

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 Appropriations

BILL: CS/SB 442

INTRODUCER: Military and Veterans Affairs and Space Committee; and Senators Lee, Broxson, Cruz, and others

SUBJECT: Postsecondary Education for Certain Military Personnel

DATE: April 10, 2019 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Graf</u>	<u>Sikes</u>	<u>ED</u>	Favorable
2.	<u>Brown</u>	<u>Caldwell</u>	<u>MS</u>	Fav/CS
3.	<u>Underhill</u>	<u>Kynoch</u>	<u>AP</u>	Favorable

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 442 adds military experience to the list of qualifying bases for which servicemembers and veterans may earn postsecondary course credit from a public postsecondary educational institution. The bill requires the Board of Governors of the State University System of Florida (BOG) and the State Board of Education (SBE), in consultation with the Florida Department of Veterans' Affairs (FDVA) to adopt regulations and rules, respectively, which create a uniform system for the awarding of postsecondary credit based on military experience, training, and education.

The Articulation Coordinating Committee (Committee) of the Florida Department of Education will convene a 13-member workgroup consisting of the chair of the committee (to serve as chair), administrators and faculty from state universities and Florida College System institutions, faculty from career centers, and veterans. The workgroup will develop a uniform process for determining when military experience and credentials are appropriate for postsecondary credit. The Committee will then approve a list of postsecondary course equivalencies, including minimum credit, based on military experience and credentials. The list is subject to approval by the BOG and the SBE.

The bill additionally provides active duty servicemembers and honorably discharged veterans, and their spouses and dependents, a fee waiver on a transcript from a state university, Florida

College System institution, career center operated by a school district¹, or a charter technical career center². Each of these institutions must annually report to the BOG and the SBE the number and value of transcript fee waivers granted.

The bill would have a minimal fiscal impact on the SBE, state colleges, and universities.

While the bill takes effect July 1, 2019, the Committee must approve the list by November 30, 2020, subject to adoption by the BOG and the SBE at the next publicly noticed meeting of each board.

II. Present Situation:

Florida provides a number of educational benefits specifically to servicemembers and veterans.

Academic College Credit for Training and Education Acquired in the Military

Florida law requires the Board of Governors of the State University System (BOG) and the State Board of Education (SBE) to enable, through regulation and rule, eligible servicemembers and veterans to earn academic college credit at public postsecondary educational institutions based on college-level training and education acquired in the military.³

In adopting regulations and rules, the BOG and the SBE must include procedures to evaluate credentials and the award of academic college credit, including providing for the:

- Equivalency and alignment of military coursework with appropriate college courses;
- Course descriptions;
- Type and amount of college credit that may be awarded; and
- Transfer of credit.⁴

Tuition and Fee Waivers

Florida law provides tuition and fee waivers to students, in certain circumstances, including veterans and active duty members of the United States Armed Forces, United States Reserve Forces, and National Guard who meet specified criteria.⁵ Some waivers are mandatory,⁶ while others are permissive.⁷

The following fee waivers apply to current or former members of the U.S. Armed Forces or U.S. Reserve Forces:

¹ The term “career center” refers to an educational institution under the control of the district school board which offers terminal courses of a technical nature, and courses for out-of-school youth and adults, pursuant to s. 1001.44(3)(a), F.S.

² The term “charter technical career center” refers to a public school or a public technical center operated under a charter granted by the district school board or a Florida College System (FCS) institution board of trustees or a consortium, including one or more district school boards and FCS institution boards of trustees, that include the school district in which the facility is located, that is nonsectarian, and that is managed by a board of directors, pursuant to s. 1002.34(3)(a), F.S.

³ Section 1004.096, F.S.; *see also* Board of Governors, Regulation 6.013 and Rule 6A-14.0302, F.A.C.

⁴ *Id.*

⁵ Section 1009.26, F.S.

⁶ Section 1009.26 (5), (7)-(8), (12)-(14), F.S.

⁷ Section 1009.26 (1)-(4), (6), (9)-(11), and (15), F.S.

- An honorably discharged veteran of the United States Armed Forces, the United States Reserve Forces, or the National Guard who resides in-state while enrolled in the program or who uses the educational assistance provided by the United States Department of Veterans Affairs (VA), is eligible for, and must receive an out-of-state fee waiver from a state university, a Florida College System institution, a career center operated by a school district, or a charter technical career center.⁸
- An active duty member of the United States Armed Forces residing or stationed out-of-state is eligible for, and must receive an out-of-state fee waiver from a state university, Florida College System institution, career center operated by a school district, or charter technical career center.⁹
- An active duty member of the United States Armed Forces using military tuition assistance provided by the United States Department of Defense is eligible for, and may receive a waiver of any portion of the student activity and service fee, the financial aid fee, the technology fee, the capital improvement fee, and any other fees otherwise authorized in law from a Florida College System institution.¹⁰
- A recipient of a Purple Heart or another combat decoration superior in precedence who is currently or was at the time of the military action a resident of the state is eligible for, and must receive a tuition waiver for an undergraduate or career certificate program from a state university, a Florida College System institution, a career center operated by a school district or a charter technical career center.¹¹

Articulation Coordinating Committee (Committee)

The Commissioner of Education, in consultation with the Chancellor of the State University System, establishes the Articulation Coordinating Committee (Committee), whose primary role is to recommend statewide articulation policies.¹² Specifically, the Committee must monitor the alignment between the exit requirements of one education system and admission requirements of another education system into which students typically transfer. The Committee also proposes guidelines for interinstitutional agreements between institutions, including universities, career, and technical centers.¹³ The Office of K-20 Articulation within the Florida Department of Education provides administrative support to the Committee.¹⁴

III. Effect of Proposed Changes:

Academic College Credit for Training and Education Acquired in the Military

The bill adds military experience to the list of qualifying bases (currently consisting of college-level training and education acquired in the military) for which servicemembers and veterans may earn academic college credit from a public postsecondary educational institution. The bill requires the BOG and the State Board of Education (SBE), in consultation with the FDVA to

⁸ Section 1009.26(13)(a), F.S.

⁹ Section 1009.26(14)(a), F.S.

¹⁰ Section 1009.26(15), F.S.

¹¹ Section 1009.26(8), F.S.

¹² Section 1007.01(3), F.S.

¹³ Section 1007.01(3)(a)b), F.S.

¹⁴ Section 1007.01(3), F.S.; s. 20.15(3)(h), F.S.

adopt regulations and rules, respectively, which create a uniform system for the awarding of postsecondary credit based on military experience, training, and education.

The bill requires the Committee to convene a workgroup by August 31, 2019, to establish a uniform process for determining when military experience and credentials are appropriate for credit.

The workgroup will consist of the following 13 members:

- The chair of the Committee, serving as chair;
- Four members representing academic affairs administrators and faculty from state universities, appointed by the chair of the BOG;
- Four members representing academic affairs administrators and faculty from Florida College System institutions, appointed by the chair of the SBE;
- Two members representing faculty from career centers, appointed by the chair of the State Board of Education; and
- Two members representing veterans, appointed by the executive director of the FDVA.

The Office of K-20 Articulation will provide administrative support for the workgroup.

The workgroup must provide recommendations to the BOG and the SBE by December 1, 2019, regarding postsecondary course equivalencies and the minimum credit that must be awarded. The BOG and the SBE must then review the recommendations for approval at the next publicly noticed meeting of each board. If approved, no later than January 1, 2020, the Committee must facilitate its review. By November 30, 2020, and annually thereafter, the Committee must approve the list of postsecondary course equivalencies and the minimum credit that must be awarded for military experience and credentials. After the Committee approves the list, the BOG and the SBE must adopt the list at the next publicly noticed meeting of each board.

Under the bill, each public postsecondary educational institution is required to award credit based on the list, if the credit is applicable to the student's degree or certificate. If appropriate, institutions have the option to award additional credit. The bill also guarantees the transfer of credit awarded through this process, to other public institutions.

Requiring the BOG and the SBE to adopt a uniform system could provide greater consistency to active duty servicemembers and veterans who seek the award of academic credit at different institutions.

Fee Waivers

The bill provides active duty servicemembers and honorably discharged veterans, and their spouses and dependents a fee waiver of the transcript fee from a state university, FCS institution, career center operated by a school district, or a charter technical career center. Each of these institutions must annually report to the BOG and the SBE the number and value of transcript fee waivers granted. The BOG and the SBE are required to adopt regulations and rules, respectively, to provide for this transfer fee.

The bill takes effect July 1, 2019.

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 identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Qualifying servicemembers and honorably discharged veterans may save money by receiving postsecondary credit for military experience and through the transcript fee waiver. The transcript fee waiver also applies to spouses and dependents.

C. Government Sector Impact:

The BOG and the SBE may incur fiscal costs from the bill, based on the provisions that require the BOG and the SBE to amend or adopt new regulations and rules, and that require a workgroup to convene and draft recommendations.

Additionally, institutions will have to waive the transcript fee for active duty servicemembers and honorably discharged veterans, and their spouses and dependents, and annually report the number of waivers to the BOG and the SBE.

The fiscal impact from these requirements is indeterminate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1004.096 and 1009.26.

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

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

CS by Military and Veterans Affairs and Space on March 26, 2019:

- Provides for the Florida Department of Veterans' Affairs to participate in regulation and rulemaking with the Board of Governors (BOG) and the State Board of Education (SBE);
- Establishes a workgroup convened by the Articulation Coordinating Committee to develop a uniform process and make recommendations for the award of postsecondary credit based on military experience and credentials;
- Staffs the workgroup with 13 members representing various entities;
- Requires the Office of K-20 Articulation to provide administrative support to the workgroup;
- Authorizes an institution to award credit even if it is not for the purpose of earning a degree or certification;
- Imposes the following deadlines:
 - The workgroup must provide recommendations to the BOG and the SBE by December 1, 2019;
 - The Articulation Coordinating Committee must facilitate the review of military experience and credentials for postsecondary course equivalencies by January 1, 2020; and
 - The Articulation Coordinating Committee must approve a list of postsecondary course equivalencies and credit no later than November 30, 2020; and

Enables spouses and dependents, in addition to active duty servicemembers and veterans, to have the fee waived on a transcript request.

B. Amendments:

None.