

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 Appropriations Subcommittee on Education

BILL: PCS/CS/SB 1308 (773850)

INTRODUCER: Appropriations Subcommittee on Education; Education Committee and Senator Perry

SUBJECT: Pathways to College and Career Success

DATE: April 8, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Bouck</u>	<u>Sikes</u>	<u>ED</u>	Fav/CS
2.	<u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Fav/CS
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 1308 provides for greater access to meaningful credentials that prepare students for additional postsecondary education or a career. Specifically, the bill:

- Requires the Commissioner of Education (commissioner) to conduct an annual review of career and technical education offerings in the K-12 education system, career centers, and the Florida College System (FCS) to determine their alignments with employer demand, postsecondary degree or certificate programs, and industry certifications. As a result of the review, the commissioner must:
 - Phase out programs not aligned to the needs of employers or do not provide those persons who complete programs with middle- or higher-wage jobs.
 - Encourage school districts and FCS institutions to offer new programs that are in demand by employers.
 - Provide an annual report to the Governor and the Legislature summarizing findings and recommendations.
- Expands access to associate in arts (AA) degrees by requiring:
 - The statewide articulation agreement to provide for a reverse transfer agreement to award AA degrees to students who transferred to a state university from an FCS institution before earning the AA degree, but who have since completed requirements for the degree.
 - State universities or FCS institutions to award an AA degree to students who request the degree, or specified students who fail to enroll in a fall or spring semester. The entity that

- will award the degree is specified based on the number of credits completed at each institution.
- Provides financial assistance for students to complete a degree by:
 - Authorizing a state university or FCS institution to waive tuition and fees for a student who was enrolled between five and 10 years ago, and who successfully completed all but the equivalent of 10 percent of the required coursework for an associate or bachelor's degree.
 - Creating the "Last Mile Scholarship" program for the 2019-2020 academic year. Subject to legislative appropriation, the scholarship awards the cost of in-state tuition and fees to Florida residents who are in good standing, have earned credit at a state university or FCS institution within eight years of application, and are within 12 credit hours of completing a first associate or baccalaureate degree.

The bill does not have an impact on state revenues. The bill may result in a loss of revenue for postsecondary institutions who grant the tuition and fee waivers authorized by the bill. The funding for the "Last Mile Scholarship" is contingent upon legislative appropriation. In addition, institutions may incur costs as they track students about meeting the requirements of AA degree. The Department of Education may incur costs related to the annual review and report of career and technical education offerings. However, the department can absorb these costs within its current appropriation.

The bill takes effect July 1, 2019.

II. Present Situation:

The present situation for the relevant portions of the bill is discussed under the Effect of Proposed Changes of this bill analysis.

III. Effect of Proposed Changes:

Career and Technical Education

Present Situation

Sixty-seven percent of the jobs created in Florida between 2018 and 2025 are expected to require a postsecondary degree or certificate (postsecondary vocational, associate, bachelor's, master's or higher).¹ However, only 49 percent of Floridians have a credential beyond high school.² The ability to train and retain skilled Floridians and attract college graduates and other trained workers as a talent pipeline to Florida businesses remains vitally important.³

¹ Department of Economic Opportunity, *Florida Strategic Plan for Economic Development (2018-2023)*, available at <http://www.floridajobs.org/docs/default-source/division-of-strategic-business-development/fl5yrplan/fl-strategic-plan-booklet-2.pdf?sfvrsn=6>, at 18.

² Lumina Foundation, A Stronger Nation, *Florida's progress toward the goal*, <http://strongernation.luminafoundation.org/report/2019/#state/FL> (last visited Mar. 13, 2019).

³ Department of Economic Opportunity, *Florida Strategic Plan for Economic Development (2018-2023)*, available at <http://www.floridajobs.org/docs/default-source/division-of-strategic-business-development/fl5yrplan/fl-strategic-plan-booklet-2.pdf?sfvrsn=6>, at 18.

The purpose of career education is to enable students who complete career programs to attain and sustain employment and realize economic self-sufficiency.⁴ Career education may be offered at the secondary and postsecondary level by school districts or at the postsecondary level by Florida College System (FCS) institutions.⁵

Career Training and Credentials

Students in middle school, high school, district technical schools, and FCS institutions may participate in career education and earn a variety of career credentials that are designed to prepare students for a career.

Career and Professional Education

Enacted in 2007,⁶ the Florida Career and Professional Education (CAPE) Act is intended to provide career education that will articulate to the postsecondary level and lead to industry certifications, support local and regional economic development, respond to critical workforce needs, and provide residents with access to high-wage and high-demand careers.⁷ The CAPE Act creates statewide partnerships between the Florida Department of Education (DOE), Florida Department of Economic Opportunity (DEO) and CareerSource Florida, Inc. Additionally, the CAPE Act requires strategic planning between district school boards, local workforce development boards, economic development agencies, and postsecondary institutions to address and meet local and regional workforce demands.⁸

CAPE Digital Tool Certificates

CAPE Digital Tool certificates for elementary and middle grades students include digital skills necessary for a student's academic work and future employment. Skills include word processing, spreadsheets, presentations, digital arts, cybersecurity, and coding.⁹ In 2017-2018, students earned 40,947 CAPE Digital Tool certificates.¹⁰

Industry Certification

Industry certification is a voluntary process through which students are assessed by an independent, third-party certifying entity using predetermined standards for knowledge, skills, and competencies. Successful completion results in the award of a credential that is nationally recognized and is either within an industry that addresses a critical local or statewide economic need, linked to an occupation that is included in the workforce system's targeted occupation list; or linked to an occupation that is identified as emerging.¹¹

⁴ Section 1004.92(1), F.S.

⁵ In 2016-2017, secondary career and technical education (CTE) student enrollment was 341,648, and postsecondary CTE enrollment was 105,937. U.S. Department of Education, *Perkins Data Explorer*, <https://perkins.ed.gov/pims/DataExplorer> (last visited Mar. 13, 2019).

⁶ Section 1, ch. 2007-216, L.O.F.

⁷ Section 1003.491, F.S.

⁸ Section 1003.491(2), F.S.

⁹ Section 1003.4203(3), F.S. CAPE Digital Tool certificates earned by students in elementary and middle school grades generates 0.025 FTE bonus funding. Section 1011.62(1)(o)1.a., F.S.

¹⁰ Florida Department of Education, *Career and Professional Education Act Enrollment and Performance Report, 2017-18* (Dec. 2018), available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/1718capepr.pdf>, at 1.

¹¹ Section 1003.492(2), F.S.

The State Board of Education (SBE) must work with CareerSource Florida, Inc., and the Department of Agriculture and Consumer Services to implement the industry certification process.¹² The SBE is required to annually approve a CAPE Industry Certification Funding List and CAPE Postsecondary Industry Certification Funding List.¹³ In 2017-2018, students earned 123,839 industry certifications,¹⁴ with 63,520 earned certifications associated with a statewide articulation agreement.¹⁵

CAPE Acceleration

CAPE Acceleration industry certifications articulate for 15 or more college credit hours and are eligible for FTE bonus funding for the school district.¹⁶ In 2017-2018, students earned 105 CAPE Acceleration industry certifications.¹⁷

Preapprenticeship and Apprenticeship Programs

An apprenticeship program prepares a student for a skilled trade through supervised work experience and properly coordinated classroom training. Registered apprenticeship programs are sponsored by individual employers, an association of employers, or a local joint apprenticeship committee.¹⁸ For the 2017-2018 school year, a total of 2,826 students in apprenticeship programs were enrolled in state colleges and 9,105 were enrolled in school districts.¹⁹

Preapprenticeship is an organized course of instruction registered with the DOE and designed to prepare a person 16 years of age or older to become an apprentice and is sponsored by a registered apprenticeship program.²⁰

Applied Technology Diploma

An applied technology diploma (ATD) program is either a clock hour or college credit program that is part of a career certificate or an associate in science (AS) degree that leads to employment

¹² Section 1003.492(3), F.S.

¹³ Section 1008.44(1) and (2), F.S. CAPE industry certifications generate 0.1 or 0.2 FTE bonus funding based on whether or not the industry certification is associated with an articulation agreement for college credit.

¹⁴ Florida Department of Education, *2017-18 Career and Adult Education Quick Facts*, available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/1718quickfacts.pdf>.

¹⁵ Florida Department of Education, *2019 Agency Analysis for HB 661* (Feb. 28, 2019), at 5.

¹⁶ Section 1003.4203(5)(b), F.S. CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours generate 0.5 FTE in bonus funding, and certifications that articulate for 30 or more hours generate an additional 1.0 FTE bonus funding. Section 1011.62(1)(o)1.d., F.S.

¹⁷ Florida Department of Education, *Career and Professional Education Act Enrollment and Performance Report, 2017-18* (Dec. 2018), available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/1718capepr.pdf>, at 26.

¹⁸ Section 446.021(2), F.S. Of the 226 registered apprenticeship programs in Florida, 16 school districts and 9 FCS institutions partner with a sponsor. The remaining 222 registered apprenticeship programs are sponsored by local union organizations, employer groups, professional associations, single employers, local workforce boards, and community organization. Email, Department of Education, Feb. 26, 2019.

¹⁹ *Id.*

²⁰ Section 446.021(5), F.S.

in a specific occupation.²¹ In 2017-2018, 1,080 students in district technical centers were enrolled in ATD programs,²² and 1,221 FCS students completed an ATD.²³

Career Certificate

Postsecondary Adult Vocational (PSAV) certificate programs consist of clock hour courses to prepare for entry into employment. The PSAV certificate is awarded upon satisfactory completion of a planned program of instruction and after the demonstration of the attainment of predetermined and specified performance requirements.²⁴ In 2017-2018, 14,482 school district and 8,268 FCS students completed a PSAV program.²⁵

College Credit Certificate

Each FCS institution is authorized to provide career and technical education programs consisting of less than 60 college credits that are part of an AS or an associate in applied science degree (AAS) program and that prepare students for entry into employment. In 2017-2018, 21,191 FCS students completed a college credit certificate.²⁶

Advanced Technical Certificate

An advanced technical certificate (ATC) is a program of instruction of 9 to 45 credit hours of college-level courses, which may be awarded to students who have already received an AS or AAS degree and are seeking an advanced specialized planning program of study to supplement their associate degree. In 2017-2018, 367 FCS students completed an ATC.²⁷

Associate in Science

Each FCS institution may offer AS degree programs consisting of lower division college credit courses that prepare students to directly enter the workforce. The AS degree is also a transfer degree and the basis for admission to a related bachelor's degree program. In 2017-2018, 14,517 FCS students completed an AS degree.²⁸

Workforce Bachelor's Degrees

FCS institutions may seek SBE approval to provide bachelor's degree programs. The institution must demonstrate there is a workforce demand and unmet need for graduates of the proposed bachelor's degree program.²⁹ There are currently 187 bachelor's degree programs offered by

²¹ Rule 6A-14.030(7), F.A.C.

²² Florida Department of Education, *2017-18 Career and Adult Education Quick Facts*, available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/1718quickfacts.pdf>.

²³ Email, Florida Department of Education (Mar. 15, 2019).

²⁴ Rule 6A-14.030(10), F.A.C.

²⁵ Email, Florida Department of Education (Mar. 15, 2019).

²⁶ *Id.*

²⁷ Email, Florida Department of Education (Mar. 15, 2019).

²⁸ *Id.* In addition, 136 FCS students completed as Associate in Applied Science (AAS) degree. *Id.*

²⁹ Section 1007.33(5)(a), F.S.

FCS institutions.³⁰ In 2017-2018, 8,501 students completed a bachelor's degree at an FCS institution.³¹

Accountability for Career and Technical Education

School districts and FCS institutions are accountable for postsecondary career education programs outcomes, including, but not limited to:

- Student demonstration of the academic skills necessary to enter an occupation.
- Student preparation to enter an occupation in an entry-level position or continue postsecondary study.
- Career program articulation with other corresponding postsecondary programs and job training experiences.
- Employer satisfaction with the performance of students who complete career education or reach occupational completion points.
- Student completion, placement, and retention rates using data from the Florida Education and Training Placement Information Program.³²

DOE accountability requirements are specified in law, which include development of program standards and review of educational outcomes of graduates.³³ The DOE is also required to distribute career program reports required in law.³⁴ Reports must include placement rates and average quarterly earnings for students who complete each type of career certificate program and career degree program. School districts and FCS institutions are also required to publish the most recently available placement rate for each career program.³⁵

Effect of Proposed Changes

The bill creates s. 1004.991, F.S., to require the commissioner to conduct an annual review of career and technical education (CTE) offerings in the K-12 education system, career centers, and the FCS, in consultation with the DEO, CareerSource Florida, Inc., leaders of business and industry, the Board of Governors of the State University System (BOG), the FCS, school districts, and other education stakeholders, to determine the alignment of existing offerings with employer demand, postsecondary degree or certificate programs, and professional industry certifications.

The bill requires the review to identify CTE offerings that are linked to occupations in high demand by employers, require high-level skills, and provide middle-level and high-level wages. The review must include analyses of:

- Participating students and their educational outcomes, including the following:
 - Academic achievement;

³⁰ Florida College System, *Bachelor's Degrees*, available at <https://www.floridacollegesystem.com/sites/www/Uploads/files/Downloads/10DigitCIPs.xls>.

³¹ Email, Florida Department of Education (Mar. 15, 2019).

³² The Florida Education and Training Placement Information Program (FETPIP) is a data collection and consumer reporting system established to provide follow-up data on former students and program participants who have graduated, exited or completed a public education or training program within the State of Florida. Section 1008.39, F.S.

³³ Section 1004.92(2)(b), F.S.

³⁴ Section 1008.42(1), F.S.

³⁵ Section 1008.42(2)(b)1. and 2., F.S.

- Attainment of industry certifications;
- Program completion;
- Applied learning experiences;
- College credit attainment through the career and technical education program, including dual enrollment or articulation;
- Postsecondary enrollment and credential attainment, including enrollment in 4-year degree programs for FCS students; and
- Employment outcomes, including wages;
- Demographics of participating students by pathway and credential attainment;
- Educational settings of the courses;
- Alignment with high-growth, high-demand, and high-wage employment opportunities;
- Current and projected economic, labor, and wage data on the needs of the state, regional and global economies, and workforce;
- Alignment with certificate or degree programs offered at the postsecondary level or professional industry certifications;
- Employment outcomes, including wages, by career and technical education program offerings;
- Apprenticeship and preapprenticeship offerings;
- Qualifications and specialized knowledge and expertise of instructors and the opportunities for these educators to upskill in the latest in-demand skills of employers; and
- The extent to which federal, state, and local funding is used to foster career and technical education program success and program efficiency.

The bill requires the commissioner to:

- Phase out K-12 CTE offerings that are not aligned with the needs of employers or do not provide persons completing those offerings with middle- or higher-wage jobs, based on the findings from the annual review.
- Encourage school districts and FCS institutions to offer new programs that are currently in demand by employers but are not offered by school districts or FCS institutions.
- Provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives, annually by December 1, a report summarizing the following:
 - The review's findings;
 - A list of existing CTE programs by school or institution which are not aligned with employer demand or do not provide students with an opportunity to earn a living wage;
 - A list of knowledge areas, skills, and competencies employers demand which are not being provided through existing CTE program offerings; and
 - The commissioner's recommendations to improve the operational efficiency and student success in the state's CTE program offerings.

Finally, the bill specifies that the SBE must adopt rules to implement these requirements.

The bill is similar in effect to Executive Order 19-31,³⁶ in which Governor DeSantis directed the commissioner to ensure the following objectives are completed:

³⁶ Office of the Governor, Executive Order Number 19-31 (Jan. 30, 2019), available at https://www.flgov.com/wp-content/uploads/orders/2019/EO_19-31.pdf, at 1-2.

- An audit of the course offerings in the state CTE system is completed and a methodology to audit and review the offerings annually is developed. The audit should include:
 - An analysis of alignment with certificate or degree programs offered at the K-12 and postsecondary levels;
 - An analysis of alignment with professional level industry certifications;
 - An analysis of alignment with high-growth, high-demand and high-wage employment opportunities; and
 - A review of student outcomes such as academic achievement, college readiness, postsecondary enrollment, credential attainment and attainment of industry certifications.
- The DOE works with and utilizes the expertise of the following stakeholders: CareerSource Florida, the DEO, the BOG, the FCS, school districts and business and industry leaders to ensure CTE course offerings are aligned with market demands.
- The DOE develops CTE best practices for partnerships between high schools, postsecondary institutions, and businesses.
- The DOE makes recommendations to the Governor on an annual basis to eliminate course offerings that are not aligned to market demands, to create new offerings that are aligned to market demands and to strengthen existing programs as needed.

Such an audit of Florida's CTE programs may enhance alignment of programs to industry and market needs and may increase the visibility of career education as an option for students.

Degree Completion – Reverse Transfer

Present Situation

In Fall 2017, 16,312 FCS students transferred to a state university with an AA degree, and 4,589 transferred with no degree.³⁷

Statewide Articulation Agreement

The SBE and the BOG are required to enter into a statewide articulation agreement. The agreement must preserve Florida's "2+2" system of articulation and facilitate the seamless articulation of student credit across and among Florida's educational entities.³⁸ The agreement requires state university boards of trustees, FCS boards of trustees, and district school boards to adopt policies and procedures to provide articulated programs so that students can proceed toward their educational objectives as rapidly as their circumstances permit.³⁹

Reverse Transfer

Reverse transfer is the process of retroactively granting associate degrees to students who complete the requirements of an associate degree after they transferred from a two- to a four-year

³⁷ Florida Board of Governors, *Florida College System Students Transferring into the State University System, Fall 2017* (Table 9), available at https://www.flbog.edu/resources/factbooks/2017-2018/xls/t09_00_1718_F.xlsx.

³⁸ Section 1007.23(1), F.S.

³⁹ Rule 6A-10.024(1), F.A.C.

institution. Once the student reaches the designated credits and requirements, they are retroactively awarded an associate degree from their two-year institution of origin.⁴⁰

In 2012, Florida and 15 states joined the Credit When It's Due⁴¹ initiative and developed policies to implement reverse transfer agreements between public colleges and universities. From 2013 to 2016, FCS institution and state university participation in the program resulted in the award of 316 reverse transfer associate in arts (AA) degrees.⁴²

Associate in Arts Degrees at State Universities

Florida law authorizes students at state universities to request an AA degree if they have successfully completed the minimum requirements for an AA degree. The state university must award the student an AA degree if the student has successfully completed.⁴³

- The minimum requirements for college-level communication and computation skills adopted by the SBE;⁴⁴
- Sixty academic semester hours or the equivalent within a degree program area; and
- Thirty-six semester hours in general education courses in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences, consistent with the general education requirements specified in the articulation agreement.⁴⁵

Effect of Proposed Changes

The bill amends s. 1007.23, F.S., to specify that the statewide articulation agreement must specifically provide for a reverse transfer agreement for FCS AA degree-seeking students who transfer to a state university before earning an AA degree.

The bill specifies the criteria by which a state university or FCS institution may award an AA degree under a reverse transfer agreement to a:

- Student at a state university student who requests an AA degree; and a
- Student who was previously enrolled at a state university and has successfully completed the minimum requirements for the AA degree, as determined by the state university, but has not

⁴⁰ Education Commission of the States, *Reverse Transfer: What is the Best Route to Take?* (Sept. 2015), available at <https://www.ecs.org/wp-content/uploads/12112.pdf>.

⁴¹ The Credit When It's Due (CWID) initiative is a national grant program designed to facilitate the implementation and improve the process of "reverse transfer" degree programs. CWID represents a joint venture of several foundations: Lumina Foundation, The Kresge Foundation, the Bill & Melinda Gates Foundation, USA Funds, The Helios Education Foundation, and Greater Texas Foundation. The following 15 states have been awarded CWID grants: Arkansas, Colorado, Florida, Georgia, Hawaii, Maryland, Michigan, Minnesota, Missouri, New York, North Carolina, Ohio, Oregon, Tennessee, and Texas. As explained in the CWID grant announcement, "The initiative is designed to encourage partnerships of community colleges and universities to significantly expand programs that award associate degrees to transfer students when students complete the requirements for the associate degree while pursuing a bachelor's degree."

⁴² Jason L. Taylor & Eden Cortes-Lopez, *Reverse Credit Transfer: Increasing State Associate's Degree Attainment* (April 2017), available at <https://degreeswhendue.com/wp-content/uploads/2018/09/Taylor-Cortes-Lopez-2017.pdf>.

⁴³ Section 1007.25(11), F.S.

⁴⁴ Rule 6A-10.0316, F.A.C. The State Board of Education is directed to adopt, in consultation with the Board of Governors, and from time to time modify, minimum and uniform standards of college-level communication and computation skills generally associated with successful performance and progression through the baccalaureate level and to identify college-preparatory high school coursework and postsecondary-level coursework that prepares students with the academic skills necessary to succeed in postsecondary education. Section 1001.02(2)(d), F.S.

⁴⁵ Section 1007.23(1)(f), F.S.

enrolled before his or her graduation in a fall or spring semester. Such student may decline to receive the degree.

For such students, the AA degree is awarded as follows:

- If the student completed at least 25 percent of the required semester hours toward the AA degree at an FCS institution, the university must notify the FCS institution of the student's eligibility. The FCS institution must verify eligibility, accept the credits required for the AA degree, and award the degree.
- If the student did not complete at least 25 percent of the required semester hours for the AA degree at an FCS institution but completed at least 25 percent of the semester hours toward the AA degree at the state university, the state university must award the degree.

Similarly, in Executive Order 19-31,⁴⁶ Governor DeSantis directed the commissioner to ensure the DOE's 2019 legislative priorities included:

- Adopting a "reverse transfer" policy within universities and state colleges, whereby state colleges issue associates' degrees to students who began their higher education at a state college and transferred to a university prior to completing the necessary credits for an associate's degree, but did not complete their bachelors' degrees at the university. This would be accomplished by having the university transfer back any credits completed by the student to the state college where they started, allowing those who have completed the necessary credits across the system to be awarded an associate's degree from the state college at which they started.
- Requiring all four-year colleges to proactively offer associate's degrees to students who have completed the required 60 hours immediately upon completion of those hours.

A statewide reverse transfer policy may result in additional degrees awarded to students. Students who are not able to complete a bachelor's degree may still benefit from award of an AA degree. In addition, FCS institutions may benefit from additional degrees awarded for completion calculations under the FCS Performance-Based Incentive.

Financial Incentives for Degree Completion

Present Situation

Fee Waivers

Florida law establishes tuition and fee exemptions⁴⁷ and waivers⁴⁸ according to a student's specific circumstance. Some fee waivers are mandatory,⁴⁹ while others are permissive.⁵⁰ State universities and FCS institutions are provided some flexibility in awarding tuition and fee waivers to nonexempt students. However, such waivers at state universities must be for purposes

⁴⁶ Office of the Governor, Executive Order Number 19-31 (Jan. 30, 2019), available at https://www.flgov.com/wp-content/uploads/orders/2019/EO_19-31.pdf, at 2-3.

⁴⁷ Section 1009.25, F.S.

⁴⁸ Section 1009.26, F.S.

⁴⁹ Section 1009.26(5), (7)-(8), (12)-(14), F.S.

⁵⁰ Section 1009.26(1)-(4), (6), (9)-(11), and (15), F.S.

that support and enhance the mission of the university, and FCS institutions may not grant waivers in excess of the amount established annually in the General Appropriations Act.⁵¹

Undergraduate Scholarship

Complete Florida⁵² offers “Last Mile” scholarships to Florida residents who have completed a substantial portion of an associate’s or bachelor’s degree. The Last Mile scholarship provides a scholarship of 100 percent of tuition and fees for an applicant who has completed 90 hours or more of a bachelor’s degree. The scholarship awards 75 percent of tuition and fees for an applicant who has completed 45 to 60 hours of an associate’s degree.

Effect of Proposed Changes

Fee Waivers

The bill amends s. 1009.26, F.S., to authorize a state university or FCS institution to waive tuition and fees for a student who was enrolled in a state university or FCS institution within the past 10 years or earlier, but who has not reenrolled in the preceding five years and who successfully completed all but the equivalent of 10 percent of the required coursework for an associate or bachelor’s degree.

Last Mile Scholarship Program

The bill creates s. 1009.75, F.S., to establish the Last Mile Scholarship program (Last Mile program) in the DOE, beginning in the 2019-2020 academic year, to annually award the cost of in-state tuition and required fees to a student classified as a resident⁵³ who is in good standing at a FCS institution and state university, and who is within 12 or fewer credit hours of completing his or her first associate degree or baccalaureate degree. The bill specifies that any student who has earned college credit from a regionally accredited postsecondary institution within a period of eight academic years before the year in which the student submits an application is eligible to participate in the program.⁵⁴

The bill requires the DOE to:

- Create a simple, web-based, application to allow any eligible student to identify his or her intent to enroll and complete his or her associate degree or baccalaureate degree within three academic terms at one or more FCS institutions or state universities or through an online competency-based program at a regionally accredited, not-for-profit university.

⁵¹ Section 1009.26(1) and (9), F.S.

⁵² The Complete Florida Plus Program established at the University of West Florida provides support for online academic programs, and facilitates degree completion for the state’s adult learners through the Complete Florida Degree Initiative. Section 1006.735(1), F.S.

⁵³ Students are classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by charter technical career centers or career centers operated by school districts, in Florida College System institutions, and in state universities. Applicants to a postsecondary institution must meet certain qualifying standards in order to be classified as a resident of Florida for tuition purposes. The applicant, or in the case of a dependent child, his or her parents, must establish legal residence in Florida and must have maintained legal residence for at least 12 consecutive months immediately prior to the applicant’s enrollment in a postsecondary institution. Section 1009.21, F.S.

⁵⁴ The bill does not specify if the student must be continuously enrolled or not enrolled at a state university or FCS institution.

- Refer the student to the intended institution or university for continued processing of eligibility, feasibility of reverse transfer, award status, and enrollment. The participating FCS institution or state university must determine the eligibility of each referred student and must report that information to the DOE on behalf of the student in a format prescribed by the DOE.
- Disburse the award funds to the participating institution or university for an eligible student who has successfully passed the course or courses for each term in which the student is enrolled during the program period. The award amount may not exceed the difference between the student's full cost of attendance and his or her total financial aid, excluding loans.

The bill specifies that funding for the Last Mile program is contingent upon legislative appropriation. In addition, the bill requires the SBE and BOG to adopt rules and regulations, respectively, to implement the Last Mile program, including, but not limited to, application processes, priority degree fields for award recipients, reporting processes, and fees.

The bill is similar to a provision in Executive Order 19-31,⁵⁵ in which Governor DeSantis directed the commissioner to ensure the DOE's 2019 legislative priorities included creating the "Last Mile College Completion" funding incentive to provide tuition waivers for online and state college course completion for identified former students who are within 10 percent of degree completion by credit hours.

United States Census data indicate that of the 249,193,000 adults 18 years of age or older, 104,477,000 had earned an associate's or higher degree, while 46,175,000 had some college but no degree.⁵⁶ An example in Florida of an attempt to help adults with some college earn their degree was Project Win-Win, a multi-year collaboration of the Institute for Higher Education Policy and the State Higher Education Executive Officers. Project Win-Win worked with 61 institutions that award associate's degrees in nine states (Florida, Louisiana, Michigan, Missouri, New York, Ohio, Oregon, Virginia, and Wisconsin) to identify students either eligible for a degree or very close to completing the degree requirements. Of the 41,710 eligible students, 4,550 were awarded a degree, and 1,668 expressed interest in returning to complete the degree.⁵⁷

Authorizing a fee waiver may encourage state universities and FCS institutions to offer tuition and fee waivers to specified students. This may make postsecondary education more affordable and encourage students to return to a college or university to complete their degrees. Similarly, the Last Mile Scholarship program provides financial assistance to certain students, which may help more students complete an associate or baccalaureate degree.

The bill takes effect July 1, 2019.

⁵⁵ Office of the Governor, Executive Order Number 19-31 (Jan. 30, 2019), available at https://www.flgov.com/wp-content/uploads/orders/2019/EO_19-31.pdf, at 2-3.

⁵⁶ United States Census Bureau, *Educational Attainment in the United States: 2018*, <https://www.census.gov/data/tables/2018/demo/education-attainment/cps-detailed-tables.html> (last visited Mar. 14, 2019).

⁵⁷ Clifford Adelman, Institute for Higher Education Policy, *Searching for our Lost Associate's Degrees: Project Win-Win at the Finish Line* (Oct. 2013), available at http://www.ihep.org/sites/default/files/uploads/docs/pubs/pww_at_the_finish_line_long_final_october_2013.pdf, at 6.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The tuition and fee waivers authorized in the bill may make a postsecondary education more affordable for students returning to complete a degree.

C. Government Sector Impact:

Any FCS institution or state university that grants a waiver of tuition and fees for a returning student under specified conditions will not collect tuition and fees for that student, thereby resulting in a loss of revenue. The funding for the “Last Mile Scholarship” is contingent upon legislative appropriation. In addition, institutions may incur some costs as they track students about meeting the requirements of AA degree. The Department of Education may incur costs related to the annual review and report of career and technical education offerings, but the department can absorb these costs within its current appropriation.⁵⁸

VI. Technical Deficiencies:

None.

⁵⁸ Email from Bethany Swanson, Director of Legislative Affairs, Department of Education, April 4, 2019 (on file with the staff of the Appropriations Subcommittee on Education).

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1007.23, 1007.25, and 1009.26.

This bill creates section 1004.991 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS/CS by Appropriations Subcommittee on Education on April 9, 2019:

The committee substitute:

- Authorizes that state university students may request an associate in arts (AA) degree as follows:
 - If the student has completed at least 25 percent of the credits toward an AA at the Florida College System (FCS) institution, then the FCS institution will award the degree; or
 - If the student did not complete at least 25 percent of the credits for an AA at the FCS institution, but did complete at least 25 percent of the required credits at the state university, the state university must award the degree.
- Provides that a student who was enrolled in a state university and successfully completed the requirements for an AA degree, and subsequently did not enroll in a fall or spring semester, must be awarded the AA degree in the same manner as specified above, unless the student declines the degree.
- Creates the “Last Mile Scholarship” program in the Department of Education (DOE) for the 2019-2020 academic year, subject to legislative appropriation. The scholarship awards the cost of in-state tuition and fees to Florida residents who are in good standing, have earned credit at a state university or FCS institution within eight years of application, and are within 12 credit hours of completing a first associate or baccalaureate degree. The committee substitute also requires:
 - The DOE to create an application to allow students to apply and indicate intent to complete a degree within three semesters at a university, FCS institution, or online through a regionally accredited not-for-profit institution.
 - Each state university or FCS institution to determine student eligibility and report such information to the DOE, which must disburse an award to the institution in each term an eligible student successfully passes a course or courses.

The State Board of Education and the Board of Governors adopt rules and regulations, respectively, to implement the scholarship program.

CS by Education on March 19, 2019:

The committee substitute includes career centers in the requirement that the Commissioner of Education conduct an annual review of career and technical education offerings in the K-12 education system and Florida College System.

B. Amendments:

None.