technical schools for the equivalent of fifteen (15) semester hours or four hundred fifty (450) clock hours per term; or the amount established in the General Appropriations Act, whichever is less.

(8) Award procedures. The Department will make awards based on the annual appropriation, not to exceed twenty-five (25) scholarship awards per year.

(a) Direct descendants of African-American Rosewood families affected by the incidents of January 1923. Priority for awards will be given to applicants who are direct descendants. The applicant's ancestor must have been among those individuals identified by the Attorney General as of December 31, 1994 as an affected Rosewood resident. Among eligible Rosewood applicants:

1. First priority will be given to renewal applicants.
2. Second priority for awards will be given to initial applicants. If the number of awards remaining is insufficient to award all such applicants, they will be ranked first by the least family contribution as specified on the need analysis report and second by the earliest postmark date of the application, Form RFS-

6AER94-1

This language
has been
changed. See
page entitled
Final
language
JLL

rev

1. If the number of awards remaining is still insufficient to award all such applicants, recipients will be selected by cumulative grade point average.

3. Third priority for awards will be given to reinstatement applicants. If the number of awards remaining is insufficient to award all such applicants, they will be ranked first by the least family contribution as specified on the need analysis report and second by the earliest postmark date of the application, Form RFS-

1. If the number of awards remaining is still insufficient to award all such applicants, recipients will be selected by cumulative grade point average.

(b) Other minority applicants. If awards remain after all eligible applicants who are direct descendants of Rosewood families have received an award, all other eligible minority applicants will be divided into renewal, initial and reinstatement applicants. Among eligible minority applicants:

1. First priority for awards will be given to renewal applicants. If the number of awards remaining is insufficient to award all renewal applicants, recipients will be selected randomly.

2. Second priority for awards will be given to initial applicants. If the number of awards remaining is insufficient to award all initial applicants, they will be ranked first by the least family contribution as specified on the need analysis report and second by the earliest postmark date of the application, Form RFS-1. If the number of awards remaining is still insufficient to award all such applicants, recipients will be selected randomly.

3. Third priority for awards will be given to reinstatement applicants. If the number of awards remaining is insufficient to award all reinstatement applicants, they will be ranked first by the least family contribution as specified on the need analysis report and second by the earliest postmark date of the application, Form RFS-1. If the number of awards remaining is still insufficient to award all such applicants, recipients will be selected randomly.

(c) If the appropriation is insufficient to provide the maximum award to each of the twenty-five (25) recipients, the amount of each award will be prorated.

(9) Payment of awards. The Department will provide for the delivery of funds to students each academic term by transmitting the funds to the institution, for distribution to students. To be eligible for payment, the student must be enrolled full time at the end of the institution's drop/add period. For open enrollment programs, the student must be enrolled full time at the end of institution's drop/add period for each academic term to be eligible for payment. After disbursement of funds to a student or to the student's account, the student may not return part or all of the award for the purpose of restoring a term of eligibility.

(10) Institutional responsibilities. Participating institutions must verify the continued eligibility of awarded students, provide for the disbursement of funds to students, comply with, the Department's reporting and refund requirements as specified in Rules 6A-20.002 and 6A-20.0021, FAC.

Specific Authority 229.053(1), 240.4126(2) FS. Law Implemented
240.404, 240.4042, 240.4045, 240.4126 FS. History - New

I. RULE NO.: 6A-20.

TITLE: Rosewood Family Scholarship Fund

II. SUMMARY OF RULE:

This rule establishes the general eligibility criteria for students to receive awards, specifies academic requirements for renewal awards, identifies the application form and application deadlines, establishes conditions for probationary awards and for reinstatement of awards, specifies the maximum terms of eligibility, establishes circumstances under which appeals are allowed, identifies the award amount and award procedures, specifies the process for payment of awards, and establishes institutional responsibilities.

III. SUMMARY OF AMENDMENT:

This is a new rule.

IV. PURPOSE OF RULE/AMENDMENT (Note any legislative changes):

Since the statute creating this scholarship was enacted during the 1994 Legislative Session, no rule currently exist for this program. The purpose of this rule is to establish the administrative procedures necessary to administer the Rosewood Family Scholarship Fund and to identify the eligibility criteria and application procedures required for receipt of student awards.

V. ECONOMIC IMPACT (If any):

This rule regulates a state student financial assistance program. There is no economic impact to small or minority business as defined in the Florida Small and Minority Business Act of 1985.

VI. SOURCE OF FUNDING (Where applicable):

With legislative approval, the Department is authorized to expend funds from the Florida Student Assistance Grants Trust Fund to make Rosewood Family Scholarship awards for the 1994-95 academic year.

VII. RELATIONSHIP TO SCHOOL IMPROVEMENT/ACCOUNTABILITY:

N. A.

VIII. PUBLIC HEARING(S) HELD (IF YES, WHAT WAS THE OUTCOME(S)):

None were necessary.

13-10



OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LEGAL AFFAIRS

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-1050

ROBERT A. BUTTERWORTH
Attorney General
State of Florida

Reply to:

Office of the Attorney General
4000 Hollywood Boulevard, 505-South
Hollywood, Florida 33021

FACSIMILE COVER SHEET

DATE: 6/22/94

TO: Arnett Doctor/Stephen Hanlon FAX # (813) 229-0134

FROM: GUY DAVID ROBINSON
ASSISTANT ATTORNEY GENERAL
Office Of Civil Rights
Telephone Number (305) 985-4445
Facsimile Number (305) 985-4408

NUMBER OF PAGES (INCLUDING COVER SHEET): 14

COMMENTS/SPECIAL INSTRUCTIONS: Enclosed is the original rule ending on page 13-10. The final two pages of this fax show the language that was deleted, at this offices request, and the language that will now be in the rule. Also enclosed is a copy of the scholarship application form. It is our understanding that this is what will be submitted to the cabinet.

THIS FACSIMILE MACHINE IS ATTENDED MONDAY THRU FRIDAY, 8:30 A.M. TO 5:30 P.M. IF YOU DO NOT RECEIVE THE NUMBER OF PAGES LISTED ABOVE OR HAVE A PROBLEM WITH THE TRANSMISSION OF THIS FAX, PLEASE CALL THIS OFFICE AS SOON AS POSSIBLE. THANK YOU.

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6AER94-1 Rosewood Family Scholarship Fund.

— (1) General eligibility criteria for awards. To receive aid, a student shall meet the provisions of Sections 240.404, 240.4042, 240.4045, 240.4126, Florida Statutes, and Rules 6A-20.001, 6A-20.004, 6A-20.005, and 6A-20.006, FAC., and:

(a) Be a minority individual belonging to one (1) of the following race/ethnic categories: black, not of hispanic origin; hispanic; asian or pacific islander; american indian or alaskan native.

(b) If an initial or reinstatement applicant, submit a completed application to the Department, Form RFS-1, Rosewood Family Scholarship Application, by the established deadlines. Form RFS-1 is hereby incorporated by reference and made a part of this rule to become effective July 1, 1994. A copy of Form RFS-1 may be obtained from the Office of Student Financial Assistance, Department of Education, The Florida Education Center, Tallahassee, Florida 32399-0400.

1. For the 1994-95 academic year, a completed Form RFS-1 must be postmarked to the Department no later than November 1, 1994.

2. For the 1995-96 and subsequent academic years, a completed Form RFS-1 must be postmarked no later than April 1 prior to the academic year.

(c) If an initial or reinstatement applicant, submit a completed need analysis document specified by the Department.

1. For the 1994-95 academic year, all applicants must postmark a copy of the student aid report (SAR) received from the

need analysis agency with the application by November 1.

2. If a Florida resident, submit the need analysis document in time for it to be processed by the U.S. Department of Education no later than May 15.

3. If a non-Florida resident, postmark a copy of the SAR received from the need analysis agency to the Department no later than May 15.

(d) Be enrolled in a degree or certificate program at a state university, state community college, or state postsecondary vocational-technical school.

(e) Be enrolled for a minimum of twelve (12) credits for a degree program or a minimum of twenty-four (24) contact hours per week for a certificate program, at the end of the regular registration period inclusive of the drop-add period for each academic term in which aid is received.

(f) Not have previously received a baccalaureate degree.

(g) Have met the College-Level Academic Skills Test (CLAST) requirements for the receipt of state student aid, pursuant to Rule 6A-20.005, FAC.

(h) Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.

(i) Not owe a repayment of a federal Title IV grant, or any state grant or scholarship unless satisfactory arrangements have been made to repay.

(j) Not be in default on any state or federal student loan program unless satisfactory arrangements have been made to repay.

(2) Academic criteria for renewal awards. Academic eligibility is determined at the end of the second semester or third quarter of each academic year.

(a) To be eligible for a renewal award, a student shall:

1. Have earned a minimum cumulative grade point average of 2.0 on a 4.0 scale for postsecondary work.

2. If degree-seeking, have earned during the previous summer and two (2) semesters, a minimum of twelve (12) credit hours per term or the equivalent for the number of terms for which the award was received.

3. If certificate-seeking, have completed eighty (80) percent of the clock hours for which the student was enrolled during the terms for which the award was received. A student who earns less than the required clock hours will be eligible for renewal if the institution certifies that the student successfully completed all competencies on an accelerated basis and that the student was unable to continue full-time enrollment because there were no courses available in the program of study.

(3) Probationary awards. A student who earns the minimum number of credit or clock hours, but who fails to earn the minimum cumulative 2.0 grade point average, may be granted a probationary award for two (2) semesters. To be eligible for renewal the following year, the student must earn the required credit or clock hours and a cumulative grade point average of 2.0 on a 4.0 scale.

(4) Reinstatement awards. A student who failed to earn the minimum number of credit or clock hours required for renewal, or

who failed to meet the requirements for renewal of a probationary award, is eligible to apply for reinstatement after one (1) academic year if the student has earned a cumulative grade point average of 2.0 on a 4.0 scale.

(5) Maximum terms of eligibility. A student will be eligible to receive an award for a maximum of eight (8) semesters or twelve (12) quarters or until receipt of the first baccalaureate degree, whichever is less. However, a student who is required to participate in college preparatory or remedial courses, who needs additional time to meet the minimum standards of the CLAST, or who is enrolled in a five (5) year undergraduate degree program may receive an award for a maximum of ten (10) semesters or fifteen (15) quarters. Five (5) year eligibility does not extend to a program of study that leads to the simultaneous award of a graduate and an undergraduate degree. Additional terms of eligibility for five (5) year degree programs will be based on the number of credit hours required by the institution for completion of the program of study as follows:

Semester Hours Required	Terms of Eligibility
132-143	9
144 or more	10
Quarter Hours Required	Terms of Eligibility
192-203	13
204-215	14
216 or more	15

(6) Appeals. An applicant may appeal decisions of

ineligibility made due to failure to meet academic progress requirements or selective service registration requirements, or errors made by the Office of Student Financial Assistance under the provisions of Rules 6A-20.004, 6A-20.006 and 6A-20.0371, FAC.

(7) Amount of award. The amount of each annual award may not exceed four thousand (4,000) dollars; the average amount of in-state tuition and fees set by the state university system, the public community colleges or the public postsecondary vocational-technical schools for the equivalent of fifteen (15) semester hours or four hundred fifty (450) clock hours per term; or the amount established in the General Appropriations Act, whichever is less.

(8) Award procedures. The Department will make awards based on the annual appropriation, not to exceed twenty-five (25) scholarship awards per year.

(a) Direct descendants of African-American Rosewood families affected by the incidents of January 1923. Priority for awards will be given to applicants who are direct descendants. The applicant's ancestor must have been among those individuals identified by the Attorney General as of December 31, 1994 as an affected Rosewood resident. Among eligible Rosewood applicants:

1. First priority will be given to renewal applicants.
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1. If the number of awards remaining is still insufficient to award all such applicants, recipients will be selected by cumulative grade point average.

3. Third priority for awards will be given to reinstatement applicants. If the number of awards remaining is insufficient to award all such applicants, they will be ranked first by the least family contribution as specified on the need analysis report and second by the earliest postmark date of the application, Form RFS-1.

1. If the number of awards remaining is still insufficient to award all such applicants, recipients will be selected by cumulative grade point average.

(b) Other minority applicants. If awards remain after all eligible applicants who are direct descendants of Rosewood families have received an award, all other eligible minority applicants will be divided into renewal, initial and reinstatement applicants. Among eligible minority applicants:

1. First priority for awards will be given to renewal applicants. If the number of awards remaining is insufficient to award all renewal applicants, recipients will be selected randomly.

2. Second priority for awards will be given to initial applicants. If the number of awards remaining is insufficient to award all initial applicants, they will be ranked first by the least family contribution as specified on the need analysis report and second by the earliest postmark date of the application, Form RFS-1. If the number of awards remaining is still insufficient to award all such applicants, recipients will be selected randomly.

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(c) If the appropriation is insufficient to provide the maximum award to each of the twenty-five (25) recipients, the amount of each award will be prorated.

(9) Payment of awards. The Department will provide for the delivery of funds to students each academic term by transmitting the funds to the institution, for distribution to students. To be eligible for payment, the student must be enrolled full time at the end of the institution's drop/add period. For open enrollment programs, the student must be enrolled full time at the end of institution's drop/add period for each academic term to be eligible for payment. After disbursement of funds to a student or to the student's account, the student may not return part or all of the award for the purpose of restoring a term of eligibility.

(10) Institutional responsibilities. Participating institutions must verify the continued eligibility of awarded students, provide for the disbursement of funds to students, comply with, the Department's reporting and refund requirements as specified in Rules 6A-20.002 and 6A-20.0021, FAC.

Specific Authority 229.053(1), 240.4126(2) FS. Law Implemented
240.404, 240.4042, 240.4045, 240.4126 FS. History - New

I. RULE NO.: 6A-20.

TITLE: Rosewood Family Scholarship Fund

II. SUMMARY OF RULE:

This rule establishes the general eligibility criteria for students to receive awards, specifies academic requirements for renewal awards, identifies the application form and application deadlines, establishes conditions for probationary awards and for reinstatement of awards, specifies the maximum terms of eligibility, establishes circumstances under which appeals are allowed, identifies the award amount and award procedures, specifies the process for payment of awards, and establishes institutional responsibilities.

III. SUMMARY OF AMENDMENT:

This is a new rule.

IV. PURPOSE OF RULE/AMENDMENT (Note any legislative changes):

Since the statute creating this scholarship was enacted during the 1994 Legislative Session, no rule currently exist for this program. The purpose of this rule is to establish the administrative procedures necessary to administer the Rosewood Family Scholarship Fund and to identify the eligibility criteria and application procedures required for receipt of student awards.

V. ECONOMIC IMPACT (If any):

This rule regulates a state student financial assistance program. There is no economic impact to small or minority business as defined in the Florida Small and Minority Business Act of 1985.

VI. SOURCE OF FUNDING (Where applicable):

With legislative approval, the Department is authorized to expend funds from the Florida Student Assistance Grants Trust Fund to make Rosewood Family Scholarship awards for the 1994-95 academic year.

VII. RELATIONSHIP TO SCHOOL IMPROVEMENT/ACCOUNTABILITY:

N. A.

VIII. PUBLIC HEARING(S) HELD (IF YES, WHAT WAS THE OUTCOME(S)):

None were necessary.

appropriation, not to exceed twenty-five (25) scholarship awards per year.

gee
P. 13-6

(a) Direct descendants of African-American Rosewood families affected by the incidents of January 1923. Priority for awards will be given to applicants who are direct descendants. ~~The applicant's ancestor must have been among those individuals identified by the Attorney General as of December 31, 1994 as an affected Rosewood resident.~~ Among eligible Rosewood applicants:

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appropriation, not to exceed twenty-five (25) scholarship awards per year.

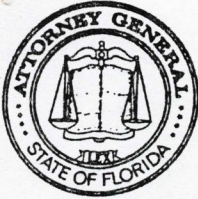
*Final
Language for
the rule.*

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(b) Other minority applicants. If awards remain after all eligible applicants who are direct descendants of Rosewood families have received an award, all other eligible minority applicants will be divided into renewal, initial and reinstatement applicants. Among eligible minority applicants:



ROBERT A. BUTTERWORTH
Attorney General
State of Florida

OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LEGAL AFFAIRS

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-1050

Reply to:

Office of the Attorney General
4000 Hollywood Boulevard, 505-South
Hollywood, Florida 33021

FACSIMILE COVER SHEET

DATE: 6/22/94

TO: Arnett Doctor/Stephen Hanlon FAX # (813)229-0134

FROM: GUY DAVID ROBINSON
ASSISTANT ATTORNEY GENERAL
Office Of Civil Rights
Telephone Number (305) 985-4445
Facsimile Number (305) 985-4408

NUMBER OF PAGES (INCLUDING COVER SHEET): 14

COMMENTS/SPECIAL INSTRUCTIONS: Enclosed is the original rule ending on page 13-10. The final two pages of this fax show the language that was deleted, at this offices request, and the language that will now be the rule. Also enclosed is a copy of the scholarship application form. It is understanding that this is what will be submitted to the cabinet.

THIS FACSIMILE MACHINE IS ATTENDED MONDAY THRU FRIDAY, 8:30 A.M. TO 5:30 P.M. IF YOU DO NOT RECEIVE THE NUMBER OF PAGES LISTED ABOVE OR HAVE A PROBLEM WITH THE TRANSMISSION OF THIS FAX, PLEASE CALL THIS OFFICE AS SOON AS POSSIBLE. THANK YOU.

NOTICE!! This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this notice is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us by telephone and return these papers to us via first class mail, at the address shown above. All rights reserved, all wrongs reversed.

6AER94-1 Rosewood Family Scholarship Fund.

—(1) General eligibility criteria for awards. To receive aid, a student shall meet the provisions of Sections 240.404, 240.4042, 240.4045, 240.4126, Florida Statutes, and Rules 6A-20.001, 6A-20.004, 6A-20.005, and 6A-20.006, FAC., and:

(a) Be a minority individual belonging to one (1) of the following race/ethnic categories: black, not of hispanic origin; hispanic; asian or pacific islander; american indian or alaskan native.

(b) If an initial or reinstatement applicant, submit a completed application to the Department, Form RFS-1, Rosewood Family Scholarship Application, by the established deadlines. Form RFS-1 is hereby incorporated by reference and made a part of this rule to become effective July 1, 1994. A copy of Form RFS-1 may be obtained from the Office of Student Financial Assistance, Department of Education, The Florida Education Center, Tallahassee, Florida 32399-0400.

1. For the 1994-95 academic year, a completed Form RFS-1 must be postmarked to the Department no later than November 1, 1994.

2. For the 1995-96 and subsequent academic years, a completed Form RFS-1 must be postmarked no later than April 1 prior to the academic year.

(c) If an initial or reinstatement applicant, submit a completed need analysis document specified by the Department.

1. For the 1994-95 academic year, all applicants must postmark a copy of the student aid report (SAR) received from the

6AER94-1

need analysis agency with the application by November 1.

2. If a Florida resident, submit the need analysis document in time for it to be processed by the U.S. Department of Education no later than May 15.

3. If a non-Florida resident, postmark a copy of the SAR received from the need analysis agency to the Department no later than May 15.

(d) Be enrolled in a degree or certificate program at a state university, state community college, or state postsecondary vocational-technical school.

(e) Be enrolled for a minimum of twelve (12) credits for a degree program or a minimum of twenty-four (24) contact hours per week for a certificate program, at the end of the regular registration period inclusive of the drop-add period for each academic term in which aid is received.

(f) Not have previously received a baccalaureate degree.

(g) Have met the College-Level Academic Skills Test (CLAST) requirements for the receipt of state student aid, pursuant to Rule 6A-20.005, FAC.

(h) Have met the registration requirements of the Selective Service System, pursuant to Rule 6A-20.006, FAC.

(i) Not owe a repayment of a federal Title IV grant, or any state grant or scholarship unless satisfactory arrangements have been made to repay.

(j) Not be in default on any state or federal student loan program unless satisfactory arrangements have been made to repay.

(2) Academic criteria for renewal awards. Academic eligibility is determined at the end of the second semester or third quarter of each academic year.

(a) To be eligible for a renewal award, a student shall:

1. Have earned a minimum cumulative grade point average of 2.0 on a 4.0 scale for postsecondary work.

2. If degree-seeking, have earned during the previous summer and two (2) semesters, a minimum of twelve (12) credit hours per term or the equivalent for the number of terms for which the award was received.

3. If certificate-seeking, have completed eighty (80) percent of the clock hours for which the student was enrolled during the terms for which the award was received. A student who earns less than the required clock hours will be eligible for renewal if the institution certifies that the student successfully completed all competencies on an accelerated basis and that the student was unable to continue full-time enrollment because there were no courses available in the program of study.

(3) Probationary awards. A student who earns the minimum number of credit or clock hours, but who fails to earn the minimum cumulative 2.0 grade point average, may be granted a probationary award for two (2) semesters. To be eligible for renewal the following year, the student must earn the required credit or clock hours and a cumulative grade point average of 2.0 on a 4.0 scale.

(4) Reinstatement awards. A student who failed to earn the minimum number of credit or clock hours required for renewal, or

who failed to meet the requirements for renewal of a probationary award, is eligible to apply for reinstatement after one (1) academic year if the student has earned a cumulative grade point average of 2.0 on a 4.0 scale.

(5) Maximum terms of eligibility. A student will be eligible to receive an award for a maximum of eight (8) semesters or twelve (12) quarters or until receipt of the first baccalaureate degree, whichever is less. However, a student who is required to participate in college preparatory or remedial courses, who needs additional time to meet the minimum standards of the CLAST, or who is enrolled in a five (5) year undergraduate degree program may receive an award for a maximum of ten (10) semesters or fifteen (15) quarters. Five (5) year eligibility does not extend to a program of study that leads to the simultaneous award of a graduate and an undergraduate degree. Additional terms of eligibility for five (5) year degree programs will be based on the number of credit hours required by the institution for completion of the program of study as follows:

Semester Hours Required	Terms of Eligibility
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ineligibility made due to failure to meet academic progress requirements or selective service registration requirements, or errors made by the Office of Student Financial Assistance under the provisions of Rules 6A-20.004, 6A-20.006 and 6A-20.0371, FAC.

(7) Amount of award. The amount of each annual award may not exceed four thousand (4,000) dollars; the average amount of in-state tuition and fees set by the state university system, the public community colleges or the public postsecondary vocational-technical schools for the equivalent of fifteen (15) semester hours or four hundred fifty (450) clock hours per term; or the amount established in the General Appropriations Act, whichever is less.

(8) Award procedures. The Department will make awards based on the annual appropriation, not to exceed twenty-five (25) scholarship awards per year.

(a) Direct descendants of African-American Rosewood families affected by the incidents of January 1923. Priority for awards will be given to applicants who are direct descendants. The applicant's ancestor must have been among those individuals identified by the Attorney General as of December 31, 1994 as an affected Rosewood resident. Among eligible Rosewood applicants:

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1. If the number of awards remaining is still insufficient to award all such applicants, recipients will be selected by cumulative grade point average.

3. Third priority for awards will be given to reinstatement applicants. If the number of awards remaining is insufficient to award all such applicants, they will be ranked first by the least family contribution as specified on the need analysis report and second by the earliest postmark date of the application, Form RFS-1.

1. If the number of awards remaining is still insufficient to award all such applicants, recipients will be selected by cumulative grade point average.

(b) Other minority applicants. If awards remain after all eligible applicants who are direct descendants of Rosewood families have received an award, all other eligible minority applicants will be divided into renewal, initial and reinstatement applicants. Among eligible minority applicants:

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(c) If the appropriation is insufficient to provide the maximum award to each of the twenty-five (25) recipients, the amount of each award will be prorated.

(9) Payment of awards. The Department will provide for the delivery of funds to students each academic term by transmitting the funds to the institution, for distribution to students. To be eligible for payment, the student must be enrolled full time at the end of the institution's drop/add period. For open enrollment programs, the student must be enrolled full time at the end of institution's drop/add period for each academic term to be eligible for payment. After disbursement of funds to a student or to the student's account, the student may not return part or all of the award for the purpose of restoring a term of eligibility.

(10) Institutional responsibilities. Participating institutions must verify the continued eligibility of awarded students, provide for the disbursement of funds to students, comply with, the Department's reporting and refund requirements as specified in Rules 6A-20.002 and 6A-20.0021, FAC.

Specific Authority 229.053(1), 240.4126(2) FS. Law Implemented
240.404, 240.4042, 240.4045, 240.4126 FS. History - New

I. RULE NO.: 6A-20. TITLE: Rosewood Family Scholarship Fund

II. SUMMARY OF RULE:

This rule establishes the general eligibility criteria for students to receive awards, specifies academic requirements for renewal awards, identifies the application form and application deadlines, establishes conditions for probationary awards and for reinstatement of awards, specifies the maximum terms of eligibility, establishes circumstances under which appeals are allowed, identifies the award amount and award procedures, specifies the process for payment of awards, and establishes institutional responsibilities.

III. SUMMARY OF AMENDMENT:

This is a new rule.

IV. PURPOSE OF RULE/AMENDMENT (Note any legislative changes):

Since the statute creating this scholarship was enacted during the 1994 Legislative Session, no rule currently exist for this program. The purpose of this rule is to establish the administrative procedures necessary to administer the Rosewood Family Scholarship Fund and to identify the eligibility criteria and application procedures required for receipt of student awards.

V. ECONOMIC IMPACT (If any):

This rule regulates a state student financial assistance program. There is no economic impact to small or minority business as defined in the Florida Small and Minority Business Act of 1985.

VI. SOURCE OF FUNDING (Where applicable):

With legislative approval, the Department is authorized to expend funds from the Florida Student Assistance Grants Trust Fund to make Rosewood Family Scholarship awards for the 1994-95 academic year.

VII. RELATIONSHIP TO SCHOOL IMPROVEMENT/ACCOUNTABILITY:

N. A.

VIII. PUBLIC HEARING(S) HELD (IF YES, WHAT WAS THE OUTCOME(S)):

None were necessary.

appropriation, not to exceed twenty-five (25) scholarship awards per year.

g ec
P. 13-6

(a) Direct descendants of African-American Rosewood families affected by the incidents of January 1923. Priority for awards will be given to applicants who are direct descendants. ~~The applicant's ancestor must have been among those individuals identified by the Attorney General as of December 31, 1994 as an affected Rosewood resident.~~ Among eligible Rosewood applicants:

1. First priority will be given to renewal applicants.
2. Second priority for awards will be given to initial applicants. If the number of awards remaining is insufficient to award all such applicants, they will be ranked first by the least family contribution as specified on the need analysis report and second by the earliest postmark date of the application, Form RFS-1. If the number of awards remaining is still insufficient to award all such applicants, recipients will be selected randomly.
3. Third priority for awards will be given to reinstatement applicants. If the number of awards remaining is insufficient to award all such applicants, they will be ranked first by the least family contribution as specified on the need analysis report and second by the earliest postmark date of the application, Form RFS-1. If the number of awards remaining is still insufficient to award all such applicants, recipients will be selected randomly.

(b) Other minority applicants. If awards remain after all eligible applicants who are direct descendants of Rosewood families have received an award, all other eligible minority applicants will be divided into renewal, initial and reinstatement applicants. Among eligible minority applicants:

appropriation, not to exceed twenty-five (25) scholarship awards per year.

*Final
Language for
the rule.*

(a) Direct descendants of African-American Rosewood families affected by the incidents of January 1923. Priority for awards will be given to applicants who are direct descendants.. Among eligible Rosewood applicants:

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OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LEGAL AFFAIRS

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-1050

ROBERT A. BUTTERWORTH
Attorney General
State of Florida

Reply to:

Office of the Attorney General
4000 Hollywood Boulevard, 505-South
Hollywood, Florida 33021

July 1, 1994

Elizabeth Sweeney
Office of Student Affairs
Department of Education
325 Gaines St. Rm. 1344
Tallahassee, FL 32399

Dear Ms. Sweeney,

This letter will confirm our conversation yesterday about the Rosewood list that was faxed to you. The list was received from Arnett Doctor and contains the names of people whom Mr. Doctor feels will be filing a claim for compensation and scholarships pursuant to the Rosewood legislation.

The Attorney General's Office has not yet completed its identification process. Thus, we do not know, at this time, how many people on this list will eventually qualify for compensation under sections three or four of the legislation.

Pursuant to our conversation, this list is being provided to you so that you may have some idea of how many scholarship applications you may be receiving. Incidentally, I had a conversation with Mr. Doctor this afternoon and he informed me that he has already mailed this list to the Department of Education.

Best wishes as you continue to develop the Rosewood Scholarship process.

Sincerely,

Guy David Robinson
Assistant Attorney General

GDR/pd

***** UF-250 ***** -JOURNAL- ***** DATE JUN-30-1994 ***** TIME 13:39 *****

NO.	COM	DOC	DURATION	X/R	IDENTIFICATION	DATE	TIME	DIAGNOSTIC
19	OK	18-18	00:10:42	INT	T	89044883612	JUN-30 13:28	840450AC7820

Faxed names to Liz.

-DLA-RICD-HMD.

***** -PANASONIC- *****

305 9854408- *****



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DEPARTMENT OF LEGAL AFFAIRS

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-1050

ROBERT A. BUTTERWORTH
Attorney General
State of Florida

Reply to:

Office of the Attorney General
4000 Hollywood Boulevard, 505-South
Hollywood, Florida 33021

FACSIMILE COVER SHEET

DATE: 6/30/94

TO: Liz Sweeney FAX # (904) 488-3612

FROM: GUY DAVID ROBINSON
ASSISTANT ATTORNEY GENERAL
Office Of Civil Rights
Telephone Number (305) 985-4445
Facsimile Number (305) 985-4408

NUMBER OF PAGES (INCLUDING COVER SHEET): 18

COMMENTS/SPECIAL INSTRUCTIONS: Call me when you receive
these names. I'll tell you which ones are possible
scholarship applicants.

THIS FACSIMILE MACHINE IS ATTENDED MONDAY THRU FRIDAY, 8:30 A.M. TO 5:30 P.M. IF YOU DO NOT RECEIVE THE NUMBER OF PAGES LISTED ABOVE OR HAVE A PROBLEM WITH THE TRANSMISSION OF THIS FAX, PLEASE CALL THIS OFFICE AS SOON AS POSSIBLE. THANK YOU.

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DEPARTMENT OF LEGAL AFFAIRS

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-1050

ROBERT A. BUTTERWORTH
Attorney General
State of Florida

Reply to:

Office of the Attorney General
4000 Hollywood Boulevard, 505-South
Hollywood, Florida 33021

Proposed Scholarship Rule Change

6AER94-1

(8)(a)

...the applicant's ancestor must have been a member of a family that suffered real and personal property damages resulting from the destruction of Rosewood, Florida, in 1923 or the applicants ancestor must have been a resident of Rosewood who was present and affected by the violence that took place at Rosewood and was evacuated the week of January 1, 1923. The applicant shall provide the Department of Education with proof sufficient to establish that they qualify as a Rosewood descendant as defined under this section. The Department of Education may verify eligibility by using records already in possession of the State of Florida.

Other Options and Variations

1) The Department of Education (Department) may decide not to incorporate a sentence requiring proof, in the Rule or on it's application. This, however, is not advisable. It could prove jeopardous to rely on the word of the applicant. The absence of a verification process by the Department, would leave it open for law suits.

2) The Department may decide to make the proof requirement optional at the discretion of the Department. This is accomplished by using permissive language instead of mandatory language. e.g.,

"...The Department may request that the applicant provide proof sufficient to establish that they qualify as a Rosewood descendent as defined under this section."

This language helps the Department put the Rule before the cabinet immediately, while retaining the flexibility to create a verification process if they feel one is necessary.

3) For the reasons already discussed between the Department and the Office of the Attorney General, it would be inappropriate and potentially contrary to the law, to identify scholarship recipients solely on the basis of the Attorney General's identification process that is prescribed in sections three and four of the Rosewood Bill. The Office of the Attorney General is not agreeable to the Department's utilization of such a process. However, if the Department is desirous of tying their award process to the Attorney General's identification process, this may be accomplished by using the following language. Again, using permissive language, the statement would read,

"... The department may give priority consideration to those applicants whose family received compensation as a result of the Rosewood Bill." The question for the application could simply be, "Did applicant's family receive compensation as a result of the Rosewood Bill"?

This language allows the Department to rely on the information accumulated by the Office of the Attorney General without saying as much in it's rule. More importantly, it does not lock the Department to the Office of the Attorney General's records. If, for whatever reason, the records do not reflect a family name that should be reflected, the Department still has the flexibility to consider that applicant as a Rosewood descendent, which was clearly the intent of the legislature.



ROBERT A. BUTTERWORTH
Attorney General
State of Florida

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Proposed Scholarship Rule Change

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PO Conversation w/ Kent Per2

- Det^{50th} Kups we looking for what we want.
- If Impress we can ask to pull the rule from this cabinet meeting.

Thank you for Faxing

weren't trying to tell you how to write you
language, then just giving options so that our concerns are ~~unaddressed~~

We're making suggestions

You go bly scope of intended legislation
you've got to figure a way not to hinge
your ~~language~~ on our findings.

must wait
until 12/31/04

1) must change and (and last line in box) to or.

1)

A direct descendant is an applicant whose ancestor is a member of a family that suffered real and personal property damages resulting from the destruction of Rosewood, Florida, in 1923 or the applicant's ancestor must have been a resident of Rosewood who was present and affected by the violence that took place at Rosewood and was evacuated the week of January 1, 1923. The DOE may verify eligibility by using records already in possession of the State of Florida.

Can take
correct
interpretation
Rule. This
is typical
Rule

2)

A direct Descendant is an applicant whose ancestor is a member of a Rosewood family as prescribed in section 3 of CS/HB 591 or whose ancestor is an affected resident as defined in section 4 of CS/HB 591 ~~as enacted by the 1994 Legislature~~. The DOE may verify eligibility by using records already in possession of the State of Florida.

wants to
take my
thoughts &
incorporate
permanent
rule

We're not going to pull up will support he will address
we b/c the bad guy b/c we hold up the process on a permanent
basis

Still not acceptable

- B/c we're not defined family, nor have we made a final decision of how far the family tree to go, there may be legitimate Rosewood ~~family~~ descendants that don't receive specific compensation.

Option

option 1) - The Dept. of Education may request that the applicant provide proof sufficient to establish that they qualify as a Rosewood Descendant as defined under this section

option 2) - May remove the proof providing sentence from the rule all together.

option 3) (a) DOE may give priority consideration to those applicants whose family received compensation as a result of the Rosewood Bill.

Did applicants family receive compensation as a ~~result~~ of the Rosewood ~~compensation~~ Bill? result
(Do you want to run the risk of relying on this)

(This can be added as a consideration on the application)

* I don't see how you can avoid having some type of verification system. I think that protects the ~~school~~ DOE when they start getting low suits over the scholarship. Exp. if they just take
person gets a scholarship someone who doesn't get scholarship finds out about it and also learns the recipient is not a legitimate descendant. DOE gets sued. First thing they're going to say for liability purposes is that the DOE should have checked.

* But b/c of the nature of what legislative told us to do, and b/c we have a population that will be finite, using our information as a mandatory determining criteria, could potentially limit the scholarship pool in a way that was clearly not intended

by the legislature.

Reasons family might not receive compensation;

- 1) Didn't see the notice, didn't file a claim
- 2) Saw notice but didn't file a claim in time
- 3) Saw notice and chose not to file a claim (scholarship applicant should not be penalized by someone else's actions)
- 5) Scholarship, because it has no cut off date and time (unlike sections 3 and 4 of the bill) presumably goes on forever.
- 4) AG office screwed up, some kind of way. Should the family continue being screwed?



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**** UF-250 ***** -JOURNAL- ***** DATE JUN-27-1994 **** TIME 11:18 *

NO.	COM	DOC	DURATION	X/R	IDENTIFICATION	DATE	TIME	DIAGNOSTIC
18	OK	03-03	00:02'30	XMT	T	89044872564	JUN-27 11:16	840450AC7820

-PLA-RICO-HWD.

***** -PANASONIC- *****

305 9854408-



OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LEGAL AFFAIRS

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TALLAHASSEE, FLORIDA 32399-1050

ROBERT A. BUTTERWORTH
Attorney General
State of Florida

Reply to:

Office of the Attorney General
4000 Hollywood Boulevard, 505-South
Hollywood, Florida 33021

FACSIMILE COVER SHEET

DATE:

6/27/94

TO:

Kent Perez

FAX # (904) 487-2564

FROM:

GUY DAVID ROBINSON
ASSISTANT ATTORNEY GENERAL
Office Of Civil Rights
Telephone Number (305) 985-4445
Facsimile Number (305) 985-4408

NUMBER OF PAGES (INCLUDING COVER SHEET):

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COMMENTS/SPECIAL INSTRUCTIONS:

For Review, FYI

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Now with language they cover everybody intended by the legislature. If they so choose they may verify this information utilizing, but not limiting, themselves to any records already in possession of the State of Florida.

They cannot rely on what we do b/c I determination will be finite 12/31/94. Applicants for scholarship are infinite.

They can look at our records & say, well, we used some criteria ^{as} AG & they ~~don't~~ don't have you listed. But it also gives them the flexibility to consider someone who is not on our list. We're not specifically named, you can rely on our list w/o saying your relying on it and you have an out if we've made a mistake.