

CS/SB 84 by **MS, Latvala (CO-INTRODUCERS) Evers, Grimsley, Detert, Sachs, Bradley, Montford;** (Compare to H 0035) Resident Status for Tuition Purposes

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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION
Senator Legg, Chair
Senator Montford, Vice Chair

MEETING DATE: Tuesday, December 10, 2013
TIME: 9:00 —10:30 a.m.
PLACE: *Pat Thomas Committee Room, 412 Knott Building*

MEMBERS: Senator Legg, Chair; Senator Montford, Vice Chair; Senators Benacquisto, Brandes, Bullard, Galvano, Sachs, Simmons, and Stargel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 84 Military and Veterans Affairs, Space, and Domestic Security / Latvala (Compare H 35, H 205, S 428)	Resident Status for Tuition Purposes; Providing criteria for veterans of the Armed Forces of the United States, including the National Guard and reserve components thereof, to qualify as residents for tuition purposes, etc. MS 09/24/2013 Fav/CS ED 12/10/2013 Fav/CS AED AP	Fav/CS Yeas 9 Nays 0
2	Status Update on the Implementation of Education Instructional Personnel and School Administrators Legislative Policy Requirements: CS/CS/SB 1664 (2013) - Education		Presented
3	Status Update on the Implementation of Early Learning Legislative Policy Requirements: CS/HB 7165 (2013) - Early Learning		Presented
Other Related Meeting Documents			

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/CS/SB 84

INTRODUCER: Education Committee; Military and Veterans Affairs, Space, and Domestic Security Committee; and Senator Latvala

SUBJECT: Waivers of Out-of-State Fees for Veterans

DATE: December 12, 2013 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Ryon/Spaulding</u>	<u>Ryon</u>	<u>MS</u>	<u>Fav/CS</u>
2.	<u>Letarte</u>	<u>Klebacha</u>	<u>ED</u>	<u>Fav/CS</u>
3.	_____	_____	<u>AED</u>	_____
4.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 84 creates the “Congressman C.W. Bill Young Veteran Tuition Waiver Act.” The bill provides an out-of-state fee waiver for honorably discharged veterans of the U.S. Armed Forces, including the National Guard and reserve components thereof, who reside in the state while enrolled at a state university or Florida College System institution. Essentially, the waiver allows qualifying veterans to pay in-state rates for tuition and fees. The waiver covers 110 percent of the credit hours needed to complete the degree or certificate program in which the veteran is enrolled. The bill requires that state universities and Florida College System institutions report to the Board of Governors and the State Board of Education, respectively, the number and value of all fee waivers granted each year.

The bill takes effect July 1, 2014.

II. Present Situation:

Tuition and Out-of-State Fees

Under Florida law, “tuition” is defined as “the basic fee charged to a student for instruction provided by a public postsecondary educational institution in this state.”¹ A student who is

¹ Section 1009.01(1), F.S. Additionally, the definition states that “[a] charge for any other purpose shall not be included within this fee.” *Id.*

classified as a “resident for tuition purposes” is a student who qualifies for the in-state tuition rate.²

An “out-of-state fee” is “the additional fee for instruction provided by a public postsecondary education institution in this state, which fee is charged to a student who does not qualify for the in-state tuition rate.”³ A “non-resident for tuition purposes” is defined as a “person who does not qualify for the in-state tuition rate,”⁴ and pays the out-of-state fee in addition to tuition.

Residents for tuition purposes are charged in-state rates for tuition while non-residents pay out-of-state fees in addition to tuition, unless such costs are exempted or waived.⁵

Fee Exemptions and Fee Waivers

Florida law provides fee exemptions⁶ and fee waivers⁷ to qualified students that meet specified criteria. A number of fee exemptions and fee waivers are permissive⁸ while others are mandatory.⁹

Regarding military personnel, Florida law provides a mandatory undergraduate fee waiver for “each recipient of a Purple Heart or another combat decoration superior in precedence” at a state university or Florida College System (FCS) institution.¹⁰ The statute requires that the recipient:¹¹

- (1) be in an undergraduate program that results in a certificate or degree;
- (2) is currently a resident of the state and was a resident at the time of the action that resulted in the awarding of the applicable combat decoration; and
- (3) provide the institution with appropriate documentation of the separation from service and receipt of the combat decoration.

The fee waiver for Purple Heart recipients, and recipients of superior combat decorations, covers 110 percent of the credit hours the recipient needs to complete the applicable degree or certificate program.¹² During 2011-2012, 168 at FCS institutions received Purple Heart fee

² Section 1009.21(1)(g), F.S.

³ Section 1009.01(2), F.S. Adding that “[a] charge for any other purpose shall not be included within this fee.” *Id.*

⁴ Section 1009.21(1)(e), F.S.

⁵ Sections 1009.23(2)(a) and 1009.24(2), F.S.

⁶ Section 1009.25, F.S.; see The Florida College System, *Exemptions and Waivers in The Florida College System*, <http://www.fldoe.org/fcs/OSAS/Evaluations/pdf/FY12012-02Exemptions.pdf> (noting that “[a]n exemption is provided for certain students who are, by statutory definition, exempt from the payment of tuition and fees, including lab fees”).

⁷ Section 1009.26, F.S.; see The Florida College System, *Exemptions and Waivers in The Florida College System*, <http://www.fldoe.org/fcs/OSAS/Evaluations/pdf/FY12012-02Exemptions.pdf> (providing that a “waiver occurs when a student has his or her fees, which would otherwise be due, waived or forgiven by an institution”).

⁸ Section 1009.25(2), F.S. (authorizing each Florida College System institution to grant additional fee exemptions “up to 54 full-time equivalent students or 1 percent of [an] institution’s total full-time equivalent enrollment, whichever is greater at each institution”); ss. 1009.26(1)-(4), (6), (9), (10), (11), F.S.

⁹ Section 1009.25(1)(a)-(g), F.S.; ss. 1009.26(5), (7), (8), F.S.

¹⁰ Section 1009.26(8), F.S.

¹¹ Section 1009.26(8)(a)-(c), F.S.

¹² Section 1009.26(8), F.S.

waivers totaling \$269,580.¹³ At state universities, 46 students received Purple Heart fee waivers totaling \$151,896 during 2012-2013.¹⁴

Additionally, through one of the permissive fee waivers, the board of trustees at each state university, as well as school districts, and FCS institutions, are authorized to waive fees under certain conditions. The board of trustees of each state university is authorized to “waive tuition and out-of-state fees for purposes that support and enhance the mission of the university.”¹⁵ Similarly, “[s]chool districts and Florida College System institutions may waive fees for any fee-nonexempt student.”¹⁶

In 2011-2012, FCS institutions provided exemptions and fee waivers for 71,719 students, which totaled \$93,689,726.¹⁷ Fee exemptions and fee waivers, respectively, totaled \$83,926,832 and \$9,762,894 within FCS institutions.¹⁸ A total of \$205,824,039 in fee exemptions and fee waivers were provided by state universities during 2012-2013.¹⁹

Tuition Assistance for Veterans

States and institutions of higher education across the nation use an array of options and criteria to apply in-state tuition rates to veterans. The differing means of granting in-state tuition to veterans that currently exist, through state law or institutional policy, and the varying eligibility requirements to receive the benefit, create a range of options when providing tuition assistance to veterans. For example, some states:

- Provide for veterans to be charged in-state tuition without a residency requirement.²⁰
- Require that a veteran be permanently stationed in the state²¹ or be a resident of the state and meet an additional requirement to be a resident for admission and tuition purposes.²²

¹³ Email from the Florida Department of Education (Dec. 11, 2013) (on file with Senate Committee on Education).

¹⁴ Email from the Board of Governors of the State University System of Florida (Dec. 11, 2013) (on file with Senate Committee on Education).

¹⁵ Section 1009.26(9), F.S. (noting that fee waivers under this section must be grounded in policies adopted by the state university board of trustees under regulations adopted by the Board of Governors).

¹⁶ Section 1009.26(1), F.S.

¹⁷ Email from the Florida Department of Education (Dec. 11, 2013) (on file with Senate Committee on Education).

¹⁸ *Id.* The calculation of fee exemptions the exemptions provided under s. 1009.25(2), F.S., which totaled \$7,912,717 for 2,691 students and the exemptions under s. 1009.25(1), F.S. *Id.*

¹⁹ Email from the Board of Governors of the State University System of Florida (Dec. 11, 2013) (on file with Senate Committee on Education).

²⁰ *E.g.*, MISS. CODE ANN. §37-103-25(2)(b) (requiring that the student need only be a veteran of the Armed Forces); MISS. CODE ANN. §37-103-25(2)(c) (assessing an in-state tuition fee to a nonresident student who is “domiciled in Mississippi no later than six (6) months after . . . separation from service . . . for the purpose of enrolling in a state institution of higher learning or a community or junior college”); *see also* VA. CODE ANN. §23-7.4(B) (waiving the one year residency requirement for “retired military personnel residing in the Commonwealth at the time of their retirement, or veterans, or the domiciliary intent of their dependent spouse or children who claim domicile through them, who voluntarily elect to establish Virginia as their permanent residence for domiciliary purposes”).

²¹ *E.g.*, LA. REV. STAT. ANN. §17:2137(D) (establishing that honorably discharged veterans (and their dependents) who were permanently stationed in the state as members of the Armed Forces and continuously reside in the state upon discharge qualify for resident tuition fees).

²² *E.g.*, ALA. CODE §16-64-2(b)(1)c. (providing residency status for admission and tuition purposes to a veteran who “has become a resident of Alabama and satisfies at least one of the following conditions,” where the veteran has: served on active duty for two or more years with an honorable discharge within five years of attending a public school in Alabama; is currently serving in a reserve component of the Armed Forces; or has a service-related disability as determined by the

- Do not require that residency be demonstrated but may require continuous enrollment and some form of documentation that is relevant to state residency.²³
- Provide a specific waiver of the in-state residency requirement for residents living out-of-state but within a certain radius of the institution being attended.²⁴

Additionally, some laws authorize institutions of higher education to develop policies and criteria that provide fee waivers to eligible veterans.²⁵

U.S. Department of Veterans Affairs Education Benefit Programs

The U.S. Department of Veterans Affairs (USDVA) provides financial assistance programs to eligible veterans and dependents pursuing postsecondary education. The USDVA currently administers the following federal educational assistance programs:

USDVA); LA. REV. STAT. ANN. §17:2137(E) (granting residency for tuition purposes to a veteran of the Armed Forces who resides in the state for the duration of enrollment in a public college or university, except for tuition fees of a veteran who is eligible for the Yellow Ribbon Program; has served for two or more years and was honorably discharged one year prior to enrollment; is in a Reserve Component of the Armed Forces; or has a service-related disability as documented by the USDVA).

²³ ARIZ. REV. STAT. §15-1802(G) (giving automatic in-state student classification to honorably discharged veterans who are continuously enrolled and have: (1) registered to vote in Arizona, and (2) shown intent to become an Arizona resident through: an Arizona driver's license, vehicle registration, employment history, movement of significant banking services to the state, providing a permanent state address on "pertinent documents," or through other documents relevant to residency status); TEX. EDUC. CODE ANN. §54.241(i) (granting an honorably discharged veteran (and the veteran's spouse and dependent children) with in-state costs at a state institution "for any term or semester at a state institution of higher education that begins before the first anniversary of the member's separation from the Armed Forces" and provided that subsection (d) requirements relating to residency are also met); *see also* TEX. EDUC. CODE ANN. §54.241(k) (stating that a person is entitled to in-state tuition rates, regardless of residency, if the individual is eligible for federal veteran education benefits and files a letter of intent with the institution to establish residency in Texas).

²⁴ *E.g.*, ALA. CODE §16-64-62(b)(1)d. (stating that "an out-of-state veteran who resides within 90 miles of a campus located in Alabama and has enrolled at an institution whose board of trustees has voted to allow nonresident in-state tuition for active and retired military" shall be considered a resident student).

²⁵ *E.g.*, GA. CONST. art. 8, §7, ¶ IV (authorizing the Board of Regents of the University System of Georgia "to establish programs allowing attendance at units of the University System of Georgia without payment of tuition or other fees . . ."); MISS. CODE ANN. §37-103-25(3)-(4); WASH. REV. CODE §23B.15.621(2) and (3) (providing that the governing boards of universities and colleges "may waive all or a portion of tuition and fees" for national guard members and eligible veterans); University System of Georgia, *Board of Regents Policy Manual*, <http://www.usg.edu/policymanual/section7/C453/>, §7.3.4.1 (last visited Dec. 8, 2013) (creating an out-of-state tuition waiver for recently separated members of the military, and their spouses and dependent children, who enroll and show an intent to become a Georgia resident within 12 months of separation from the military); University of Washington, Veterans Center, Division of Student Life, *Tuition Waivers*, <http://www.washington.edu/students/veteran/waiver.shtml> (last visited Dec. 8, 2013) (giving a waiver of 50 percent of the in-state tuition and fee rate to an honorably discharged veteran, seeking a first baccalaureate degree, for up to 225 college-level credits, who is a "Washington domiciliary," served in a "war or conflict on foreign soil or in international waters[,] or in another location in support of those serving on foreign soil or in international waters," and providing a similar waiver at the graduate and professional level if the individual has not previously received a tuition waiver for veterans from the University of Washington).

- **Montgomery GI Bill – Active Duty Educational Assistance Program (MGIB-AD)**²⁶
 - The MGIB-AD provides educational assistance to persons who served on active duty in the Armed Forces.²⁷ Active duty members make an initial contribution²⁸ and are subsequently entitled to receive a monthly education benefit²⁹ once they have completed a minimum service obligation.³⁰
- **Montgomery GI Bill – Selected Reserve Educational Assistance Program (MGIB-SR)**³¹
 - The MGIB-SR provides educational assistance to members of the reserve components of the Armed Forces. Reservists must be actively drilling and have a 6-year obligation in the reserves to be eligible.³²
- **Educational Assistance Survivors’ and Dependents’ Program (DEA)**³³
 - DEA is a monetary educational benefit payable to eligible dependents and survivors of certain veterans.³⁴
- **Veterans Educational Assistance Program (VEAP)**³⁵
 - VEAP is an education benefit for veterans who entered service for the first time between December 31, 1976 and July 1, 1985. Although there are still some veterans who use this program, it ended for new enrollees June 30, 1985.³⁶
- **Reserve Educational Assistance Program (REAP)**³⁷
 - REAP provides educational assistance to National Guard members and reservists who are called to active duty in response to a war, national emergency, or contingency operation as declared by the President or Congress on or after September 11, 2001.³⁸
- **Post-9/11 GI Bill Program**³⁹
 - The Post-9/11 GI Bill is the newest educational assistance program that provides financial support for education and housing to individuals with at least 90 days of

²⁶ 38 U.S.C. §§3001-3035.

²⁷ 38 U.S.C. §3011(a).

²⁸ 38 U.S.C. §3011(b)(1) (stating that “the basic pay of any individual described in subsection (a)(1)(A) of this section who does not make an election under (c)(1) of this section shall be reduced by \$100 for each of the first 12 months that such individual is entitled to such pay”).

²⁹ 38 U.S.C. §3014 (providing that the educational assistance is to help meet the costs of an individual’s “subsistence, tuition, fees, supplies, books, equipment, and other educational costs” and that the maximum duration of benefits is 36 months); Department of Veterans Affairs, *The Montgomery GI Bill- Active Duty: Summary of Educational Benefits Under the Montgomery GI Bill – Active Duty Educational Assistance Program*, http://www.gibill.va.gov/documents/pamphlets/ch30_pamphlet.pdf, 17.

³⁰ 38 U.S.C. §3011(a)(1) (outlining the minimum service obligations depending upon when an individual began active duty).

³¹ 10 U.S.C. §§16131-16136.

³² 10 U.S.C. §§16131(a), 16132(a); Department of Veterans Affairs, *The Montgomery GI Bill-Selected Reserve*, http://gibill.va.gov/documents/pamphlets/ch1606_pamphlet.pdf.

³³ 38 U.S.C. §§3500-3566.

³⁴ 38 U.S.C. §3501(a)(1) (defining an “eligible person” as: the child of an individual who died or has a permanent and total disability as a result of service; the spouse of an individual who died due to service-related disability; the spouse or child of an individual who, for 90 days, is missing in action, captured, or forcibly detained in the line of duty, or who is receiving certain medical care and may be released or discharged due to a service-related disability); Department of Veterans Affairs, *Dependents’ Educational Assistance Program (DEA)*, [http://www.gibill.va.gov/documents/pamphlets/ch35_pamphlet\(2\).pdf](http://www.gibill.va.gov/documents/pamphlets/ch35_pamphlet(2).pdf), 3.

³⁵ 38 U.S.C. §§3201-3243.

³⁶ 38 U.S.C. §§3201, 3202(1)(A).

³⁷ 10 U.S.C. §§16161-16166.

³⁸ 10 U.S.C. §16163(a).

³⁹ 38 U.S.C. §§3301-3325.

- aggregate service on or after September 11, 2001,⁴⁰ or individuals discharged with a service-connected disability after 30 continuous days of active duty service.⁴¹
- Individuals may be eligible for up to 36 months of education benefits and eligibility generally expires 15 years from the date of the last discharge or release from active duty service.⁴²
 - The Post-9/11 GI Bill provides beneficiaries the cost of tuition and fees, not to exceed the most expensive in-state undergraduate tuition at a public higher education institution in the state in which the individual is attending school.⁴³
 - An individual is eligible for a fixed percentage of the payments authorized under the Post-9/11 GI Bill based on an individual's amount of creditable active duty service since September 11, 2001.⁴⁴
- **Yellow Ribbon GI Education Enhancement Program (Yellow Ribbon Program)**
 - The Yellow Ribbon Program was created within the Post-9/11 GI Bill program as a means to partially or fully fund tuition and fee expenses that exceed the established thresholds under the Post-9/11 GI Bill.⁴⁵
 - Participation in the Yellow Ribbon Program is limited to veterans entitled to the maximum Post-9/11 GI Bill benefit rate (based on service requirements) or their designated transferees.⁴⁶
 - Both public and private colleges and universities are able to voluntarily participate in the Yellow Ribbon Program through an agreement with the USDVA.⁴⁷

⁴⁰ 38 U.S.C. §3311(b)(8).

⁴¹ 38 U.S.C. §3311(b)(2)(B). The Post-9/11 GI Bill, which became effective on August 1, 2009, provides the most comprehensive set of education benefits since the original GI Bill of 1944. USDVA Veterans Benefits Administration, *Annual Benefits Report: Fiscal Year 2011*, http://www.vba.va.gov/REPORTS/abr/2011_abr.pdf, 37. It is also the most widely utilized of all USDVA education programs. *Id.* at 40 (providing programmatic statistics from 2007-2011 and demonstrating that the Post-9/11 GI Bill program had more beneficiaries than any other program in 2010 and 2011).

⁴² 38 U.S.C. §3321(a).

⁴³ USDVA, *Yellow Ribbon Program*, http://www.gibill.va.gov/School_Info/yellow_ribbon/ (last visited Dec. 8, 2013). The Post-9/11 GI Bill also provides a monthly housing allowance and a yearly stipend for books and supplies. USDVA, *Post-9/11 GI Bill (Chapter 33) Payment Rates for 2012 Academic Year (August 1, 2012-July 31, 2013)*, http://www.gibill.va.gov/resources/benefits_resources/rates/CH33/Ch33rates080112.html#MHA (last visited Dec. 8, 2013). Post-9/11 GI Bill benefits are allowed to be used for approved training, which includes: graduate and undergraduate degrees, non-college degree programs for vocational and technical training, apprenticeship and on-the-job training, flight training, correspondence training, certification and licensing, national testing programs, entrepreneurship training, and a tutorial assistance program. USDVA, *The Post-9/11 GI-Bill*, http://www.gibill.va.gov/benefits/post_911_gibill/index.html (last visited Dec. 8, 2013).

⁴⁴ 38 U.S.C. §3313(c)(1)-(7); USDVA, *Post 9/11 GI Bill: It's Your Future*, http://gibill.va.gov/documents/pamphlets/ch33_pamphlet.pdf, 2.

⁴⁵ 38 U.S.C. §3317(a) (defining the purpose of the Yellow Ribbon GI Educational Enhancement Program as a means of covering a portion of the expenses not covered by 38 U.S.C. §3313).

⁴⁶ USDVA, *Post 9/11 GI Bill: It's Your Future*, http://gibill.va.gov/documents/pamphlets/ch33_pamphlet.pdf, 2. Veterans entitled to less than the maximum benefit rate and active duty servicemembers and their spouses are not eligible for this program. USDVA, *Benefits of the Yellow Ribbon Program*, http://www.gibill.va.gov/benefits/post_911_gibill/yellow_ribbon_program.html (last visited Dec. 8, 2013).

⁴⁷ 38 U.S.C. §3317(a), (c); *see* USDVA, *Yellow Ribbon Program Information 2012-2013 School Year* http://www.gibill.va.gov/gi_bill_info/ch33/yrp/yrp_list_2012.htm (select "Florida" in the state list) (last visited Dec. 8, 2013) (providing a list of participating institutions by state, which includes public and private institutions). To participate in the Yellow Ribbon Program, an institution must enter into an official agreement with the USDVA 38 U.S.C. §3317(c). The agreement specifies the maximum amount an institution will contribute per academic year toward each qualified student's tuition and fee expenses that exceed the amount payable under the Post-9/11 GI Bill. 38 U.S.C. §3317(c)(2). The agreement

- The USDVA will match an institution’s contributions, not to exceed 50 percent of the difference.⁴⁸
- Currently, two FCS institutions and four State University System institutions are listed as Yellow Ribbon Program participants.⁴⁹

According to the USDVA, for fiscal year 2011,⁵⁰ the state of Florida had the third highest number of USDVA education beneficiaries (using one or more of the federal education assistance programs described above) in the nation with 68,133 beneficiaries, behind Texas (76,878) and California (88,420).⁵¹ The number of USDVA education program beneficiaries in Florida has steadily increased since fiscal year 2000 (see Figure One below).⁵² Total USDVA education program payments to Florida beneficiaries for fiscal year 2012 was \$702,492,751.⁵³

Figure One USDVA Education Beneficiaries in Florida	
Fiscal Year	Total Florida Beneficiaries
2000	25,556
2001	26,598
2002	28,394
2003	29,551
2004	31,815
2005	31,791
2006	32,193
2007	33,963
2008	36,088
2009	36,394
2010	59,519
2011	68,133

also indicates the maximum number of individuals for whom contributions will be made in any given academic year. 38 U.S.C. §3317(c)(3).

⁴⁸ 38 U.S.C. §3317(d)(1).

⁴⁹ USDVA, *Florida State Yellow Ribbon Program Information 2013-2014*, http://www.gibill.va.gov/gi_bill_info/ch33/yrp/2013/states/fl.htm (last visited Dec. 8, 2013). The Florida College System institutions listed as participants are: the State College of Florida, Manatee-Sarasota (providing \$4,320.00 per student per year for a maximum of 20 students) and Gulf Coast State College, which is currently noted as providing \$0.00 per student per year for zero students. *Id.* The State University System institutions listed as participants are: Florida State University (providing an unlimited amount per student per year for an unlimited amount of students); University of Central Florida (providing \$6,000.00 per student per year for 30 undergraduate students; \$6,800.00 per student per year for 10 graduate students; and \$20,000 per student per year for 10 medical students); University of South Florida (providing \$6,000.00 per student per year for 24 undergraduate students; \$6,500.00 per student per year for 10 masters students; and \$2,100.00 per student per year for 4 medicine students); and University of West Florida (providing an unlimited amount per student per year for 250 students from all degree levels). *Id.*

⁵⁰ Fiscal year 2011 is the most recent year for which data are currently available regarding the number of USDVA education beneficiaries. USDVA, *Department of Veterans Affairs Education Program Beneficiaries by Geography: FY2000 to FY2011*, <http://www.va.gov/vetdata/Utilization.asp> (select “Benefit Programs” tab; then follow the hyperlink titled “Department of Veterans Affairs Education Program Beneficiaries by Geography: FY2000 to FY2011”) (last visited Dec. 8, 2013).

⁵¹ *Id.*

⁵² *Id.*

⁵³ Email from the National Center for Veterans Analysis and Statistics (Sept. 23, 2013) (on file with Senate Committee on Education).

During fiscal year 2011, there were 42,607 Post-9/11 GI Bill beneficiaries in Florida.⁵⁴ The Post-9/11 GI Bill only covers the highest in-state undergraduate tuition,⁵⁵ therefore, a non-resident veteran would be responsible for the total costs that exceed the in-state tuition amount, unless the veteran attends an institution that voluntarily participates in the Yellow Ribbon Program.

III. Effect of Proposed Changes:

Currently, non-residents, including non-resident veterans, must meet the residency requirements of s. 1009.21, F.S., to be charged in-state tuition. Without a specifically authorized fee exemption or waiver, non-resident students pay out-of-state fees in addition to the basic tuition fee rates.

CS/CS/SB 84 amends s. 1009.26, F.S., to create the “Congressman C.W. Bill Young Veteran Tuition Waiver Act” and to provide a mandatory out-of-state fee waiver for honorably discharged veterans of the U.S. Armed Forces, including the National Guard and a reserve component thereof, who reside in the state while enrolled at a state university or Florida College System (FCS) institution. Consistent with a similar fee waiver provision for recipients of a Purple Heart or another combat decoration superior in precedence, the fee waiver authorized by the bill covers 110 percent of the credit hours needed to complete the degree or certificate program in which the veteran is enrolled. State universities and FCS institutions must report to the Board of Governors and the State Board of Education, respectively, the number and value of all fee waivers granted annually under the Congressman C.W. Bill Young Veteran Tuition Waiver Act. In effect, the bill guarantees that qualifying veterans will be charged in-state tuition and fee rates at Florida’s state universities and FCS institutions.

The bill provides an effective date of July 1, 2014.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁵⁴ USDVA, *Department of Veterans Affairs Education Program Beneficiaries by Geography: FY2000 to FY2011*, <http://www.va.gov/vetdata/Utilization.asp> (select “Benefit Programs” tab; then follow the hyperlink titled “Department of Veterans Affairs Education Program Beneficiaries by Geography: FY2000 to FY2011”) (last visited Dec. 8, 2013).

⁵⁵ USDVA, *Yellow Ribbon Program* http://www.gibill.va.gov/School_Info/yellow_ribbon/ (last visited Dec. 8, 2013).

D. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Non-resident veterans who qualify for the out-of-state fee waiver under the bill would only pay in-state tuition and fee rates. This would provide a considerable savings to student veterans each semester.

For the 2013-2014 academic year, the average State University System undergraduate cost for tuition and fees for two semesters is \$6,155 for residents and \$21,434 for non-residents.⁵⁶ At the graduate level, the average cost for two semesters is \$10,262 for residents and \$25,138 for non-residents.⁵⁷ For the same period, the Florida College System reports the average cost for two semesters is approximately \$3,124 for residents enrolled in lower-level credit programs and \$11,531 for non-residents. For residents enrolled in the upper-level credit programs the cost for two semesters is \$3,585 and \$15,400 for non-residents.⁵⁸

C. Government Sector Impact:

The Florida Department of Education has stated that the fiscal impact of the bill on the Florida College System institutions cannot be determined.⁵⁹ The Board of Governors, under current enrollment data of non-resident veterans, estimated an unrealized tuition revenue for the State University System in one year would be \$8,196,185 for undergraduate and graduate students.⁶⁰

⁵⁶ Board of Governors of the State University System of Florida, *Public Colleges and Universities of Florida, Tuition and Required Fees, 2013-14 for New Students in Main Campus*, <http://www.flbog.edu/about/budget/current.php> (select the Excel link for "2013-2014 Fees") (last visited Dec. 8, 2013) (noting that the calculation is for students who are full-time with 30 credit hours).

⁵⁷ *Id.* (providing that the calculation is for full-time graduate students with 24 credit hours).

⁵⁸ Email from the Florida College System (Dec. 4, 2013) (on file with Senate Committee on Education).

⁵⁹ Telephone interview with staff, Academic and Student Affairs Division of Florida Colleges, Florida Department of Education (Dec. 11, 2013); see Florida Department of Education, Agency Legislative Bill Analysis for CS for SB 84 (Oct. 9, 2013) (on file with the Senate Committee on Education).

⁶⁰ Telephone interview with staff, Board of Governors of the State University System of Florida (Dec. 11, 2013); see Board of Governors of the State University System of Florida, Senate Bill 84 Agency Legislative Bill Analysis (Sept. 19, 2013) (on file with the Senate Committee on Education).

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following section of the Florida Statutes: s. 1009.26, F.S.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Committee on Education on December 10, 2013:

The committee substitute differs from CS/SB 84 in the following ways:

- Guarantees in-state tuition for qualified veterans, but through a fee waiver rather than classification of “residency” for tuition purposes.
- Establishes the “Congressman C.W. Bill Young Veteran Tuition Waiver Act.”
- Requires state universities and Florida College System (FCS) institutions to waive out-of-state fees for honorably discharged veterans of the Armed Forces, including the National Guard and reserve components thereof, who physically reside in the state while enrolled in such institutions.
- Requires that the tuition and fees charged to a qualifying veteran are the same as the tuition and fees charged to a resident student.
- Provides the fee waiver for 110 percent of the required credit hours for degree or certificate program for which a veteran is enrolled.
- Requires state universities and FCS institutions to report to the Board of Governors and the State Board of Education, respectively, the number and value of all fee waivers granted annually under the Congressman C.W. Bill Young Veteran Tuition Waiver Act.

CS by Military and Veterans Affairs, Space, and Domestic Security on September 24, 2013:

The committee substitute:

- Makes a technical change to replace the term “Armed Services” with “Armed Forces.”
- Clarifies that a veteran must be honorably discharged to qualify for in-state residency.
- Clarifies that veterans of the reserve components and the National Guard are eligible for in-state residency.
- Requires a veteran to physically reside in the state while enrolled in an institution of higher education.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



883370

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
12/10/2013	.	
	.	
	.	
	.	

The Committee on Education (Legg) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (12) is added to section 1009.26,
Florida Statutes, to read:

(12) A state university or Florida College System
institution shall waive out-of-state fees for an honorably
discharged veteran of the Armed Forces of the United States,
including the National Guard and reserve components thereof, who
physically resides in this state while enrolled in the



883370

12 institution. Tuition and fees charged to a veteran who qualifies
13 for the out-of-state fee waiver under this subsection may not
14 exceed the tuition and fees charged to a resident student. The
15 waiver is applicable for 110 percent of the required credit
16 hours of the degree or certificate program for which the student
17 is enrolled. Each state university and Florida College System
18 institution shall report to the Board of Governors and the State
19 Board of Education, respectively, the number and value of all
20 fee waivers granted annually under this subsection.

21 Section 2. This act shall take effect July 1, 2014.

22
23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 Delete everything before the enacting clause
26 and insert:

27 A bill to be entitled

28 An act relating to waivers of out-of-state fees for
29 veterans; amending s. 1009.26, F.S.; requiring a state
30 university or Florida College System institution to
31 waive out-of-state fees for certain veterans of the
32 Armed Forces of the United States, including the
33 National Guard and reserve components thereof;
34 providing applicability; requiring a state university
35 and a Florida College System institution to report to
36 the Board of Governors and the State Board of
37 Education, respectively, the number and value of all
38 fee waivers; providing an effective date.



959376

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/10/2013	.	
	.	
	.	
	.	

The Committee on Education (Legg) recommended the following:

1 **Senate Substitute for Amendment (883370) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. This act is cited as the "Congressman C. W. Bill
7 Young Veteran Tuition Waiver Act."

8 Section 2. Subsection (12) is added to section 1009.26,
9 Florida Statutes, to read:

10 (12) There is established the Congressman C. W. Bill Young
11 Veteran Tuition Waiver Program. A state university or Florida



959376

12 College System institution shall waive out-of-state fees for an
13 honorably discharged veteran of the Armed Forces of the United
14 States, including the National Guard and reserve components
15 thereof, who physically resides in this state while enrolled in
16 the institution. Tuition and fees charged to a veteran who
17 qualifies for the out-of-state fee waiver under this subsection
18 may not exceed the tuition and fees charged to a resident
19 student. The waiver is applicable for 110 percent of the
20 required credit hours of the degree or certificate program for
21 which the student is enrolled. Each state university and Florida
22 College System institution shall report to the Board of
23 Governors and the State Board of Education, respectively, the
24 number and value of all fee waivers granted annually under this
25 subsection.

26 Section 3. This act shall take effect July 1, 2014.

27
28 ===== T I T L E A M E N D M E N T =====

29 And the title is amended as follows:

30 Delete everything before the enacting clause
31 and insert:

32 A bill to be entitled
33 An act relating to waivers of out-of-state fees for
34 veterans; amending s. 1009.26, F.S.; providing a short
35 title; establishing the Congressman C. W. Bill Young
36 Veteran Tuition Waiver Program; requiring a state
37 university or Florida College System institution to
38 waive out-of-state fees for certain veterans of the
39 Armed Forces of the United States, including the
40 National Guard and reserve components thereof;



959376

41 providing applicability; requiring a state university
42 and Florida College System institution to report to
43 the Board of Governors and the State Board of
44 Education, respectively, the number and value of all
45 fee waivers; providing an effective date.
46

47 WHEREAS, Charles William (Bill) Young, born in 1930, was
48 raised in humble surroundings and was later elected to the
49 United States House of Representatives by the electors of the
50 Thirteenth Congressional District of Florida, and

51 WHEREAS, after Congressman Young completed his 22nd term in
52 the United States House of Representatives, he became the
53 longest serving Republican member at the time of his death on
54 October 18, 2013, and

55 WHEREAS, as a husband, father, laborer, businessman, and
56 United States Army Reservist, Congressman Young was the
57 embodiment of a distinguished gentleman and statesman who was
58 noted for his unflappable civility, and

59 WHEREAS, Congressman Young was instrumental in safeguarding
60 from decommission the MacDill Air Force Base in Florida, now
61 home to the United States Central Command and the United States
62 Special Operations Command, during the Federal Government's
63 efforts to reduce the number of Air Force bases, and

64 WHEREAS, Congressman Young is credited with the substantial
65 growth of one of this nation's largest veteran's hospitals
66 located in Saint Petersburg, Florida, which now bears his name,
67 and

68 WHEREAS, Congressman Young's most gratifying
69 accomplishment, realized in conjunction with the United States



959376

70 Navy, was establishing a national registry for bone marrow
71 donors which is credited with saving tens of thousands of lives,
72 and

73 WHEREAS, adoption of this act, which is cited as the
74 "Congressman C. W. Bill Young Veteran Tuition Waiver Act"
75 exemplifies and honors Congressman Young for his unwavering,
76 lifelong support of the Armed Forces of the United States and
77 the brave military men and women who serve this nation and stand
78 in defense of liberty, NOW, THEREFORE,

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senators Latvala and Evers

583-00366-14

201484c1

1 A bill to be entitled
 2 An act relating to resident status for tuition
 3 purposes; amending s. 1009.21, F.S.; providing
 4 criteria for veterans of the Armed Forces of the
 5 United States, including the National Guard and
 6 reserve components thereof, to qualify as residents
 7 for tuition purposes; providing an effective date.
 8
 9 Be It Enacted by the Legislature of the State of Florida:
 10
 11 Section 1. Paragraphs (a) and (b) of subsection (10) of
 12 section 1009.21, Florida Statutes, are amended, present
 13 paragraphs (c) through (k) of that subsection are redesignated
 14 as paragraphs (d) through (l), respectively, and a new paragraph
 15 (c) is added to that subsection, to read:
 16 1009.21 Determination of resident status for tuition
 17 purposes.—Students shall be classified as residents or
 18 nonresidents for the purpose of assessing tuition in
 19 postsecondary educational programs offered by charter technical
 20 career centers or career centers operated by school districts,
 21 in Florida College System institutions, and in state
 22 universities.
 23 (10) The following persons shall be classified as residents
 24 for tuition purposes:
 25 (a) Active duty members of the Armed ~~Forces Services~~ of the
 26 United States residing or stationed in this state, their
 27 spouses, and dependent children, and active drilling members of
 28 the Florida National Guard.
 29 (b) Active duty members of the Armed ~~Forces Services~~ of the

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

583-00366-14

201484c1

30 United States and their spouses and dependents attending a
 31 Florida College System institution or state university within 50
 32 miles of the military establishment where they are stationed, if
 33 such military establishment is within a county contiguous to
 34 Florida.
 35 (c) Honorably discharged veterans of the Armed Forces of
 36 the United States, including the National Guard and reserve
 37 components thereof, who physically reside in this state while
 38 enrolled in an institution of higher education.
 39 Section 2. This act shall take effect July 1, 2014.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12-10-13

Meeting Date

Topic Veteran Tuition

Bill Number 5B84
(if applicable)

Name CASEY WELCH

Amendment Barcode _____
(if applicable)

Job Title Gov. Relations

Address 8350 N. Tamiami Trail

Phone 941-359-4572

Street

Sarasota

FL

State

Zip

E-mail Caseywelch@Sar.usf.edu

City

Speaking: For Against Information

Representing USF SARASOTA - MANATEE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/10

Meeting Date

Topic In-state tuition for veterans Bill Number SB84
(if applicable)

Name Stefano Cavallaro Amendment Barcode _____
(if applicable)

Job Title Director of Governmental Affairs at FSU Student Gov.

Address 75 Woodward Ave Phone 941-726-2786

Street

Tallahassee

City

FL

State

32306

Zip

E-mail director.oga.fsu@gmail.com

Speaking: For Against Information

Representing FSU Student Body

Appearing at request of Chair: Yes No
Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

DEC 10, 2013 (Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date

Topic RESIDENCY FOR TUITION PURPOSES (VETERANS) Bill Number SB 84
(if applicable)

Name ANDREW SLOAN Amendment Barcode _____
(if applicable)

Job Title DIRECTOR, VETERAN STUDENT UNION AT FSU

Address 2350 PHILLIPS RD APT 9107 Phone 325-280-6494

Street
TALLAHASSEE FL 32308
City State Zip

E-mail aus12d@my.fsu.edu

Speaking: For Against Information

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10 Dec 2013
Meeting Date

Topic Residency for Tuition Purposes (Veterans) Bill Number SB 84
(if applicable)

Name Abby Kinch Amendment Barcode _____
(if applicable)

Job Title President

Address 242 Lake Ella Dr, #3
Street
Tallahassee FL 32303
City State Zip

Phone 850.264.7948

E-mail akk@9c@my.fsu.edu

Speaking: For Against Information

Representing Collegiate Veterans Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12-10-13

Meeting Date

Topic _____

Bill Number SB84
(if applicable)

Name NICHOLAS COLLIER

Amendment Barcode _____
(if applicable)

Job Title GRAD STUDENT FSU

Address 15416 YANLEY ST.
Street

Phone 703 489 2849

TALLAHASSEE FL 32303
City State Zip

E-mail COLLIER N W I @ H O - M I L

Speaking: For Against Information

Representing CVA of FSU

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

Topic IN State Tuition

Bill Number ~~TTA~~ 84
(if applicable)

Name ART SCHWABE

Amendment Barcode _____
(if applicable)

Job Title DEPT COMMANDER

Address 1912 A Lee Road

Phone _____

Street

Orlando FL 32810

City

State

Zip

E-mail Dept Com

Speaking: For Against Information

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/20/11)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/10/13 Meeting Date

Topic Resident Status for Tuition for Veterans Bill Number SB84 (if applicable)

Name Christina Bonnarigo Amendment Barcode (if applicable)

Job Title Student Body President

Address 305 J. Wayne Reitz Union P.O. Box 118505 Phone 386-334-0905

Street

Gainesville

FL

32611

City

State

Zip

E-mail president@sg.ufl.edu

Speaking: [X] For [] Against [] Information

Representing UF Student Government

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/10/13

Meeting Date

as amended

Topic SB 84- Resident Status for Tuition Purposes

Bill Number SB 84

(if applicable)

Name Kathy Hebda

Amendment Barcode _____

(if applicable)

Job Title Chief of Staff

Address 385 W. Gaines Street

Phone 850-245-9633

Street

Tallahassee FL 32399

E-mail Kathy.Hebda@fldoe.org

City

State

Zip

Speaking: For Against Information

Representing DOE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10 DEC 13
Meeting Date

Topic VETERAN IN-STATE TUITION Bill Number SB 84
(if applicable)

Name BILLY FRANCIS Amendment Barcode _____
(if applicable)

Job Title DIRECTOR, FSU STUDENT VETERAN CENTER

Address 3750 BABBITT MILL RD Phone 491-0034
Street

LALAHASSEE FL 32317 E-mail WFRANCIS@ADMN.FSU.EDU
City State Zip

Speaking: For Against Information

Representing VETERANS IN EDUCATION

Appearing at request of Chair: Yes No
Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

DEC. 10 2013

Meeting Date

Topic Veterans Funding

Bill Number 84
(if applicable)

Name Sandra Casarini Ray

Amendment Barcode _____
(if applicable)

Job Title Gov't Relations

Address _____

Phone _____

Street

City

State

Zip

E-mail _____

Speaking: For Against Information

Representing Pensacola State

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12-10-13

Meeting Date

Topic Tuition Residency

Bill Number 84
(if applicable)

Name Rick Maxey

Amendment Barcode _____
(if applicable)

Job Title Dir Government Relations

Address 439 S Florida Ave

Phone _____

Street

Lakeland FL

E-mail _____

City

State

Zip

Speaking: For Against Information

Representing Florida Polytechnic University

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10 DEC 13

Meeting Date

Topic IN STATE TUITION

Bill Number 84
(if applicable)

Name FRANK GREGORY

Amendment Barcode _____
(if applicable)

Job Title LEGISLATIVE OFFICER

Address 1552 DONNA AVE

Phone 850-671-0002

Street

PANAMA CITY FL 32404

City

State

Zip

E-mail CHEFFRANK@COMCAST.NET

Speaking: For Against Information

Representing AMVETS DEPT OF FLORIDA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/10/2013

Meeting Date

Topic _____

Bill Number 84
(if applicable)

Name Col. Mike Prendergast

Amendment Barcode _____
(if applicable)

Job Title Executive Director

Address The Capitol, Suite 2105

Phone 407-1533

Street
Tallahassee FL 32399
City *State* *Zip*

E-mail prendergastm@FDVA.state.fl.us

Speaking: For Against Information

Representing The Florida Department of Veterans' Affairs

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/10/13

Meeting Date

Topic Veterans Residency

Bill Number 84
(if applicable)

Name Victoria Hernandez

Amendment Barcode _____
(if applicable)

Job Title Dir Govt Apprs.

Address 300 NE 2 Ave

Phone 305 298 4878

Street

MIAMI

City

State

Zip

E-mail _____

Speaking: For Against Information

Representing MIAMI DADE COLLEGE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/9
Meeting Date

Topic SB - 84 (Vet tuition bill)

Bill Number 84
(if applicable)

Name Adam (Gear-e') Giery

Amendment Barcode _____
(if applicable)

Job Title Dir of Policy

Address 136 South Bromough st
Street
Tallahassee FL 32311
City State Zip

Phone _____

E-mail _____

Speaking: For Against Information

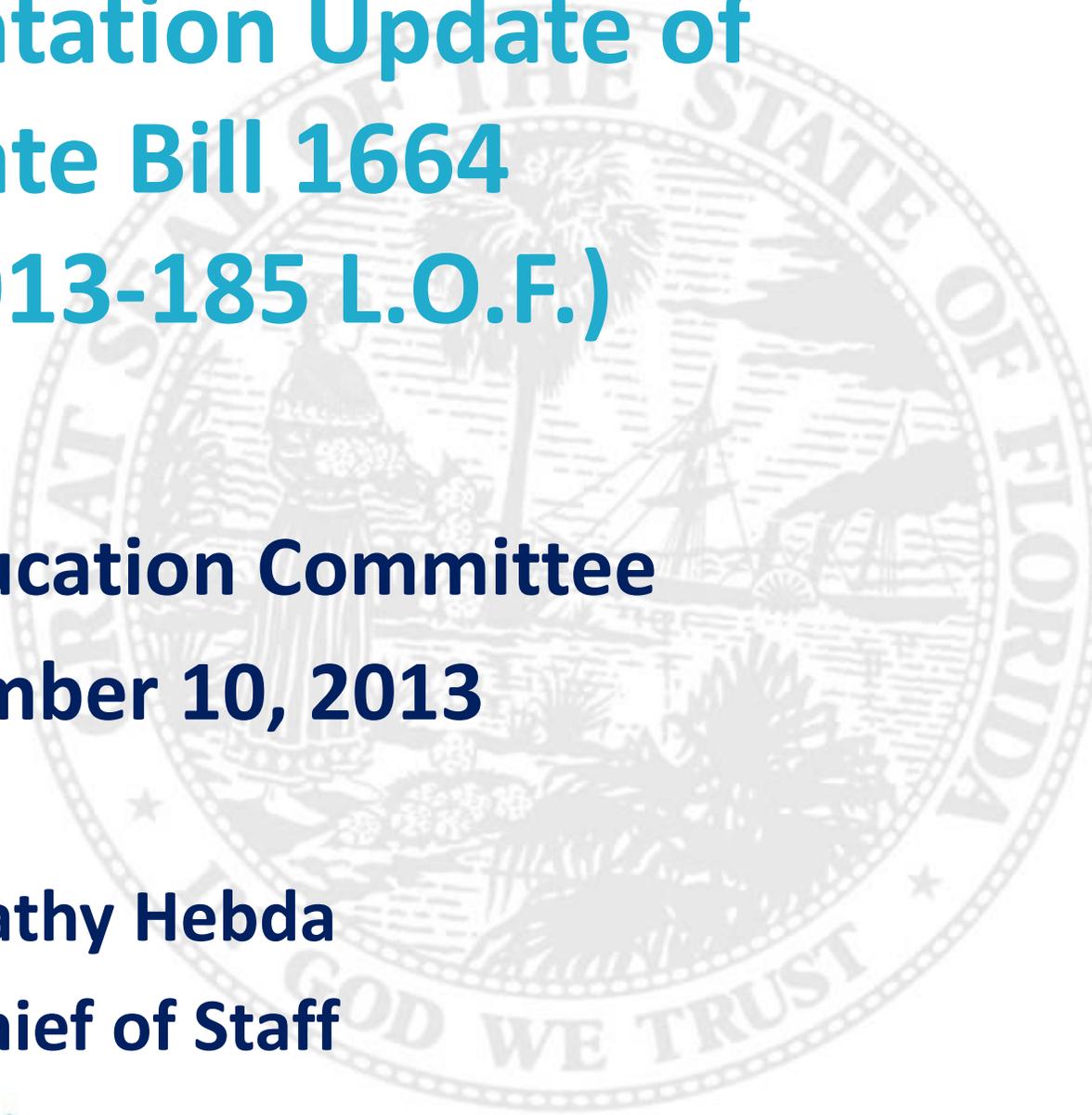
Representing FL Chamber of Commerce

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

The seal of the State of Florida is a large, faint watermark in the background. It features a central figure of a woman holding a scale and a sword, with a palm tree and a ship. The text "GREAT SEAL OF THE STATE OF FLORIDA" is written around the top, and "GOD WE TRUST" is at the bottom.

Implementation Update of Senate Bill 1664 (Ch. 2013-185 L.O.F.)

**Senate Education Committee
December 10, 2013**

**Kathy Hebda
Chief of Staff**

Personnel Evaluations

Requirements

- Classroom teachers performance evaluation shall be based on the teachers' students.
- Administrators performance shall be based on students attending his or her school.
- Instructional teams cannot be defined as the whole school.
- Non-classroom instructional personnel shall be based on student outcome data that reflect the contribution of such personnel.

Implementation

- Notification memo to districts - 6/15/13
- Technical assistance - 11/15/13

Local Assessments

- School districts shall establish schedules for administration of district-mandated assessments and post on its website.
- By 2014-15 districts must determine the assessments to use for students' mastery of content for each course the district offers.
- Options for student assessment data for locally assessed courses include:
 - State assessments
 - Individual learning targets
 - Instructional team data

Educator Certification

Requirements

- Revised Eligibility for Temporary Certificate in Educational Leadership.
- Allowed for acceptance of college course credit recommended on an official American Council of Education Transcript (ACE) towards certification.
- Revised score verification process for the Florida Teacher Certification Exam (FTCE) and the Florida Educational Leadership Examination (FELE).

Implementation

Rule amendments:

- 6A-4.004, 6A-4.0081, 6A-4.0082, & 6A-4.0083 Florida School Leaders Certification – January 2014.
- 6A-4.003 Degrees, Programs, and Credits – November 2013.
- 6A-4.006 General and Professional Preparation, 6A-4.0141, 6A-4.0142, 6A-4.054, & 6A-5.066 – February 2014.

All Teacher Preparation Programs

(Initial, Educator Prep Institutes, Professional Development Certification)

Requirements

- Streamline Uniform Core Curricula.
- Revise qualifications for individuals who instruct or supervise candidates who demonstrate impact on student learning growth to include:
 - Specialized training in clinical supervision
 - Three years successful teaching, student services or administrative experience
 - Annual demonstration in a school setting
- Require performance measurers for continued approval to include:
 - Placement rate of program completers (only for initial and educator prep programs)
 - Rate of retention
 - Performance of students in PK-12 assigned to in-field program completers on statewide assessments
 - Performance of students in PK-12 assigned to in-field program completers aggregated by student subgroups
 - Results of program completers' annual evaluations
 - Production of program completers in critical teacher shortage areas

Teacher Preparation Programs

Initial Teacher Prep Programs

- Revised admission requirements related to general knowledge test.
- Requires report by the department on each approved program's annual progress on the performance measures – January 1 each year.

Educator Preparation Institutes

- Allows private providers to offer competency-based programs.

Professional Development Certification Programs

- No longer a requirement for each district.
- Must align to district's personnel evaluation system.

Teacher Preparation Programs

Implementation

- Memo to Deans/Directors of Teacher Prep Programs in SUS, State and Private Institutions - 7/1/13
- Technical Assistance – 11/15/13
- The department will offer three train-the-trainer sessions for clinical educator training during fall 2013/spring 2014
- Revise initial and continued approval standards/guidelines. Provide training to institutions - following SBOE approval of Rule revisions Fall 2013 through Spring 2014

RULES:

Amend rule 6A-5.066-Approval Teacher Prep Programs- February 2014

Teacher Classroom Supply Assistance Program

- Renamed the program.
- Required local contributions to be included in calculation of funds.
- Debit cards must clearly indicate the card is used for the program.
- Encouraged establishment of public/private partnerships to increase funds.

Implementation:

- Spring 2013 department issued an Invitation to Negotiate (ITN) to select a financial institution to manage the debit card option.
- JP Morgan Chase was selected.
- 2013-14 participating districts: Orange, Miami-Dade, Levy, Hamilton, Lafayette, Hendry and Jefferson.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/10/13

Meeting Date

Topic Implementation of SB 1664 Bill Number N/A

(if applicable)

Name Kathy Hebda Amendment Barcode N/A

(if applicable)

Job Title Chief of Staff

Address 325 W. Gaines Street Phone 850-245-0891

Street

Tallahassee FL 32399

City *State* *Zip*

E-mail Kathy.Hebda@fldoe.org

Speaking: For Against Information

Representing DOE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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S-001 (10/20/11)



Achieving Early Learning Excellence

*Implementing
HB 7165*

Senate Education
Committee

December 10, 2013



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Early Learning

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Implementing House Bill 7165

Overview

In 2013 session, the Florida Legislature passed important early learning legislation that took effect July 1

Designed to **improve quality** and bring **more accountability** and **transparency** to state's early learning programs

- Law moved OEL into FDOE
- Consolidated VPK duties and responsibilities within OEL
- Implemented a number of changes to early learning system



Implementing House Bill 7165

Strategic Vision Aligned with HB 7165



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HB 7165 Key Implementation Dates

- **7/1/13** – HB 7165 took effect
- **8/1/13** – New school readiness eligibility priorities took effect
- **10/1/13** – Coalitions provided annual reports to OEL
 - OEL submitted reorganization plan to Governor, Senate President and House Speaker
 - OEL submitted professional development plan for VPK teachers to Governor, Senate President and House Speaker



Implementing House Bill 7165

HB 7165 Key Implementation Dates

- **7/1/14** – OEL to begin collecting/reporting data on coalition delivery of early learning services including fraud intervention, waiting list reduction and ratio of children to administrative staff
 - Effective date of new requirement for VPK instructors to complete course on VPK standards



Implementing House Bill 7165

Process for Implementing HB 7165

Convened implementation team work groups to

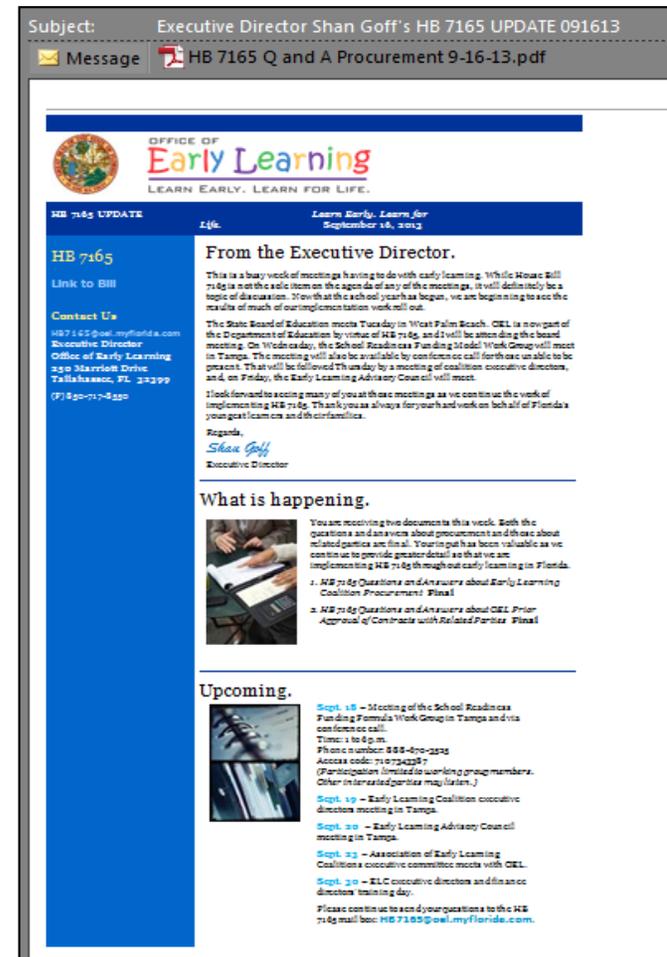
- Review pertinent data and impact information
- Identify, address issues
- Draft technical assistance material
- Conduct webinars, conference calls on selected issues



Implementing House Bill 7165

Process for Implementing HB 7165

- Send draft materials to stakeholders for feedback
- Distribute materials widely via HB 7165 bi-weekly email updates
- Collect, respond to questions submitted via HB7165@oel.myflorida.com



Implementing House Bill 7165

Rulemaking

- HB 7165 requires OEL to adopt rules for school readiness and VPK programs
- Almost all the rules need to be revised
- Prioritizing rules for revision based on HB 7165 timelines and urgency
- Prior to filing, all rules presented to State Board of Education
- State board has 60 days upon receipt to approve or deny
- **If no action taken, OEL can file rules with Department of State**



Implementing House Bill 7165

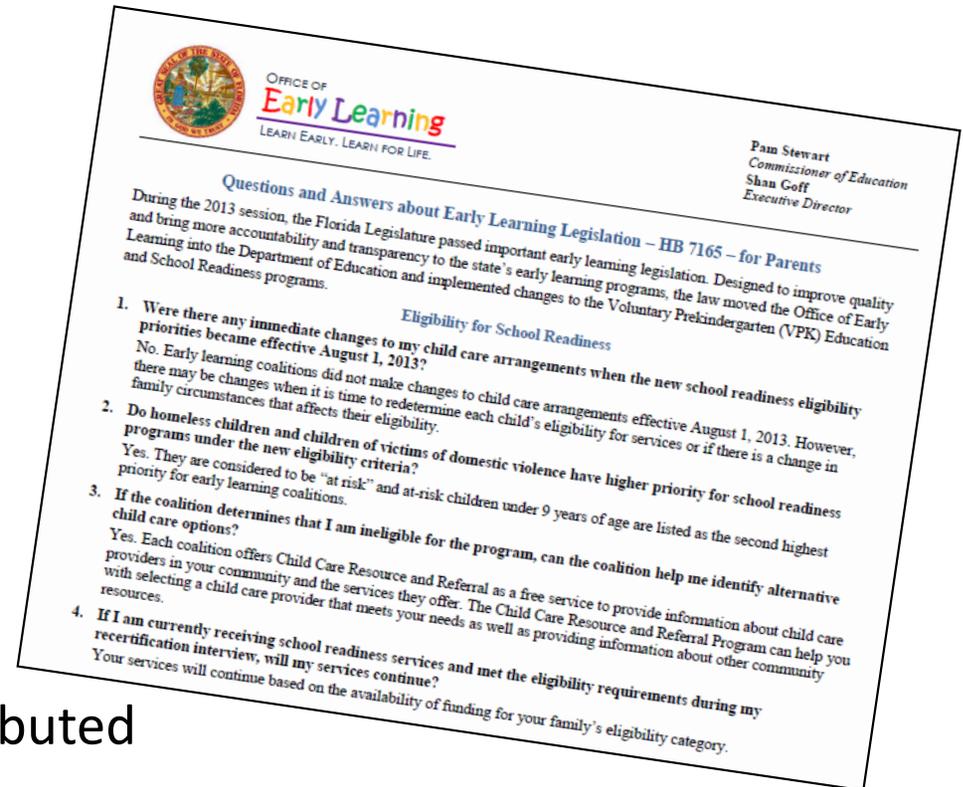
Where We Are . . .

General Information

- Overview of HB 7165 requirements distributed, included in monthly newsletter
- Q and A documents for providers, families distributed

New School Readiness Eligibility Priorities

- Model cooperative agreements, referral forms and procedures distributed
- Q and A documents distributed
- Discussions with coalitions and other agencies ongoing



Implementing House Bill 7165

Where We Are . . .

- Standardization of Waiting Lists
 - Procedures drafted and distributed for discussion
- Fiscal Accountability
 - Initial 2013-2014 coalition budgets on template submitted
 - Standardizing methods for cost reporting
 - 2011-2012 and 2012-2013 coalition expenditure data with caps distributed; analysis ongoing
 - Information on new procurement requirements distributed



Implementing House Bill 7165

Where We Are . . .

- Health and Safety Checklists
 - Drafts of checklists distributed, revised to incorporate feedback
 - Beginning rule promulgation process
- Fraud Prevention
 - Question and answer document distributed
 - Beginning rule promulgation process
- Annual Coalition Plan
 - Online template completed; review tools in development
 - Pilot testing by coalitions



Implementing House Bill 7165

Where We Are . . .

- Voluntary Pre- and Post-Assessments
 - General information provided to coalitions
 - ITN to solicit instruments meeting state requirements in development
- Standardized School Readiness (SR) and VPK Provider Agreements
 - SR agreement drafted and distributed for feedback; beginning rule promulgation process
 - VPK provider agreement in development
- Standard Coalition School Readiness Monitoring Tool
 - In development



Moving Forward...

Work continues

- Teams continue content area work
- Questions distributed to teams to address
- Weekly implementation meetings
- Identify and revise rules, policies, procedures impacted
- Continue rule promulgation

Communication

- HB 7165 bi-weekly email updates
- Implementation presentation and questions distributed
- Presentations and implementation materials posted online

Looking ahead

- Continue to brief stakeholder groups
- Identify unintended consequences



“Thanks to the Governor and the members of the Florida Legislature, this is an exciting time for early learning in our state.”

– Executive Director Shan Goff



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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/10/13
Meeting Date

Topic OEL

Bill Number Presentation on HB 7165
(if applicable)

Name SHAN GOFF

Amendment Barcode _____
(if applicable)

Job Title EX DIR

Address 250 MARRIOTT DR

Phone 717 8062

Street

TALL

FL

32399

City

State

Zip

E-mail _____

Speaking: For Against Information

Representing OEL

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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CourtSmart Tag Report

Room: KN 412

Case:

Type:

Caption: BullardSenate Education Committee Judge:

Started: 12/10/2013 9:05:20 AM

Ends: 12/10/2013 10:11:32 AM Length: 01:06:13

9:05:42 AM Opening remarks
9:06:07 AM Tab 1 - SB 84 by Senator Latvala
9:07:44 AM Amendment barcode 883370
9:09:41 AM Late filed substitute amendment by Senator Legg
9:10:51 AM Substitute amendment adopted
9:11:20 AM Casey Welch, USF Sarasota-Manatee waived time in support; Stefano Cavallaro, FSU Student Body waived in support; Andrew Sloan, Director, Veteran Student Union at FSU waived in support; Abby Kinch, President, Collegiate Veterans Association waived in support; Nicholas Collier, Collegiate Veterans Association waived in support; Art Schwabe, Dept. Commander, Orlando, FL waived in support; Christina Bonnarigo, UF Study Body President waived in support; Kathy Hebda, Chief of Staff DOE waived in support; Billy Francis, Director, FSU Student Veteran Center waived in support; Sandra Cesautt-Ray waived in support; Rick Maxey, Florida Polytechnical University waived in support; Frank Gregory AMVETS Dept of Florida waived in support; Col. Mike Prendergast FL Dept of Veterans; Affairs waived in support; Victoria Hernandez Miami-Dade College waived in support;
9:13:41 AM Adam Giery - Florida Chamber of Commerce
9:16:30 AM Remarks from Senator Sachs
9:17:45 AM Roll call
9:18:11 AM Tab 2 - Status of Implementation of Education Instructional Personnel and School Administrators Legislative Policy Requiret
9:19:17 AM Kathy Hebda - Chief of Staff DOE
9:31:53 AM Question from the chair to Ms. Hebda
9:33:14 AM Senator Bullard
9:33:47 AM Senator Montford
9:34:21 AM Senator Sachs
9:36:23 AM Senator Bullard
9:39:38 AM Seantor Bullard
9:40:23 AM Chair Legg
9:42:52 AM Tab 3 - Status of Implementation of Early Learning Legislative Policy Requirements - Shan Goff, Executive Director, Office of
9:55:24 AM Senator Bullard
9:56:58 AM Senator Montford
9:59:30 AM Senator Benacquisto
10:04:12 AM Senator Brandes
10:05:17 AM Chair Legg
10:09:23 AM Senator Simmons
10:11:01 AM Meeting Adjourned