



What is the Florida Work Experience Program?

The Florida Work Experience Program (FWEP) is a need-based aid program that allows eligible students to gain paid work experience that complements their educational program and career goals and reduces the need to incur student loan indebtedness.¹ The Legislature established the FWEP in 1993 for eligible students enrolled at least half-time in associate and baccalaureate degree programs at State University System (SUS) and Florida College System (FCS) institutions and certain independent nonprofit colleges and universities in Florida.² In 2007, the Legislature expanded the FWEP to include students enrolled in public postsecondary career certificate programs and Educator Preparation Institutes.³

The program is administered by the Florida Department of Education (DOE) in accordance with rules adopted by the State Board of Education. The DOE is responsible for allocating annual appropriations for the program among participating postsecondary educational institutions. Institutions must use their allocations to fund the employment of eligible students who may be hired by the institutions themselves and by public and private employers under contract with the institutions for the provision of FWEP employment opportunities.⁴

What are the student eligibility criteria for the FWEP?

To participate in the FWEP, a student must be enrolled at least half-time⁵ in:

- ❖ An associate or baccalaureate program at an eligible college or university;
- ❖ A career certificate program that consists of at least 450 clock hours and that is offered by a district school board operated career center or FCS institution; or
- ❖ An Educator Preparation Institute.^{6, 7}

Additionally, the student:

- ❖ Must have resided in Florida for at least one year prior to participating in the program and must be a U.S. citizen or eligible noncitizen.

¹ Section 1009.77, F.S.; Florida Department of Education, Office of Student Financial Assistance, *2010-2011 Florida Work Experience Program Fact Sheet*, <http://www.floridastudentfinancialaid.org/SSFAD/factsheets/FWEP.htm> (last visited Sept. 20, 2010)[hereinafter *FWEP Fact Sheet*].

² Section 13, ch. 92-144, L.O.F., *codified at* s. 240.606, F.S. (1992), *subsequently renumbered as* s. 1009.77, F.S.

³ Section 3, ch. 2007-113, L.O.F., *amending* s. 1009.77, F.S.

⁴ Section 1009.77, F.S.; rule 6A-20.038(8), F.A.C.

⁵ Half-time enrollment means a minimum of six semester credit hours or 180 clock hours. Rule 6A-20.038(1)(b), F.A.C.

⁶ Section 1009.77(1) and (8), F.S.

⁷ An Educator Preparation Institute is an institute created by a postsecondary institution and approved by the DOE to offer professional development for teachers, instruction for substitute teachers and paraprofessionals, and instruction for baccalaureate degree holders to become certified teachers. Section 1004.85(1) and (2), F.S.

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- ❖ May not have previously earned a bachelor's degree, except for students enrolled in an Educator Preparation Institute.
- ❖ Must annually complete the *Free Application for Federal Student Aid* (FAFSA) and demonstrate financial need.
- ❖ May not owe a repayment or be in default on any state or federal grant, loan, or scholarship program unless satisfactory arrangements for repayment have been made.
- ❖ Must meet any application procedures and deadlines established by the participating institution.⁸

What are the renewal criteria for the FWEP?

A student's eligibility to renew his or her participation in the FWEP is determined at the end of the second semester or third quarter of each academic year. To renew, a student must have earned a minimum cumulative grade point average of 2.0 on a 4.0 scale and:

- ❖ 12 credit hours or 360 clock hours for each term for full-time enrollment;
- ❖ 9 credit hours or 270 clock hours for each term for three-quarter time enrollment; or
- ❖ 6 credit hours or 180 clock hours for each term for half-time enrollment.

Credit or clock hours earned during the previous summer may be counted toward the total number of credit or clock hours required. The student must also annually complete the FAFSA and demonstrate financial need.⁹

Which postsecondary educational institutions are eligible to participate in the FWEP?

The following postsecondary educational institutions are eligible to participate in the FWEP:

- ❖ Institutions in the SUS and FCS.
- ❖ Independent nonprofit institutions that are eligible to participate in the Florida Private Student Assistance Grant Program¹⁰ or the Florida Postsecondary Student Assistance Grant Program.¹¹
- ❖ District school board operated career centers.
- ❖ Educator Preparation Institutes.

Currently, there are 138 postsecondary educational institutions participating in the FWEP. These institutions are comprised of:

- ❖ Each of the 11 institutions in the SUS and 28 institutions in the FCS.
- ❖ 47 district school board operated career centers.

⁸ Sections 1009.40(1) and 1009.77(1) and (8), F.S.; rule 6A-20.038, F.A.C.; *FWEP Fact Sheet*, *supra* note 1.

⁹ Section 1009.77(8), F.S.; rule 6A-20.038(1)(f), F.A.C.; *FWEP Fact Sheet*, *supra* note 1.

¹⁰ See s. 1009.51, F.S. (establishing the Florida Private Student Assistance Grant and authorizing the participation of independent nonprofit colleges and universities that are located in and chartered as domestic corporations by the State of Florida; are accredited by the Commission on Colleges of the Southern Association of Colleges and Schools; and grant baccalaureate degrees).

¹¹ See s. 1009.52, F.S. (establishing the Florida Postsecondary Student Assistance Grant Program and authorizing the participation of private nursing diploma schools that are located in Florida and approved by the Florida Board of Nursing and independent colleges and universities that are located in Florida, licensed by the Commission for Independent Education, and ineligible to participate in the Florida Private Student Assistance Grant Program).

❖ 52 nonprofit independent postsecondary educational institutions.¹²

Of these institutions, five SUS institutions, 24 FCS institutions, and one private institution operate Educator Preparation Institutes.¹³

A list of each participating institution is available on the DOE's website.¹⁴

How are eligible students placed with employers and paid?

Participating postsecondary educational institutions are responsible for placing eligible students in jobs that complement and reinforce the students' educational programs and career goals.¹⁵ Employment may be provided by the institution and public and private employers under contract with the institution for the provision of FWEP employment opportunities.¹⁶

All employers must pay students at least once a month.¹⁷ Each student must receive mandatory benefits, including Social Security, and an hourly wage, which may be no less than the federal minimum hourly wage or the state minimum hourly wage,¹⁸ whichever is greater.¹⁹ Wages earned may not exceed the student's FWEP award by more than \$300 per academic year.²⁰

A participating postsecondary educational institution may use up to 100 percent of its FWEP allocation to fund the wages and mandatory benefits of eligible students employed by the institution.²¹ If the institution contracts with public and private employers:

- ❖ The institution must pay the cost of all preemployment requirements, such as background screenings and tuberculosis testing, for a public elementary or secondary school employer and must reimburse that employer for 100 percent of the student's wages.
- ❖ The institution may reimburse contracted public and private employers, other than a public elementary or secondary school, for up to 70 percent of the student's wages.^{22, 23}

¹² Florida Department of Education, Office of Student Financial Assistance, *2010-2011 Florida Work Experience Program Eligible Institutions*, https://www.floridastudentfinancialaidsg.org/admin/SAWELIGPSI_ByProg.asp?ByProg=FWEP (last visited Sept. 20, 2010) [hereinafter *FWEP Eligible Institutions*].

¹³ See Florida Department of Education, *Teach in Florida -- Educator Preparation Institutes*, <http://www.teachinflorida.com/Preparation/EducatorPreparationInstitutes/tabid/187/Default.aspx> (last visited Sept. 15, 2010); see Florida Department of Education, Division of Florida Colleges, *Educator Preparation Institutes*, <http://www.fldoe.org/cc/OSAS/aptp/epi.asp> (last visited Sept. 15, 2010).

¹⁴ *FWEP Eligible Institutions*, *supra* note 12.

¹⁵ Rule 6A-20.038(4)(a)4., F.A.C.

¹⁶ A participating postsecondary educational institution may contract with any public or private employer other than another postsecondary education institution. Section 1009.77(3), F.S.; rule 6A-20.038(4), F.A.C.

¹⁷ Rule 6A-20.038(4)(b)1., F.A.C.

¹⁸ Currently, both the federal and state minimum wage requirements are \$7.25 per hour. United States Department of Labor, Wage and Hour Division, *Changes in Basic Minimum Wages in Non-Farm Employment Under State Law: Selected Years 1968 to 2010*, <http://www.dol.gov/whd/state/stateMinWageHis.htm> (last visited Aug. 2, 2010).

¹⁹ Section 1009.77(5) and (7), F.S.; rule 6A-20.038(4)(b)2., F.A.C.

²⁰ Rule 6A-20.038(4)(a)5., F.A.C.

²¹ Section 1009.77(2)(a), F.S.; rule 6A-20.038(6), F.A.C.; email, Florida Department of Education, Director of the Bureau of Student Financial Assistance (Oct. 1, 2010).

- ❖ Contracted public and private employers must pay the cost of the student's mandatory benefits.²⁴

What are the responsibilities of participating institutions?

Each participating postsecondary educational institution is responsible for determining student eligibility for the program and the amount of each eligible student's FWEP financial aid award based on the student's financial need. Further, as discussed above, the institution must employ or refer eligible students for employment; pay for the cost of preemployment requirements for a public elementary and secondary school employer; and reimburse contracted public and private employers for student wages.²⁵

Finally, each participating institution:

- ❖ May use up to 10 percent of its FWEP allocation for program administration costs, such as salaries, office supplies, printing, and program advertising.
- ❖ Must monitor the number of hours per week that students work and the amount of compensation received to ensure that FWEP funds are not overcommitted and that a student's earnings do not exceed his or her FWEP award by more than \$300 per academic year.
- ❖ Must certify to the DOE the amount of funds disbursed to each student within 30 days after the end of each term.²⁶

What are the responsibilities of participating public and private employers?

Each participating public or private employer under contract with a postsecondary educational institution must:

- ❖ Provide the institution with a copy of a work agreement executed by the student and employer which documents the duties of the job, the number of hours the student is to be employed, and the hourly rate of pay.
- ❖ Develop and implement with the institution a program of supervision for each student.
- ❖ Pay students at least monthly at an hourly rate that meets or exceeds the federal or state minimum wage, whichever is greater, and pay the total cost of mandatory benefits.
- ❖ Maintain time sheets for each student employed and provide copies to the institution when requesting reimbursement.
- ❖ Regularly request reimbursement from the institution.
- ❖ Certify that work performed by students does not displace regular employees.
- ❖ Provide an assurance that it will provide employment opportunities to students without regard to race, color, national origin, sex or handicap.²⁷

²² Student wages do not include costs of fringe benefits, travel, or other related employment costs. Rule 6A-28-038(4)(a)2., F.A.C.

²³ *Id.*; s. 1009.77(4) and (6), F.S.

²⁴ Section 1009.77(5), F.S.; rule 6A-20.038(4)(b)2., F.A.C.

²⁵ Section 1009.77(2), (4), and (6), F.S.; rule 6A-20.038(4), F.A.C.

²⁶ Section 1009.77(2) and (10), F.S.; rule 6A-20.038(4)(a) and (7), F.A.C.

²⁷ Rule 6A-20.038(4)(b), F.A.C.; see s. 1009.77(5) and (7), F.S.

How is the program funded?

The 2009-10 General Appropriations Act (GAA) provided \$1,569,922 for the FWEP.²⁸ The DOE allocated this appropriation statewide among participating postsecondary educational institutions. A total of 696 students received FWEP awards in the 2009-10 academic year with 509 receiving initial awards and 187 receiving renewal awards. The average award amount was \$1,994.32.²⁹

The 2010-11 GAA provides \$1,569,922 for the FWEP.³⁰

Where may I obtain additional information?***Florida Department of Education***

Office of Student Financial Assistance

1-888-827-2004

(850) 410-5200

<http://www.floridastudentfinancialaid.org/SSFAD>

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(850) 488-7451

<http://www.myfloridahouse.gov>

²⁸ Specific Appropriation 67, s. 2, ch. 2009-81, L.O.F.

²⁹ Florida Department of Education, Office of Student Financial Assistance, *End of Year Report 2009-10 – Florida Work Experience Program*, (Sept. 1, 2010) available at https://www.floridastudentfinancialaidsg.org/pdf/EOY_Reports.asp?year=2009.

³⁰ Specific Appropriation 68, s. 2, ch. 2010-152, L.O.F.