

Tab 1	SB 86 by Baxley; (Compare to H 00281) Student Financial Aid					
936858	A	S	ED, Thurston	Delete L.183 - 543:	03/08 03:36 PM	
Tab 2	SB 532 by Burgess; (Identical to H 00135) Workforce Education					
903918	A	S	ED, Burgess	Delete L.25:	03/01 01:59 PM	
Tab 3	SB 1450 by Rodriguez; (Identical to H 00005) Civic Education Curriculum					
Tab 4	SB 726 by Taddeo; (Similar to H 00173) Individual Education Plan Requirements for Students with Disabilities					
Tab 5	SB 938 by Wright; (Identical to H 00633) Purple Star Campuses					
748890	A	S	ED, Wright	Delete L.44:	03/08 11:34 AM	
Tab 6	SB 1484 by Gruters; (Identical to H 01423) Florida Private Student Assistance Grant Program					

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION
Senator Gruters, Chair
Senator Jones, Vice Chair

MEETING DATE: Tuesday, March 9, 2021

TIME: 3:30—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Gruters, Chair; Senator Jones, Vice Chair; Senators Berman, Bradley, Broxson, Diaz, Hutson, Passidomo, Polsky, and Thurston

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
PUBLIC TESTIMONY WILL BE RECEIVED FROM ROOM A3 AT THE DONALD L. TUCKER CIVIC CENTER, 505 W PENSACOLA STREET, TALLAHASSEE, FL 32301			
1	SB 86 Baxley (Compare H 281, CS/S 52)	Student Financial Aid; Requiring that eligibility for state financial aid awards and tuition assistance grants be reevaluated each term and identify students' program of study; revising the formula for calculating how Florida Public Student Assistance Grant Program funds are distributed; authorizing a Bright Futures Scholarship recipient to apply the unused portion of a Florida Academic Scholars award or Florida Medallion Scholars award toward graduate study for a specified academic year; establishing the Florida Bright Opportunities Grant Program; establishing the Florida Endeavor Scholarship Program, etc.	ED 03/09/2021 AED AP
2	SB 532 Burgess (Identical H 135)	Workforce Education; Revising the workforce education programs that school district career centers are authorized to conduct, etc.	ED 03/02/2021 Temporarily Postponed ED 03/09/2021 HP RC
3	SB 1450 Rodriguez (Identical H 5)	Civic Education Curriculum; Revising the social studies high school graduation credit requirement; requiring the Department of Education to develop or approve an integrated civic education curriculum that meets certain requirements; requiring the department to curate oral history resources to be used along with such curriculum; designating the "Portraits in Patriotism Act", etc.	ED 03/09/2021 AED AP

COMMITTEE MEETING EXPANDED AGENDA

Education

Tuesday, March 9, 2021, 3:30—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 726 Taddeo (Similar H 173)	Individual Education Plan Requirements for Students with Disabilities; Revising the timeline for the development and implementation of an individual education plan (IEP) for a student with disabilities to transition to postsecondary education and career opportunities; revising the requirements for an IEP for the transitions to a postsecondary education or career opportunities; requiring the Department of Education to conduct a review of specified services and programs, etc. ED 03/09/2021 AED AP	
5	SB 938 Wright (Identical H 633, Compare H 429)	Purple Star Campuses; Requiring the Department of Education to establish the Purple Star Campus program; specifying program criteria for participating schools; authorizing the department to establish additional program eligibility criteria; authorizing schools to partner with school districts to meet such criteria, etc. ED 03/09/2021 MS AP	
6	SB 1484 Gruters (Identical H 1423)	Florida Private Student Assistance Grant Program; Expanding eligibility for the program to full-time degree-seeking students accepted at a competency-based nonprofit virtual postsecondary institution that meets specified criteria, etc. ED 03/09/2021 AED AP	

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: SB 86

INTRODUCER: Senator Baxley

SUBJECT: Student Financial Aid

DATE: March 8, 2021

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Jahnke	Bouck	ED	Pre-meeting
2. _____	_____	AED	_____
3. _____	_____	AP	_____

I. Summary:

SB 86 modifies provisions relating to postsecondary financial aid programs, and establishes new financial aid programs for Pell Grant eligible students and students without a high school diploma. Specifically, the bill:

- Modifies general eligibility for state financial aid by:
 - Requiring the Board of Governors (BOG) and State Board of Education (SBE) to each approve a list of career certificate, undergraduate, and graduate degree programs that lead directly to employment.
 - Specifying that, beginning in the 2022-2023 academic year and thereafter, student eligibility for financial aid or tuition assistance is determined by enrollment in a program of study on a certificate and degree list approved by the BOG or SBE.
- Establishes the Florida Bright Opportunities Grant Program for Pell Grant-eligible students with a tuition and registration fee balance at a Florida College System (FCS) institution or career center after application of all federal gift aid and state financial assistance.
- Modifies the Florida Bright Futures Scholarship Program by:
 - Changing the Florida Academic Scholars (FAS) and Florida Medallion Scholars (FMS) awards to an amount specified in the General Appropriations Act (GAA).
 - Specifying that beginning in the 2022-2023 academic year, the number of credit hours funded under a Bright Futures award is reduced by the number of credit hours earned through articulated acceleration mechanisms.
 - Creating additional alternative eligibility options for FAS and FMS awards for students who earn an associate degree through dual enrollment or who earn an Advanced Placement Capstone Diploma.
 - Specifying that, beginning in the 2022-2023 academic year, the authorization to use the unused portion of a FAS or FMS for graduate study must be for a program on an approved list by the BOG or SBE.

- Specifies that the 2021-2022 academic year is the final year of initial eligibility for nonresident students to qualify for the Benacquisto Scholarship Program, and modifies the award to as specified in the GAA.
- Establishes the Florida Endeavor Scholarship Program for students without a high school diploma or equivalent who are enrolled at a career center or FCS institution.
- Clarifies that postsecondary tuition and fee exemptions apply to a student who is currently in the custody of the Department of Children and Families or a specified relative or nonrelative, or who was at the time he or she reached 18 years of age.

For fiscal year 2021-2022, the funding required for the Florida Bright Opportunities Grant Program and the Florida Endeavor Scholarship Program is subject to an appropriation in the General Appropriations Act. The impact on state funding starting in 2022-2023 is expected to be a net positive to the state budget, but is indeterminate at this time. See Section V.

The bill takes effect July 1, 2021.

II. Present Situation:

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

III. Effect of Proposed Changes:

Identification of Certificate and Degree Programs Aligned to Labor Market Demand

Present Situation

Board of Governors - Programs of Strategic Emphasis

The Programs of Strategic Emphasis (PSE) exists as one of several tools for aligning the degree production goals of the State University System with the economic and workforce needs of Florida.¹ Periodically, the Board of Governors (BOG) revises the PSE list through an analysis of the current reports and data of key economic and workforce councils in Florida. These “key councils” include Enterprise Florida, Inc., the Council of 100, the Florida Chamber of Commerce, and the Department of Economic Opportunity.² This process identifies occupational areas with high demand for postsecondary graduates and provides an opportunity to identify emerging and evolving business sectors and occupations.³ The current list of PSE includes 868⁴ programs in the following areas:⁵

¹ Board of Governors, *Methodology for Updating Programs of Strategic Emphasis in the State University System of Florida*, September 2020 available at https://www.flbog.edu/wp-content/uploads/CIP_2020_PSE_Methodology_CE_FINAL.pdf.

² Board of Governors, *Methodology for Updating Programs of Strategic Emphasis in the State University System of Florida*, Board of Governors 2019 Mid-Course Correction - 2025 Strategic Plan (September 2019) available at https://www.flbog.edu/wp-content/uploads/SPC_06c_2019_PSE_Methodology_and_list_CE.pdf.

³ State University System of Florida, *Programs of Strategic Emphasis* <https://www.flbog.edu/resources/academic/programs-of-strategic-emphasis/> (last visited March 2, 2021).

⁴ Board of Governors, *Current PSE list approved by the BOG at its September 2020 meeting* (September 2020) available at <https://www.flbog.edu/wp-content/uploads/Current-PSE-list-approved-by-the-BOG-at-its-September-2020-meeting-PDF.pdf>.

⁵ Board of Governors, *Methodology for Updating Programs of Strategic Emphasis*

- Education;⁶
- Healthcare;⁷
- Global Competitiveness;⁸
- STEM;⁹ and
- Gap Analysis¹⁰

The BOG tracked their baccalaureate graduates into the workforce and found 92 percent of the graduates were employed one year after graduation, with 71 percent employed full-time.¹¹ The PSE degree fields accounted for the top five fields of study where baccalaureate graduates were found employed full-time one year after graduation.¹²

Department of Education – Career and Technical Education Audit

Governor Ron DeSantis issued Executive Order Number 19-31¹³ to chart a course for Florida to become number one in the nation in workforce education, with the goal of ensuring students are prepared to succeed in jobs of the future and satisfy Florida's growing workforce demands.¹⁴ Governor DeSantis directed the Commissioner of Education (commissioner) to audit course offerings in career and technical education (CTE).

Additionally, the order directed the commissioner to develop a methodology for annual audits to include a review of student outcomes and alignment between:¹⁵

- Programs offered at K-12 and postsecondary levels;
- Professional-level industry certifications; and
- High-growth, high-demand and high-wage employment opportunities.

in the State University System of Florida, September 2020 available at https://www.flbog.edu/wp-content/uploads/CIP_2020_PSE_Methodology_CE_FINAL.pdf.

⁶ Largely based upon the annual State Board of Education list of critical teacher shortage areas.

⁷ Based primarily on the Florida Department of Economic Opportunity workforce projections.

⁸ Includes degree programs that assist in making the SUS globally competitive can be found throughout the system across many disciplines, especially within the sciences, engineering, and information technology programs.

⁹ Includes science, technology, engineering, and mathematics disciplines. The primary references used were the Florida Department of Economic Opportunity, the Department of Homeland Security, the National Science Foundation, and the Washington State Education Research and Data Center.

¹⁰ Includes degree programs leading to the occupational categories projected to be critically under-supplied in the Board of Governors' analysis of labor market projections and related degree production. Consequently, the academic programs included in this category correspond to Florida's high-need, high-wage occupational areas identified through the gap analysis. Board of Governors, *The 2019 Gap Analysis: Explanation of Method*, July 2019, https://www.flbog.edu/wp-content/uploads/SPC_06d_2019_Gap_Analysis_Methodology_CE.pdf.

¹¹ Florida Board of Governors, *Baccalaureate Follow-up Study: Employment and Education Outcomes 1, 5, and 10 Years After Graduation* (August 2020) available at https://www.flbog.edu/wp-content/uploads/TAWA_03b_Baccalaureate_Follow-up_CE.pdf. The current study was based on individual-level data for 349,543 graduates from the State University Data System (SUDS). These records were matched to records from the National Student Clearinghouse (NSC) and the Florida Department of Economic Opportunity (DEO). *Id.*

¹² *Id.* Engineering Technician; Engineering; Computer & Information Sciences; Business & Marketing; and Education.

¹³ Office of the Governor, *Executive Order Number 19-31*, January 30, 2019 available at https://www.flgov.com/wp-content/uploads/orders/2019/EO_19-31.pdf.

¹⁴ Florida Department of Education, *Executive Order 19-31 Interim Report on Florida's Career and Technical Education Audit*, July 11, 2019 available at <http://www.fldoe.org/core/fileparse.php/18788/urlt/EO19-31InterimReport.pdf>.

¹⁵ *Id.*

The commissioner is required to annually recommend CTE programs that should be eliminated and programs that should be added based on audit results.

The CTE audit is comprised of a statewide review of programs, local program review, and sharing information and best practices. The CTE methodology includes the following:¹⁶

- A statewide assessment of programs based on the extent to which there are data that support the demand for the program at statewide and regional levels.¹⁷
- A statewide assessment of programs based on their performance on key institutional measures of program quality.¹⁸
- A local review of programs that did not meet statewide benchmarks based on local or industry labor market needs and institutional performance.¹⁹

Effect of Proposed Changes

The bill creates s. 1009.46, F.S., to establish the duties of postsecondary educational institutions for state financial aid and tuition assistance programs. Specifically, the bill:

- Requires that each participating institution verify student eligibility for funding by reporting the program of study to the Department of Education using the most recent classification of instructional programs (CIP) taxonomy.²⁰
- Requires, by December 31, 2021, the BOG and State Board of Education (SBE) each approve a list of career certificate, undergraduate and graduate degree programs offered by a district career center, charter technical career center, FCS institution, or state university, which lead directly to employment, to be updated annually by December 31. In determining which programs will be included on the list, the BOG and SBE must:
 - Consider national, state, and regional industry demand;
 - Identify occupations, current job openings, estimates of job growth, and employment wages; and
 - Include appropriate certificate and degree programs offered by eligible independent colleges and universities.
- Codifies certain existing requirements from SBE rule²¹ related to applications for and disbursement of funds, student eligibility and notifications, reporting, and fund remittance, with sanctions for noncompliance.

¹⁶ Florida Department of Education, *Florida's CTE Audit: Statewide Review of Programs (Jan. 24, 2020)* available at <http://www.fldoe.org/core/fileparse.php/18788/urlt/2020CTEAuditPreliminaryFindings.pdf>.

¹⁷ The CTE Audit utilizes the Regional Demand Occupation List to determine statewide and regional demand, as well as, middle to high wage occupations. Florida Department of Economic Opportunity, Regional Demand Occupations List, <https://floridajobs.org/workforce-statistics/publications-and-reports/labor-market-information-reports/regional-demand-occupations-list> (last visited March 5, 2021).

¹⁸ Florida Department of Education, *Florida's CTE Audit: Statewide Review of Programs (Jan. 24, 2020)* available at <http://www.fldoe.org/core/fileparse.php/18788/urlt/2020CTEAuditPreliminaryFindings.pdf>.

¹⁹ Florida Department of Education, *Career & Technical Education Audit, Phase 2: Local Program Review*, <http://www.fldoe.org/careerpathways/> (last visited March 5, 2021).

²⁰ The CIP is a taxonomy of instructional programs that provides a classification system for the thousands of different programs offered by postsecondary institutions. Its purpose is to facilitate the organization, collection, and reporting of fields of study and program completions. National Center for Education Statistics, *Introducing the 2020 Classification of Instructional Programs (CIP) and Its Website*, <https://nces.ed.gov/blogs/nces/post/introducing-the-2020-classification-of-instructional-programs-cip-and-its-website> (last visited March 5, 2021).

²¹ Rule 6A-20.002, F.A.C.

General Eligibility for State Financial Aid and Tuition Assistance

Present Situation

The general student eligibility requirements for state financial aid awards and tuition assistance grants consist of the following:²²

- Achievement of the academic requirements of and acceptance at a state university or FCS institution; a nursing diploma school approved by the Florida Board of Nursing; a Florida college or university which is accredited by an accrediting agency recognized by the SBE; a Florida institution the credits of which are acceptable for transfer to state universities; a career center; or a private career institution accredited by an accrediting agency recognized by the SBE.
- Residency in Florida for no less than one year preceding the award of aid or a tuition assistance grant.²³
- Submission of certification attesting to the accuracy, completeness, and correctness of information provided to demonstrate a student's eligibility to receive state financial aid awards or tuition assistance grants.

Eligibility for renewal of undergraduate or career certificate financial aid awards must be evaluated at the end of the second semester or third quarter of each academic year. To be eligible for renewal a student must:²⁴

- Earn a minimum 2.0 grade point average (GPA); and
- Earn, for undergraduate full-time study, 12 credits per term or the equivalent for the number of terms for which aid was received or have earned, for career certificate study, at least the equivalent in clock hours of 6 semester credit hours per term or the equivalent for the number of terms for which aid was received.

A student who fails to meet the required GPA for renewal may be granted a probationary award for one academic year to earn the required GPA for subsequent renewal. A student who fails to meet the minimum number of credits required for renewal must lose his or her eligibility for one academic year, after which the student may reapply.²⁵

Effect of Proposed Changes

The bill amends s. 1009.40, F.S., to add a funding eligibility requirement. The bill specifies that financial aid awards and tuition assistance grants must be reevaluated each term based on the program of study to which the student has been admitted and is enrolled.²⁶ Beginning in the 2022-2023 academic year and thereafter, student eligibility for funding is determined by

²² Section 1009.40(1)(a), F.S.

²³ Resident status for purposes of receiving state financial aid awards is determined in the same manner as resident status for tuition purposes pursuant to s. 1009.21. Section 1009.40(1)(a)2., F.S.

²⁴ Section 1009.40(1)(b), F.S.

²⁵ Section 1009.40(1)(b)3. and 4., F.S.

²⁶ District and charter technical career centers offer career certificate and non-college-credit advanced technology diploma (ATD). FCS institutions offer bachelor's degree programs; associate in arts, associate in science, and associate in applied science programs; technical certificate and ATD programs; and advanced technical certificates programs. Rule 6A-14.030, F.A.C. State universities offer baccalaureate programs, as well as graduate degree programs, such as, master's; specialist; advanced master's; non-doctoral; and doctoral. Board of Governors Regulation 8.011.

enrollment in a program of study on a certificate and degree list approved by the BOG or SBE, as follows:

- For a student who has been admitted to and enrolled in a certificate or degree program, the student is eligible only if the program in which the student is enrolled is on an approved list.
- For a student who has not yet been admitted to a program (e.g., an associate in arts student or a bachelor's degree student prior to admittance to a chosen degree program), eligibility is limited to 60 credit hours or until the student is enrolled in a program that is not on an approved list, whichever comes first.
- The program on an approved list applies to a student's initial enrollment at the postsecondary institution, or when the student is admitted to and enrolled in a program. Any changes to the certificate and degree list after the student has enrolled would not negatively impact the student.

The bill also amends s. 1009.40, F.S., to include in the general eligibility requirements relating to Florida residency the Bright Opportunity Scholarship Program, Florida Endeavor Scholarship, Last Mile College Completion Program, and Florida Farmworker Student Scholarship Program.²⁷

Need-based Financial Aid

Present Situation

Federal Financial Aid

The Pell Grant is the largest federal grant program offered to undergraduate students and is designed to assist students from low-income households. To qualify for a Pell Grant, a student must demonstrate financial need through completing a Free Application for Federal Student Financial Aid (FAFSA).²⁸

The award amount a student receives is dependent on the student's expected family contribution (EFC),²⁹ the institution cost of attendance (COA),³⁰ full-time or part-time status, and plans to attend school for a full academic year or less.³¹

²⁷ Sections 1009.71, F.S.; 1009.711, F.S.; 1009.75, F.S.; and 1009.894, F.S.

²⁸ Federal Student Financial Aid, *Help Center, Federal Pell Grant program*, <https://studentaid.gov/help-center/answers/article/federal-pell-grant-program> (last visited March 4, 2021).

²⁹ The EFC is calculated according to a formula established by law. The student's family's taxed and untaxed income, assets, and benefits (such as unemployment or Social Security) all could be considered in the formula. Also considered are the student's family size and the number of family members who will attend college or career school during the year. Federal Student Aid, *How Aid Is Calculated, What's the Expected Family Contribution (EFC)?*, <https://studentaid.gov/complete-aid-process/how-calculated#efc> (last visited March 4, 2021).

³⁰ COA is the amount it will cost a student to go to school. Most two-year and four-year colleges calculate their COA to show the total cost for the school year. The COA is the estimate of tuition and fees, cost of room and board (or living expenses), cost of books, supplies, transportation, loan fees, and miscellaneous expenses, allowance for child care or other dependent care, costs related to a disability, and reasonable costs for eligible study-abroad programs. Federal Student Aid, *What does cost of attendance (COA) mean?*, <https://studentaid.gov/help-center/answers/article/what-does-cost-of-attendance-mean> (last visited March 4, 2021).

³¹ Federal Student Aid, *How Aid Is Calculated*, <https://studentaid.gov/complete-aid-process/how-calculated> (last visited March 8, 2021).

The Federal Supplemental Educational Opportunity Grant (FSEOG) provides an award to undergraduate students with exceptional financial need.³² The FSEOG award is between \$100 and \$4,000 a year, depending on the student's financial need, the amount of other aid awarded to the student, and the availability of limited federal funds allocated to the student's school for the program.³³ This is unlike the Pell Grant program, which provides awards to every eligible student.

Florida Student Assistance Grant Program

The Florida Student Assistance Grant (FSAG) Program, created in 1972, is Florida's largest need-based grant program, consisting of FSAG Public, FSAG Career Education (FSAG-CE), FSAG Private, and FSAG Postsecondary.³⁴ The FSAG Program provides state need-based assistance grants to students who meet general eligibility requirements,³⁵ demonstrate financial need, and meet enrollment requirements as specified by each program. The FSAG Program is administered by participating institutions in accordance with SBE rule.³⁶

The funds appropriated for the FSAG Program must be distributed to eligible institutions in accordance with a formula approved by the SBE. The formula must consider at least the prior year's distribution of funds, the number of eligible applicants who did not receive awards, the standardization of the EFC, and provisions for unused funds. The formula must account for changes in the number of eligible students across all student assistance grant programs.³⁷

In 2019-2020, the FSAG programs disbursed approximately \$270 million to nearly 175,000 students.³⁸

In addition, the FSAG Public, FSAG Private, and FSAG Postsecondary programs provide for deposit of funds appropriated by the Legislature for grants through the FSAG program into the State Student Financial Assistance Trust Fund.³⁹ The FSAG-CE program does not have this provision.

For the 2021-22 award year, the Federal Pell Grant award is between \$650 to \$6,495.⁴⁰ The 2018-2019 average cost for taking 30 credit hours at an FCS institution was \$3,209.⁴¹ Because

³² Federal Student Aid, *FSEOG (Grants)*, <https://studentaid.gov/understand-aid/types/grants/fseog> (last visited March 4, 2021).

³³ *Id.*

³⁴ Florida Department of Education Office of Student Financial Assistance, *Annual Report to the Commissioner 2018-19* (2019), at 11, available at <https://www.floridastudentfinancialaidsg.org/pdf/annualreportcurrent.pdf>.

³⁵ Section 1009.40, F.S.

³⁶ Sections 1009.50(6), 1009.505(5), 1009.51(6), and 1009.52(7), F.S. *See also* Rule 6A-20.031, F.A.C. Postsecondary educational institution administrative responsibilities for state student aid and tuition assistance programs are outlined in Rule 6A-20.002, F.A.C.

³⁷ Sections 1009.50(4)(a), 1009.51(4)(a), and 1009.52(4)(a), F.S.

³⁸ Florida Department of Education, Office of Student Financial Assistance, *2019-20 End of Year Reports*, <https://www.floridastudentfinancialaidsg.org/SAPSPEOYR/SAPSPEOYR> (last visited Mar. 6, 2020).

³⁹ Sections 1009.50(5), 1009.51(5), and 1009.52(6), F.S.

⁴⁰ Federal Student Aid, *IFAP: GEN2101, 2021-2022 Federal Pell Grant Payment and Disbursements Schedules*, <https://ifap.ed.gov/dear-colleague-letters/GEN2101> (last visited March 8, 2021).

⁴¹ Florida Department of Education, *College and Textbook Affordability in the Florida College System 2020* (November 2020) available at <https://www.fldoe.org/core/fileparse.php/7749/urlt/2020AffordabilityReport.pdf>.

the Pell Grant award amounts vary based on the circumstances of each student, some students who meet the family income threshold for a Pell award may still have a balance of tuition and fees not covered by the federal and state gift aid they are eligible to receive.

Effect of Proposed Changes

The bill creates s. 1009.71, F.S., to establish the Florida Bright Opportunities Grant Program. The program is for Pell Grant-eligible students at FCS institutions and career centers who have a tuition and registration fee balance after all federal and state gift aid has been applied to their account. Specifically, the program:

- Award applies to certificate, applied technology diploma (ATD), or associate degree programs only at FCS institutions or career centers.
- Award covers the balance of tuition and registration fees, plus a book stipend, and is awarded on a first-come first-served basis.
- Requires the student to meet the following general eligibility requirements for state financial aid awards and tuition assistance grants:
 - Residency in Florida for at least one year prior to award of aid or tuition assistance grant;
 - Certification attesting to the accuracy, completeness, and correctness of information provided; and
 - Beginning in the 2022-2023 academic year and thereafter, student enrollment in a program of study in a certificate and degree list approved by the BOG or SBE. Eligibility for state financial aid awards and tuition assistance grants must be reevaluated each term based on the program of study to which the student has been admitted and is enrolled.
- Does not allow an institution to impose additional criteria to determine a student's eligibility.
- Student must be enrolled for at least six credit hours per term, or the equivalent clock hours.
- Limits the award to 8-10 semesters as specified in current law regarding financial aid eligibility.⁴²
- Specifies requirements for the distribution and remittance of program funds, similar to FSAG programs.

Florida Student Assistance Grant Program

The bill removes obsolete provisions regarding standardization of the EFC and unused funds in the distribution formula and removes unnecessary requirements related to the State Student Financial Assistance Trust Fund for FSAG programs.

Merit-based Financial Aid

Present Situation

Florida Bright Futures Scholarship Program

The Florida Bright Futures Scholarship Program (Bright Futures program) was established in 1997⁴³ as a lottery-funded scholarship program to reward a Florida high school graduate who merits recognition for high academic achievement and who enrolls in a degree program,

⁴² Section 1009.40(3), F.S.

⁴³ Section 2, ch. 1997-77, L.O.F.

certificate program, or applied technology program at an eligible Florida public or private⁴⁴ postsecondary education institution. The DOE is responsible for issuing awards for the Bright Futures program annually.⁴⁵

The Bright Futures program consists of the following awards:⁴⁶

- Florida Academic Scholarship (FAS);⁴⁷
- Florida Medallion Scholarship (FMS);⁴⁸ and
- Florida Gold Seal Vocational Scholarship (FGSV) and Florida Gold Seal CAPE Scholarship.⁴⁹

Similarities and differences in specified provisions to qualify for FAS and FMS awards are depicted in the table below.⁵⁰

Type	16 High School Course Credits	High School Weighted Bright Futures GPA	College Entrance Exams by High School Graduation Year (ACT/SAT)	Service Hours
FAS	4 - English (three must include substantial writing) 4 - Mathematics (at or above the Algebra I level)	3.50	29/1330	100 hours
FMS	3 - Natural Science (two must have substantial laboratory) 3 - Social Science 2 - World Language (sequential, in same language)	3.00	25/1210	75 hours

Students who have demonstrated academic merit through a recognition program may be eligible for Bright Futures without having to meet one or more of the requirements.⁵¹

The recognition programs that do not require college entrance exam scores include:⁵²

- National Merit Finalists and Scholars;
- National Hispanic Scholars;
- Advanced International Certificate of Education (AICE) Diploma; and
- International Baccalaureate (IB) Diploma.

⁴⁴ A student who receives any award under the Bright Futures program and is enrolled in a nonpublic postsecondary education institution receives a fixed award calculated by using the average tuition and fee calculation as prescribed by the Department of Education for full-time attendance at a public postsecondary education institution at the comparable level. Section 1009.538, F.S.

⁴⁵ Section 1009.53(5), F.S.

⁴⁶ Section 1009.53(2), F.S.

⁴⁷ Section 1009.534, F.S.

⁴⁸ Section 1009.535, F.S.

⁴⁹ Section 1009.536, F.S.

⁵⁰ Section 1009.531, F.S.

⁵¹ Section 1009.534(1), F.S. and 1009.535(1), F.S.

⁵² Office of Student Financial Assistance, 2020-21 *Bright Futures Student Handbook Chapter 1: Initial Eligibility Requirements* (July 31, 2020) available at <https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter1.pdf>.

FAS award recipients receive an award equal to the amount necessary to pay of 100 percent of tuition and applicable fees and an additional stipend for textbooks as specified in the General Appropriations Act (GAA).⁵³ FMS award recipients receive an award equal to the amount necessary to pay of 75 percent of tuition and applicable fees.⁵⁴

A student may receive an FAS or FMS award for a maximum of 100 percent of the number of credit hours required to complete an associate degree program, a baccalaureate degree program, or a postsecondary career certificate program.⁵⁵

Florida Bright Futures Scholarship recipients who graduate with a baccalaureate degree in seven semesters, or the equivalent or fewer hours, and wish to pursue graduate study may apply the unused portion of their FAS or FMS award toward one semester of graduate study, not to exceed 15 semester hours paid at the undergraduate rate.⁵⁶

For the 2019-2020 fiscal year, a total of \$618,607,165 was disbursed through the Bright Futures to 111,973 students.⁵⁷

Benacquisto Scholarship Program

The Benacquisto Scholarship Program (scholarship)⁵⁸ was created in 2014 to reward a Florida high school graduate who achieves recognition as a National Merit Scholar (NMS)⁵⁹ and enrolls in a baccalaureate degree program at an eligible Florida public or independent postsecondary educational institution.⁶⁰

In addition to achieving recognition as an NMS, in order to be eligible for an award under the scholarship, a student must:⁶¹

- Be a state resident as determined by statute and SBE rules;

⁵³ Section 1009.534(2), F.S.

⁵⁴ Section 1009.535(2), F.S. Beginning in the fall 2021 semester, a Florida Medallion Scholar who is enrolled in an associate degree program at an FCS institution is eligible for an award equal to the amount necessary to pay 100 percent of tuition and specified fees to assist with the payment of educational expenses. Section 1009.535(2), F.S.

⁵⁵ Section 1009.532(3)(a), F.S.

⁵⁶ Section 1009.5341, F.S.

⁵⁷ Florida Bright Futures Scholarship Program, *Florida Bright Futures Student Counts and Total Costs (September 2020)* available at <https://www.floridastudentfinancialaidsg.org/PDF/PSI/BFReportsA.pdf>.

⁵⁸ The scholarship was renamed in 2016 from the Florida National Merit Scholar Incentive Program to the Benacquisto Scholarship Program. Section 26, ch. 2016-237, L.O.F.

⁵⁹ Florida Department of Education Office of Student Financial Assistance, *Annual Report to the Commissioner 2018-19* (2019) available at <https://www.floridastudentfinancialaidsg.org/pdf/annualreportcurrent.pdf>. The National Merit Scholarship Corporation (NMSC) is a private, not-for-profit organization that operates without government assistance to recognize and honor academically talented students. National Merit Scholarship Corporation, *Mission*, <https://www.nationalmerit.org/s/1758/interior.aspx?sid=1758&gid=2&pgid=395> (last visited March 3, 2021). NMSC organizes the National Merit Scholarship Program, which began in 1955 as an academic competition for recognition and scholarship. High school students enter the National Merit Program by taking the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), which serves as an initial screen of approximately 1.5 million entrants each year, and meeting the program participation requirements. National Merit Scholarship Corporation, *National Merit Scholarship Program*, <https://www.nationalmerit.org/s/1758/interior.aspx?sid=1758&gid=2&pgid=424> (last visited March 3, 2021).

⁶⁰ Section 1009.893(2), F.S.

⁶¹ Section 1009.893(4)(a), F.S.

- Earn a standard Florida high school diploma or its equivalent pursuant to statute, unless:
 - The student completes a home education program pursuant to statute,⁶² or
 - The student earns a high school diploma from a non-Florida school while living with a parent who is on military or public service assignment out of this state;
- Be accepted by and enroll in a Florida public or independent postsecondary educational institution that is regionally accredited; and
- Be enrolled full-time in a baccalaureate degree program at an eligible regionally accredited Florida public or independent postsecondary educational institution during the fall academic term following high school graduation.

In 2018, eligibility was expanded to allow out-of-state students to qualify for a scholarship.⁶³

Scholarship recipients attending a public postsecondary institution, who qualify as a Florida resident, receive an award equal to the institutional cost of attendance (COA) minus the sum of the student's Florida Bright Futures Scholarship and NMS award. Scholarship recipients attending a public postsecondary institution, who qualify as non-residents of Florida, receive an award equal to the institutional COA for a Florida resident minus the student's NMS award.⁶⁴ Eligible students who attend independent postsecondary educational institutions in Florida each receive scholarship awards equal to the highest COA for a resident of this state enrolled at a Florida public university, as reported by the BOG, minus the sum of the student's Florida Bright Futures Scholarship and NMS award.⁶⁵

In the 2019-2020 fiscal year, the scholarship distributed \$21.6 million to 1,377 students, of which 202 were non-Florida residents. The average award was \$15,650.⁶⁶

Effect of Proposed Changes

Florida Bright Futures Scholarship Program

The bill modifies ss. 1009.534 and 1009.535, F.S., relating FAS and FMS awards. Specifically, the bill:

- Changes the FAS and FMS award from the award necessary to pay a specified percentage of tuition and specified fees to an award as specified in the GAA.
- Changes the FMS award for a FCS student in an associate degree program from an award necessary to pay the specified percentage of tuition and specified fees to an award as specified in the GAA.
- Simplifies the reference to the required college entrance exam scores.⁶⁷
- Removes reference to a national achievement program no longer available through the National Merit Scholarship Corporation.
- Updates the reference to the National Hispanic Recognition Program to include all Recognition Programs administered by the College Board, which includes African American

⁶² Section 1002.41, F.S.

⁶³ Section 22, ch. 2018-4, L.O.F. See s. 1009.893(4)(b), F.S.

⁶⁴ Section 1009.893(5)(a), F.S.

⁶⁵ Section 1009.893(5)(b), F.S.

⁶⁶ Florida Department of Education, Office of Student Financial Assistance, *End-of-Year Report, 2019-2020*, https://www.floridastudentfinancialaidsg.org/PDF/PSI/FIS_2019_2020.pdf (last visited Mar. 6, 2021).

⁶⁷ Program eligibility requires specified scores on the SAT and ACT. Section 1009.531(6), F.S.

Recognition, Hispanic Recognition, Indigenous Recognition, and Rural and Small Town Recognition.⁶⁸

- Beginning for graduates in 2021-2022, adds additional alternative eligibility options: earned associates degree through dual enrollment or AP Capstone Diploma with scores of 4 or higher on 6 AP exams. Therefore, these students are not required to submit scores for college entrance exams.

The bill modifies s. 1009.5341, F.S., the use of Bright Futures funds for graduate study, as follows:

- For 2021-2022, recipients may use the unused portion of their FAS or FMS award for graduate study, without semester or credit hours limit. However, the bill does not change the provision in s. 1009.531, F.S., limiting usage of a Bright Futures award to five years after high school graduation.
- Beginning in 2022-2023, recipients may use the unused portion of their FAS or FMS award for graduate study only in a certificate or degree field on an approved BOG or SBE list required in the bill.

The bill modifies s. 1009.53, F.S., to update the DOE notification process and ability to certify forward funds. Specifically, the bill:

- Modifies the notification process from beginning in January calendar year to beginning in September school year, to provide families more time to plan for students' postsecondary plans
- Removes unnecessary provisions relating to DOE authorization to certify forward 10 percent of allocated funds, and to federal loan programs.

The bill modifies s. 1009.532, F.S., related to Bright Futures renewal awards, to reduce the number of credit hours that can be funded by Bright Futures by the number of credit hours earned through articulated acceleration mechanisms for students initially funded in 2022-2023 academic year.⁶⁹

Benacquisto Scholarship Program

The bill modifies s. 1009.898, F.S., to modify initial eligibility and remove award provisions related to COA. Specifically, the bill:

- Specifies that the 2021-2022 academic year is the final year of initial eligibility for nonresident students. However, current nonresident students receiving a scholarship may continue to receive renewal awards.

⁶⁸ The College Board, *The College Board National Recognition Programs*, <https://collegereadiness.collegeboard.org/psat-nmsqt-psat-10/scholarships-and-recognition/recognition-programs> (last visited Mar. 6, 2021).

⁶⁹ Articulated acceleration mechanisms are available to shorten the time necessary for a student to complete the requirements associated with the conference of a high school diploma and a postsecondary degree, broaden the scope of curricular options available to students, or increase the depth of study available for a particular subject. Articulated acceleration mechanisms include, but are not limited to, dual enrollment, advanced placement, credit by examination, IB Program, and AICE Program. Section 1007.27(1), F.S. First-time-in-college (FTIC) FAS students at a state university brought an average of 25.5 accelerated credits and FTIC FMS students at a state university were awarded an average of 18 accelerated credits. Email, Florida Board of Governors, Jason Jones (Nov. 2, 2020).

- Modifies the award to remove the requirement that the award level is tied to the cost of attendance for students who attend public and private educational institutions, and instead sets the award as specified in the GAA.

Students without a High School Diploma or Equivalent

Present Situation

In order to be eligible for a state financial aid award, a student must achieve the academic requirements of and acceptance at a public postsecondary institution, or specified private institution.⁷⁰ Generally, a student is required to have a high school diploma or high school equivalency diploma to enroll in an FCS institution,⁷¹ and students must have a high school diploma for admission to a state university.⁷² Eligibility for federal financial aid requires a high school diploma or a recognized equivalent, completion of a home education program, or enrolling in an eligible career pathway program and meeting one of the "ability-to-benefit" alternatives.⁷³

Between 2015 and 2019, 11.9 percent of persons age 25 and older living in Florida did not have a high school diploma or equivalent.⁷⁴ The dropout rate for Florida's 2019-20 high school cohort was 3.1 percent.⁷⁵ Only 44 percent of Florida's 2017-18 high school drop outs were found employed and three percent were found continuing their education at a postsecondary institution.⁷⁶

Effect of Proposed Changes

The bill creates s. 1009.711, F.S., to establish the Florida Endeavor Scholarship. The program is for students without a high school diploma or equivalent who are enrolled at a career center or FCS institution. Specifically, the program:

- Award applies to students who did not earn a high school credential prior to enrolling in a career certificate or non-college-credit ATD program, or in a General Education Program at a FCS institution, district career center, or a charter technical career center.
- Requires the student to meet the following general eligibility requirements for state financial aid awards and tuition assistance grants:
 - Residency in Florida for at least one year prior to award of aid or tuition assistance grant;

⁷⁰ Section 1009.40(1)(a), F.S.

⁷¹ Section 1007.263(2)(a), F.S. Students may also have a home education affidavit, or demonstrated competency in college credit postsecondary coursework. *Id.* A student who has been awarded a certificate of completion is eligible to enroll in certificate career education programs. Section 1007.263(4), F.S.

⁷² Board of Governors Regulation 6.002.

⁷³ Federal Student Aid, Basic Eligibility Criteria, <https://studentaid.gov/understand-aid/eligibility/requirements> (last visited March 5, 2021). A student in an eligible career pathway program may demonstrate readiness for higher education by completion of an approved "ability to benefit" test, or completing six credit hours or equivalent course work. *Id.*

⁷⁴ U.S. Census Bureau, *QuickFacts, Florida*, <https://www.census.gov/quickfacts/fact/table/FL/PST120219> (last visited March 5, 2021).

⁷⁵ Florida Department of Education, *Florida's High School Cohort 2019-20 Graduation Rate (January 2021)* available at <http://www.fldoe.org/core/fileparse.php/7584/urlt/GradRates1920.pdf>.

⁷⁶ Florida Department of Education, *Florida Education and Training Placement Information Program Annual Outcomes Report (December 2019)* available at <http://www.fldoe.org/core/fileparse.php/7592/urlt/1718AORFall.pdf>.

- Certification attesting to the accuracy, completeness, and correctness of information provided; and
- Beginning in the 2022-2023 academic year and thereafter, student enrollment in a program of study on a certificate and degree list approved by the BOG or SBE. Eligibility for state financial aid awards and tuition assistance grants must be reevaluated each term based on the program of study to which the student has been admitted and is enrolled.
- Does not allow an institution to impose additional criteria to determine a student's eligibility.
- Requires the student to earn at least 225 clock hours⁷⁷ with a minimum 2.5 postsecondary GPA.
- Award covers tuition and registration fees for certificate or non-college-credit ATD program at a career center or FCS institution, and is awarded on a first-come first-served basis, with priority for returning students.
- Specifies requirements for the distribution and remittance of program funds.

Fee Waivers and Exemptions

Present Situation

All students in workforce education programs, FCS institutions, and state universities must be charged fees unless a fee waiver or exemption applies.⁷⁸ Tuition and fee exemptions can be distinguished from fee waivers or educational benefits. An exemption is “provided for certain students who are, by statutory definition, exempt from the payment of tuition and fees, including lab fees” and may generally include students who are in dual enrollment, apprenticeship programs, welfare transition, and in the custody of a relative, among other categories. In contrast, waivers transpire when students have their fees waived or forgiven by an institution. Examples of waivers include those related to state employees, college employees and their dependents, Purple Heart recipients, and certain classroom teachers.⁷⁹

A student who is or was at the time he or she reached 18 years of age in the custody of the Department of Children and Families (DCF) or in the custody of a relative or nonrelative specified in law,⁸⁰ is exempt from the payment of tuition and fees at a state university, FCS institution, or Florida school district that provides workforce education programs. Such exemption includes fees associated with enrollment in applied academics for adult education instruction and remains valid until the student reaches 28 years of age.⁸¹ Such exemptions are outlined by year in the following tables:

State University System DCF Specified Fee Exemptions by Academic Year⁸²

	2017-18	2018-19	2019-20
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⁷⁷ Federal Student Aid Ability-to-Benefit Alternative requires students without a diploma or GED to complete six credit hours or equivalent (225 clock hours course work). Federal Student Aid, *Basic Eligibility Criteria*, [Eligibility Requirements | Federal Student Aid](#) (last visited March 5, 2021).

⁷⁸ Sections 1009.22, 1009.23, and 1009.24, F.S., respectively.

⁷⁹ The Florida College System, *Exemptions and Waivers in The Florida College System* (March 2012), available at <http://www.fldoe.org/core/fileparse.php/7724/urlt/0072361-fyi2012-02exemptions.pdf> at 1.

⁸⁰ Section 39.5085, F.S., or s. 39.6225, F.S.

⁸¹ Section 1009.25(1)(c) and (d), F.S..

⁸² Florida Board of Governors (BOG) ODA Analysis (Nov. 9, 2020), Email, Troy Miller, Deputy Chief Data Officer, BOG (Nov. 10, 2020) (on file with the Senate Committee on Education).

	Headcount	Amount	Headcount	Amount	Headcount	Amount
Adopted	1,156	\$3,204,829	1,485	\$4,076,209	1,704	\$4,836,057
Foster Care/State Custody	1,035	\$2,911,275	811	\$2,444,456	801	\$2,477,687
Non-State Custody	127	\$365,738	449	\$1,118,653	488	\$1,255,052
Total	2,318	\$6,481,842	2,745	\$7,639,318	2,993	\$8,568,796

Florida College System DCF Specified Fee Exemptions by Academic Year⁸³

	2017-18		2018-19		2019-20	
	Headcount	Amount	Headcount	Amount	Headcount	Amount
Adopted from DCF Services	1,459	\$2,459,399	1,735	\$2,972,262	1,833	\$3,207,602
Custody of DCF	2,459	\$4,281,744	2,464	\$4,280,172	2,325	\$4,040,160
Custody of a Relative	283	\$501,827	318	\$588,870	324	\$573,952
Total	4,201	\$7,242,970	4,517	\$7,841,304	4,482	\$7,821,714

It is unclear to what extent all postsecondary institutions apply the tuition and fee exemptions to students who qualify for the exemption and begin postsecondary education before the age of 18.⁸⁴

Effect of Proposed Changes

The bill amends s. 1009.25, F.S., to clarify that tuition and fee exemptions apply to a student who is currently in the custody of the Department of Children and Families (DCF) or in the custody of a relative or nonrelative defined in law, or was so at the time he or she reached 18 years of age. Therefore, the bill may reduce confusion in the identification of students under DCF custody who are eligible for a tuition and fee exemption, specifically those students who enroll at a postsecondary institution prior to the age of 18.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁸³ The Florida College System, *Summary of Student Fee Exemptions and Waivers For the 2017-2018 Fiscal Year* (2018), version 1, available at <http://www.fldoe.org/core/fileparse.php/19874/urlt/1718ExemptWaiverSS.PDF> at 1; The Florida College System, *Summary of Student Fee Exemptions and Waivers For the 2018-2019 Fiscal Year* (2019), version 1, available at <http://www.fldoe.org/core/fileparse.php/19874/urlt/1819ExemptWaiverSS.PDF> at 1; and The Florida College System, *Summary of Student Fee Exemptions and Waivers For the 2019-2020 Fiscal Year* (2020), version 1, available at <http://www.fldoe.org/core/fileparse.php/19874/urlt/1920ExemptWaiveresSS.pdf> at 1.

⁸⁴ Email, Alan F. Abramowitz, Executive Director, Florida Statewide Guardian ad Litem Office (Oct. 1, 2020) (on file with the Senate Committee on Education); see also *DCF Fee Exemptions in the Florida College System, FAQ*, The Florida College System, available at <http://www.fldoe.org/core/fileparse.php/7480/urlt/0082785-faqsdcfexemption.pdf> (last visited Jan. 6, 2021).

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:

None.

C. Government Sector Impact:

For fiscal year 2021-2022, the funding required for the Florida Bright Opportunities Grant Program and the Florida Endeavor Scholarship Program is subject to an appropriation in the General Appropriations Act.

The provisions of the bill that make changes to existing programs are expected to have a net positive effect on the state budget starting with the 2022-2023 fiscal year. Although additional students may qualify for Bright Futures through high school acceleration programs, Bright Futures students may no longer be eligible for funding if they are not enrolled in a degree program on the approved list. In addition, there would be a reduced cost to the state as it relates to the Benacquisto Scholarship program, as the state would no longer be funding new non-resident students. The net effect of these provisions is indeterminate at this time.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1009.25, 1009.40, 1009.46, 1009.50, 1009.505, 1009.51, 1009.52, 1009.53, 1009.532, 1009.534, 1009.5341, 1009.535, 1009.71, 1009.711, and 1009.893.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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



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LEGISLATIVE ACTION

Senate

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House

The Committee on Education (Thurston) recommended the following:

Senate Amendment (with title amendment)

Delete lines 183 - 543

and insert:

Section 2. Paragraph (a) of subsection (4) of section
1009.50, Florida Statutes, is amended to read:

1009.50 Florida Public Student Assistance Grant Program;
eligibility for grants.—

(4) (a) The funds appropriated for the Florida Public
Student Assistance Grant Program shall be distributed to
eligible institutions in accordance with a formula approved by



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the State Board of Education. The formula must consider at least the prior year's distribution of funds and, the number of eligible applicants who did not receive awards, ~~the standardization of the expected family contribution, and provisions for unused funds~~. The formula must account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.505, 1009.51, and 1009.52.

Section 3. Paragraph (a) of subsection (4) of section 1009.51, Florida Statutes, is amended to read:

1009.51 Florida Private Student Assistance Grant Program; eligibility for grants.—

(4) (a) The funds appropriated for the Florida Private Student Assistance Grant Program shall be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula must consider at least the prior year's distribution of funds and, the number of eligible applicants who did not receive awards, ~~the standardization of the expected family contribution, and provisions for unused funds~~. The formula must account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.50, 1009.505, and 1009.52.

Section 4. Paragraph (a) of subsection (4) of section 1009.52, Florida Statutes, is amended to read:

1009.52 Florida Postsecondary Student Assistance Grant Program; eligibility for grants.—

(4) (a) The funds appropriated for the Florida Postsecondary Student Assistance Grant Program shall be distributed to



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41 eligible institutions in accordance with a formula approved by
42 the State Board of Education. The formula must consider at least
43 the prior year's distribution of funds and, the number of
44 eligible applicants who did not receive awards, ~~the~~
45 ~~standardization of the expected family contribution, and~~
46 ~~provisions for unused funds.~~ The formula must account for
47 changes in the number of eligible students across all student
48 assistance grant programs established pursuant to this section
49 and ss. 1009.50, 1009.505, and 1009.51.

50 Section 5. Subsection (3) of section 1009.53, Florida
51 Statutes, is amended to read:

52 1009.53 Florida Bright Futures Scholarship Program.—

53 (3) The Department of Education shall administer the Bright
54 Futures Scholarship Program according to rules and procedures
55 established by the State Board of Education. A single
56 application must be sufficient for a student to apply for any of
57 the awards. The department shall advertise the availability of
58 the scholarship program and shall notify students, teachers,
59 parents, certified school counselors, and principals or other
60 relevant school administrators of the criteria and application
61 procedures. The department must begin this process of
62 notification no later than September ~~January~~ 1 of each year.

63 Section 6. Subsections (1) and (2) of section 1009.534,
64 Florida Statutes, are amended to read:

65 1009.534 Florida Academic Scholars award.—

66 (1) A student is eligible for a Florida Academic Scholars
67 award if he or she meets the general eligibility requirements
68 for the Florida Bright Futures Scholarship Program and:

69 (a) Has achieved a 3.5 weighted grade point average as



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70 calculated pursuant to s. 1009.531, or its equivalent, in high
71 school courses that are designated by the State Board of
72 Education as college-preparatory academic courses and has
73 attained at least the score required under s. 1009.531(6)(a) ~~on~~
74 ~~the combined verbal and quantitative parts of the Scholastic~~
75 ~~Aptitude Test, the Scholastic Assessment Test, or the recentered~~
76 ~~Scholastic Assessment Test of the College Entrance Examination,~~
77 ~~or an equivalent score on the ACT Assessment Program;~~

78 (b) Has attended a home education program according to s.
79 1002.41 during grades 11 and 12, has completed the International
80 Baccalaureate curriculum but failed to earn the International
81 Baccalaureate Diploma, or has completed the Advanced
82 International Certificate of Education curriculum but failed to
83 earn the Advanced International Certificate of Education
84 Diploma, and has attained at least the score required under s.
85 1009.531(6)(a) ~~on the combined verbal and quantitative parts of~~
86 ~~the Scholastic Aptitude Test, the Scholastic Assessment Test, or~~
87 ~~the recentered Scholastic Assessment Test of the College~~
88 ~~Entrance Examination, or an equivalent score on the ACT~~
89 ~~Assessment Program;~~

90 (c) Has been awarded an International Baccalaureate Diploma
91 from the International Baccalaureate Office or an Advanced
92 International Certificate of Education Diploma from the
93 University of Cambridge International Examinations Office;

94 (d) Has been recognized by ~~the merit or achievement~~
95 ~~programs of~~ the National Merit Scholarship Corporation as a
96 scholar or finalist; ~~or~~

97 (e) Has been granted academic honors by one or more of the
98 College Board National Recognition Programs for students from



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underrepresented communities; or ~~recognized by the National~~
~~Hispanic Recognition Program as a scholar recipient~~

(f) For a high school student who graduated in the 2021-
2022 academic year and thereafter:

1. Has earned an associate degree with a minimum
postsecondary cumulative grade point average of 3.5 on a 4.0
scale before graduating from high school; or

2. Has earned a College Board Advanced Placement Capstone
Diploma with scores of 4 or higher on six Advanced Placement
examinations.

The student must complete a program of volunteer service work,
as approved by the district school board, the administrators of
a nonpublic school, or the Department of Education for home
education program students, which must include a minimum of 75
hours of service work for high school students graduating in the
2010-2011 academic year and 100 hours of service work for high
school students graduating in the 2011-2012 academic year and
thereafter. The student must identify a social or civic issue or
a professional area that interests him or her, develop a plan
for his or her personal involvement in addressing the issue or
learning about the area, and, through papers or other
presentations, evaluate and reflect upon his or her experience.
Except for credit earned through service-learning courses
adopted pursuant to s. 1003.497, the student may not receive
remuneration or academic credit for the volunteer service work
performed. Such work may include, but is not limited to, a
business or governmental internship, work for a nonprofit
community service organization, or activities on behalf of a



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candidate for public office. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work.

(2) A Florida Academic Scholar who is enrolled in a certificate, diploma, associate, or baccalaureate degree program at a public or nonpublic postsecondary education institution is eligible for an award equal to the amount specified ~~necessary to pay 100 percent of tuition and fees established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, and is eligible for an additional stipend for textbooks, to assist with the payment of educational expenses as funds are specifically appropriated in the General Appropriations Act to assist with the payment of educational expenses.~~

Section 7. Section 1009.5341, Florida Statutes, is amended to read:

1009.5341 Florida Bright Futures Scholarship awards for graduate study. For the 2021-2022 academic year, Florida Bright Futures Scholarship recipients ~~who graduate in the 2010-2011 academic year and thereafter with a baccalaureate degree in 7 semesters, or the equivalent or fewer hours, and wish to pursue graduate study~~ may apply the unused portion of their Florida Academic Scholars award or Florida Medallion Scholars award toward ~~1 semester of graduate study, not to exceed 15 semester hours paid at the undergraduate rate. A baccalaureate degree may include, but is not limited to, college credits earned through~~



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~~articulated acceleration mechanisms pursuant to s. 1007.27.~~

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

And the title is amended as follows:

Delete lines 3 - 89

and insert:

1009.25, F.S.; making technical changes; amending s.
1009.50, F.S.; revising the formula for calculating
how Florida Public Student Assistance Grant Program
funds are distributed; amending s. 1009.51, F.S.;
revising the formula for calculating how Florida
Private Student Assistance Grant Program funds are
distributed; amending s. 1009.52, F.S.; revising the
formula for how Florida Postsecondary Student
Assistance Grant Program funds are distributed;
amending s. 1009.53, F.S.; revising the date by which
the Department of Education is annually required to
advertise the Florida Bright Futures Scholarship
Program to specified persons; amending s. 1009.534,
F.S.; revising and expanding eligibility requirements
of the Florida Academic Scholars award; providing that
a Florida Academic Scholar is eligible for an award
equal to the amount specified in the General
Appropriations Act; amending s. 1009.5341, F.S.;
authorizing a Bright Futures Scholarship recipient to
apply the unused portion of a Florida Academic
Scholars award or Florida Medallion Scholars award
toward graduate study for a specified academic year;

By Senator Baxley

12-00821G-21

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1 A bill to be entitled
 2 An act relating to student financial aid; amending s.
 3 1009.25, F.S.; making technical changes; amending s.
 4 1009.40, F.S.; conforming provisions to changes made
 5 by the act; requiring that eligibility for state
 6 financial aid awards and tuition assistance grants be
 7 reevaluated each term and identify students' program
 8 of study; providing additional eligibility criteria
 9 for financial aid awards and tuition assistance
 10 grants, beginning with a specified academic year;
 11 providing that eligibility for such funds is
 12 contingent on enrollment in certain career certificate
 13 or degree programs; providing that students who have
 14 not yet been admitted to such a program are eligible
 15 to receive certain funding; creating s. 1009.46, F.S.;
 16 providing the duties of postsecondary educational
 17 institutions with regard to financial aid and tuition
 18 assistance programs; specifying penalties for
 19 noncompliance; requiring the Board of Governors and
 20 the State Board of Education to each approve, by a
 21 specified date, a list of career certificate and
 22 undergraduate and graduate degree programs that they
 23 determine lead directly to employment; requiring that
 24 each list include specified information; requiring
 25 each list to include programs from independent
 26 colleges and universities; requiring that the lists be
 27 updated annually; amending s. 1009.50, F.S.; revising
 28 the formula for calculating how Florida Public Student
 29 Assistance Grant Program funds are distributed;

Page 1 of 29

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

12-00821G-21

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30 deleting a provision authorizing Florida Public
 31 Student Assistance Grant Program funds to be deposited
 32 in the State Student Financial Assistance Trust Fund;
 33 deleting a provision requiring any balance in the
 34 trust fund which was allocated to the Florida Public
 35 Student Assistance Grant Program at the end of the
 36 fiscal year to remain therein; amending s. 1009.505,
 37 F.S.; deleting a provision authorizing Florida Public
 38 Postsecondary Career Education Student Assistance
 39 Grant Program funds to be deposited in the trust fund;
 40 deleting a provision requiring any balance in the
 41 trust fund which was allocated to the Florida Public
 42 Postsecondary Career Education Student Assistance
 43 Grant Program at the end of the fiscal year to remain
 44 therein; amending s. 1009.51, F.S.; revising the
 45 formula for calculating how Florida Private Student
 46 Assistance Grant Program funds are distributed;
 47 deleting a provision authorizing Florida Private
 48 Student Assistance Grant Program funds to be deposited
 49 in the trust fund; deleting a provision requiring any
 50 balance in the trust fund which was allocated to the
 51 Florida Private Student Assistance Grant Program at
 52 the end of the fiscal year to remain therein; amending
 53 s. 1009.52, F.S.; revising the formula for how Florida
 54 Postsecondary Student Assistance Grant Program funds
 55 are distributed; deleting a provision authorizing
 56 Florida Postsecondary Student Assistance Grant Program
 57 funds to be deposited in the trust fund; deleting a
 58 provision requiring any balance in the trust fund

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

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59 which was allocated to the Florida Postsecondary
 60 Student Assistance Grant Program at the end of the
 61 fiscal year to remain therein; amending s. 1009.53,
 62 F.S.; requiring the Department of Education to
 63 advertise the Florida Bright Futures Scholarship
 64 Program to specified persons no later than September 1
 65 of each year; deleting a provision authorizing unused
 66 Florida Bright Futures Scholarship Program funds to be
 67 carried forward; deleting a provision authorizing
 68 certain students to receive specified loans; amending
 69 s. 1009.532, F.S.; requiring, beginning with a
 70 specified academic year, that the maximum number of
 71 credit hours which can be awarded under the Florida
 72 Bright Futures Scholarship Program be reduced by the
 73 number of postsecondary credit hours the student has
 74 earned from certain articulated acceleration
 75 mechanisms; amending s. 1009.534, F.S.; revising and
 76 expanding eligibility requirements of the Florida
 77 Academic Scholars award; providing that a Florida
 78 Academic Scholar is eligible for an award equal to the
 79 amount specified in the General Appropriations Act;
 80 amending s. 1009.5341, F.S.; authorizing a Bright
 81 Futures Scholarship recipient to apply the unused
 82 portion of a Florida Academic Scholars award or
 83 Florida Medallion Scholars award toward graduate study
 84 for a specified academic year; authorizing a Bright
 85 Futures Scholarship recipient to apply the unused
 86 portion of a Florida Academic Scholars award or
 87 Florida Medallion Scholars award toward graduate study

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88 in a specified degree field, paid at the undergraduate
 89 rate, beginning with a specified academic year;
 90 amending s. 1009.535, F.S.; revising and expanding
 91 eligibility for Florida Medallion Scholars awards;
 92 providing that the amount of Florida Medallion
 93 Scholars' awards is as specified in the General
 94 Appropriations Act; creating s. 1009.71, F.S.;
 95 establishing the Florida Bright Opportunities Grant
 96 Program; requiring the program to be administered by
 97 the participating institutions subject to state board
 98 rules; providing the purpose of the program;
 99 specifying eligibility requirements for the program;
 100 prohibiting institutions from imposing additional
 101 eligibility requirements on students; requiring the
 102 program to cover remaining tuition and fees for
 103 eligible students after the application of all other
 104 federal and state financial aid, with a stipend for
 105 books as specified in the General Appropriations Act;
 106 requiring program awards to be allocated on a first-
 107 come, first-served basis; requiring returning students
 108 to receive priority over new students; providing the
 109 duration of the award; requiring funds to be
 110 distributed to eligible institutions based on a
 111 formula approved by the state board; requiring the
 112 formula to consider specified criteria; requiring
 113 grants to be transmitted to institutions in advance of
 114 the registration period; requiring institutions to
 115 notify students of award amounts; requiring
 116 institutions to determine the eligibility status of

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117 each student at a specified time; prohibiting
 118 institutions from being required to reevaluate student
 119 eligibility after the specified time; requiring
 120 institutions to report specified information to the
 121 department; requiring institutions to remit to the
 122 department any undisbursed advances within a specified
 123 timeframe; requiring the state board to adopt rules;
 124 creating s. 1009.711, F.S.; establishing the Florida
 125 Endeavor Scholarship Program; requiring the award to
 126 cover tuition and registration fees for eligible
 127 students at a Florida College System institution, a
 128 career center, or a charter technical career center;
 129 specifying eligibility for students without a high
 130 school credential; requiring enrollment in specified
 131 programs; requiring completion of specified clock
 132 hours and a minimum postsecondary grade point average;
 133 requiring program awards to be allocated on a first-
 134 come, first-served basis; requiring returning students
 135 to be given priority over new students; providing the
 136 duration of the award; requiring funds to be
 137 distributed to eligible institutions based on a
 138 formula approved by the state board; requiring the
 139 formula to consider specified criteria; requiring
 140 grants to be transmitted to institutions in advance of
 141 the registration period; requiring institutions to
 142 notify students of award amounts; requiring
 143 institutions to determine the eligibility status of
 144 each student at a specified time; prohibiting
 145 institutions from being required to reevaluate student

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146 eligibility after the specified time; requiring
 147 institutions to report specified information to the
 148 department; requiring institutions to remit to the
 149 department any undisbursed advances within a specified
 150 timeframe; requiring the state board to adopt rules;
 151 amending s. 1009.893, F.S.; requiring a student who
 152 enrolls in a baccalaureate degree program in specified
 153 academic years to comply with certain requirements to
 154 attain a Benacquisto Scholarship; providing that the
 155 amount awarded under the program will be as specified
 156 in the General Appropriations Act; providing an
 157 effective date.

158
 159 Be It Enacted by the Legislature of the State of Florida:

160
 161 Section 1. Paragraphs (c) and (d) of subsection (1) of
 162 section 1009.25, Florida Statutes, are amended to read:
 163 1009.25 Fee exemptions.—

164 (1) The following students are exempt from the payment of
 165 tuition and fees, including lab fees, at a school district that
 166 provides workforce education programs, Florida College System
 167 institution, or state university:

168 (c) A student who is, or was at the time he or she reached
 169 18 years of age, in the custody of the Department of Children
 170 and Families or who, after spending at least 6 months in the
 171 custody of the department after reaching 16 years of age, was
 172 placed in a guardianship by the court. Such exemption includes
 173 fees associated with enrollment in applied academics for adult
 174 education instruction. The exemption remains valid until the

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student reaches 28 years of age.

(d) A student who is, or was at the time he or she reached 18 years of age, in the custody of a relative or nonrelative under s. 39.5085 or s. 39.6225 or who was adopted from the Department of Children and Families after May 5, 1997. Such exemption includes fees associated with enrollment in applied academics for adult education instruction. The exemption remains valid until the student reaches 28 years of age.

Section 2. Paragraph (a) of subsection (1) of section 1009.40, Florida Statutes, is amended, and paragraph (c) is added to that subsection, to read:

1009.40 General requirements for student eligibility for state financial aid awards and tuition assistance grants.—

(1)(a) The general requirements for eligibility of students for state financial aid awards and tuition assistance grants consist of the following:

1. Achievement of the academic requirements of and acceptance at a state university or Florida College System institution; a nursing diploma school approved by the Florida Board of Nursing; a Florida college or university which is accredited by an accrediting agency recognized by the State Board of Education; a Florida institution the credits of which are acceptable for transfer to state universities; a career center; or a private career institution accredited by an accrediting agency recognized by the State Board of Education.

2. Residency in this state for no less than 1 year preceding the award of aid or a tuition assistance grant for a program established pursuant to s. 1009.50, s. 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.60, s. 1009.62, s.

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1009.71, s. 1009.711, s. 1009.72, s. 1009.73, s. 1009.75, s. 1009.77, s. 1009.89, ~~or~~ s. 1009.891, or s. 1009.894. Residency in this state must be for purposes other than to obtain an education. Resident status for purposes of receiving state financial aid awards shall be determined in the same manner as resident status for tuition purposes pursuant to s. 1009.21.

3. Submission of certification attesting to the accuracy, completeness, and correctness of information provided to demonstrate a student's eligibility to receive state financial aid awards or tuition assistance grants. Falsification of such information shall result in the denial of a pending application and revocation of an award or grant currently held to the extent that no further payments shall be made. Additionally, students who knowingly make false statements in order to receive state financial aid awards or tuition assistance grants commit a misdemeanor of the second degree subject to the provisions of s. 837.06 and shall be required to return all state financial aid awards or tuition assistance grants wrongfully obtained.

(c) Eligibility for state financial aid awards and tuition assistance grants must be reevaluated each term based on the program of study to which the student has been admitted and in which he or she is enrolled. Beginning with the 2022-2023 academic year and thereafter, eligibility for such awards and grants is contingent on the student's enrollment in a career certificate or degree program on an approved list developed pursuant to s. 1009.46(2)(a).

1. A student who has been admitted to such a program:
a. Is eligible to receive an award for each term that he or she is enrolled in the program.

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b. Is ineligible to receive funding for each term that he or she is enrolled in a program that is not on an approved list.

2. A student who has not yet been admitted to a program is eligible to receive funding for up to 60 credit hours or until he or she is enrolled in a program that is not on an approved list, whichever comes first.

3. The program of study identified on an approved list shall apply to a student if the program to which the he or she is admitted is on an approved list at the time of admittance to the program or at the time he or she initially entered an eligible Florida postsecondary institution.

Section 3. Section 1009.46, Florida Statutes, is created to read:

1009.46 Duties of postsecondary educational institutions for state financial aid and tuition assistance programs.-

(1)(a) Each postsecondary educational institution that receives state funds for state financial aid and tuition assistance programs shall:

1. Complete and return the annual application for state aid funds in the format and by the date established by the department;

2. Maintain complete, accurate, and auditable student records documenting the institution's administration of state financial aid and tuition assistance funds;

3. Verify eligibility of enrolled students with the department each academic term;

4. Verify eligibility of enrolled students by reporting the program of study to the department using the most recent classification instruction program taxonomy for the certificate

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or degree level as developed by the United States Department of Education's National Center for Education Statistics;

5. Disburse state financial aid and tuition assistance to eligible students;

6. Notify students annually regarding the renewal requirements for each state-funded award for which they are eligible;

7. Complete and return to the department in the format and by the date established by the department all reports for the administration of state funds;

8. Complete and return to the department in the format and by the date established by the department all legislatively required reports;

9. Retain required records for the later of 5 years or until such records are audited and any audit exceptions are resolved; and

10. Refund to the department any undisbursed advances within 60 days after the end of the regular registration each fall and spring term, within 30 days after the end of the summer term, or within 60 days after the date that a student's ineligibility is determined.

(b) These requirements do not preclude higher standards specified in other sections of this part or rules of the state board.

(c) An institution that fails to perform its duties in administering state financial aid or tuition assistance programs must be placed on probation by the department.

1. The department shall provide allocations on a reimbursement basis to a participating institution that fails to

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timely remit undisbursed funds for the previous academic year.

2. The department may suspend or revoke an institution's eligibility to participate in state-funded programs if the institution fails to provide the required audits, fails to resolve audit findings, or fails to timely provide statutorily required reports by established deadlines.

(2) (a) By December 31, 2021, the Board of Governors and the State Board of Education shall each approve a list of career certificate and undergraduate and graduate degree programs offered by a district career center, charter technical career center, Florida College System institution, or state university, as applicable, which lead directly to employment.

(b) In determining which programs will be included on a list, the Board of Governors and the State Board of Education shall consider national, state, and regional industry demand for certificateholders and graduates of such degree programs. For each certificate and degree program listed, the Board of Governors and the State Board of Education must identify occupations, current job openings, estimates of job growth, and employment wages. Each approved list must also include appropriate certificate and degree programs offered by eligible independent colleges and universities.

(c) Each approved list must be updated by each December 31.

Section 4. Paragraph (a) of subsection (4) and subsection (5) of section 1009.50, Florida Statutes, are amended to read:

1009.50 Florida Public Student Assistance Grant Program; eligibility for grants.—

(4) (a) The funds appropriated for the Florida Public Student Assistance Grant Program shall be distributed to

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eligible institutions in accordance with a formula approved by the State Board of Education. The formula must consider at least the prior year's distribution of funds ~~and, the number of eligible applicants who did not receive awards, the~~ ~~standardization of the expected family contribution, and provisions for unused funds.~~ The formula must account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.505, 1009.51, and 1009.52.

~~(5) Funds appropriated by the Legislature for state student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Public Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section.~~

Section 5. Subsection (5) of section 1009.505, Florida Statutes, is amended to read:

1009.505 Florida Public Postsecondary Career Education Student Assistance Grant Program.—

~~(5) Funds appropriated by the Legislature for state student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Public Postsecondary Career Education Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section.~~

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349 Section 6. Paragraph (a) of subsection (4) and subsection
 350 (5) of section 1009.51, Florida Statutes, are amended to read:
 351 1009.51 Florida Private Student Assistance Grant Program;
 352 eligibility for grants.—

353 (4) (a) The funds appropriated for the Florida Private
 354 Student Assistance Grant Program shall be distributed to
 355 eligible institutions in accordance with a formula approved by
 356 the State Board of Education. The formula must consider at least
 357 the prior year's distribution of funds and, the number of
 358 eligible applicants who did not receive awards, ~~the~~
 359 ~~standardization of the expected family contribution, and~~
 360 ~~provisions for unused funds~~. The formula must account for
 361 changes in the number of eligible students across all student
 362 assistance grant programs established pursuant to this section
 363 and ss. 1009.50, 1009.505, and 1009.52.

364 ~~(5) Funds appropriated by the Legislature for Florida~~
 365 ~~private student assistance grants may be deposited in the State~~
 366 ~~Student Financial Assistance Trust Fund. Notwithstanding s.~~
 367 ~~216.301 and pursuant to s. 216.351, any balance in the trust~~
 368 ~~fund at the end of any fiscal year which has been allocated to~~
 369 ~~the Florida Private Student Assistance Grant Program shall~~
 370 ~~remain therein and shall be available for carrying out the~~
 371 ~~purposes of this section and as otherwise provided by law.~~

372 Section 7. Paragraph (a) of subsection (4) and subsection
 373 (6) of section 1009.52, Florida Statutes, are amended to read:

374 1009.52 Florida Postsecondary Student Assistance Grant
 375 Program; eligibility for grants.—

376 (4) (a) The funds appropriated for the Florida Postsecondary
 377 Student Assistance Grant Program shall be distributed to

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378 eligible institutions in accordance with a formula approved by
 379 the State Board of Education. The formula must consider at least
 380 the prior year's distribution of funds and, the number of
 381 eligible applicants who did not receive awards, ~~the~~
 382 ~~standardization of the expected family contribution, and~~
 383 ~~provisions for unused funds~~. The formula must account for
 384 changes in the number of eligible students across all student
 385 assistance grant programs established pursuant to this section
 386 and ss. 1009.50, 1009.505, and 1009.51.

387 ~~(6) Funds appropriated by the Legislature for Florida~~
 388 ~~postsecondary student assistance grants may be deposited in the~~
 389 ~~State Student Financial Assistance Trust Fund. Notwithstanding~~
 390 ~~s. 216.301 and pursuant to s. 216.351, any balance in the trust~~
 391 ~~fund at the end of any fiscal year which has been allocated to~~
 392 ~~the Florida Postsecondary Student Assistance Grant Program shall~~
 393 ~~remain therein and shall be available for carrying out the~~
 394 ~~purposes of this section and as otherwise provided by law.~~

395 Section 8. Subsections (3), (4), and (7) of section
 396 1009.53, Florida Statutes, are amended to read:

397 1009.53 Florida Bright Futures Scholarship Program.—

398 (3) The Department of Education shall administer the Bright
 399 Futures Scholarship Program according to rules and procedures
 400 established by the State Board of Education. A single
 401 application must be sufficient for a student to apply for any of
 402 the awards. The department shall advertise the availability of
 403 the scholarship program and shall notify students, teachers,
 404 parents, certified school counselors, and principals or other
 405 relevant school administrators of the criteria and application
 406 procedures. The department must begin this process of

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notification no later than ~~September~~ January 1 of each year.

(4) Funding for the Bright Futures Scholarship Program must be allocated from the Education Enhancement Trust Fund and must be provided before allocations from that fund are calculated for disbursement to other educational entities.

~~(a)~~ If funds appropriated are not adequate to provide the maximum allowable award to each eligible applicant, awards in all components of the program must be prorated using the same percentage reduction.

~~(b) Notwithstanding s. 216.301, if all funds allocated to the Bright Futures Scholarship Program are not used in any fiscal year, up to 10 percent of the total allocation may be carried forward and used for awards in the following year.~~

(7) A student may receive only one type of award from the Florida Bright Futures Scholarship Program at any given time, but may transfer from one type of award to another through the renewal application process, if the student's eligibility status changes. However, a student is not eligible to transfer from a Florida Medallion Scholarship, a Florida Gold Seal CAPE Scholarship, or a Florida Gold Seal Vocational Scholarship to a Florida Academic Scholarship. ~~A student who receives an award from the program may also receive a federal family education loan or a federal direct loan, and the value of the award must be considered in the certification or calculation of the student's loan eligibility.~~

Section 9. Paragraph (c) is added to subsection (3) of section 1009.532, Florida Statutes, to read:

1009.532 Florida Bright Futures Scholarship Program; student eligibility requirements for renewal awards.-

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(3)

(c) Notwithstanding paragraph (a), beginning with students initially funded in the 2022-2023 academic year, the maximum number of credit hours which can be awarded must be reduced by the number of postsecondary credit hours the student has earned from articulated acceleration mechanisms under s. 1007.27.

Section 10. Subsections (1) and (2) of section 1009.534, Florida Statutes, are amended to read:

1009.534 Florida Academic Scholars award.-

(1) A student is eligible for a Florida Academic Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and:

(a) Has achieved a 3.5 weighted grade point average as calculated pursuant to s. 1009.531, or its equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses and has attained at least the score required under s. 1009.531(6) (a) ~~on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;~~

(b) Has attended a home education program according to s. 1002.41 during grades 11 and 12, has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma, or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score required under s. 1009.531(6) (a) ~~on the combined verbal and quantitative parts of~~

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~~the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;~~

(c) Has been awarded an International Baccalaureate Diploma from the International Baccalaureate Office or an Advanced International Certificate of Education Diploma from the University of Cambridge International Examinations Office;

(d) Has been recognized by ~~the merit or achievement programs of~~ the National Merit Scholarship Corporation as a scholar or finalist; ~~or~~

(e) Has been granted academic honors by one or more of the College Board National Recognition Programs for students from underrepresented communities; or recognized by the National Hispanic Recognition Program as a scholar recipient

(f) For a high school student who graduated in the 2021-2022 academic year and thereafter:

1. Has earned an associate degree with a minimum postsecondary cumulative grade point average of 3.5 on a 4.0 scale before graduating from high school; or

2. Has earned a College Board Advanced Placement Capstone Diploma with scores of 4 or higher on six Advanced Placement examinations.

The student must complete a program of volunteer service work, as approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students, which must include a minimum of 75 hours of service work for high school students graduating in the

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2010-2011 academic year and 100 hours of service work for high school students graduating in the 2011-2012 academic year and thereafter. The student must identify a social or civic issue or a professional area that interests him or her, develop a plan for his or her personal involvement in addressing the issue or learning about the area, and, through papers or other presentations, evaluate and reflect upon his or her experience. Except for credit earned through service-learning courses adopted pursuant to s. 1003.497, the student may not receive remuneration or academic credit for the volunteer service work performed. Such work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work.

(2) A Florida Academic Scholar who is enrolled in a certificate, diploma, associate, or baccalaureate degree program at a public or nonpublic postsecondary education institution is eligible for an award equal to the amount specified necessary to pay 100 percent of tuition and fees established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, and is eligible for an additional stipend for textbooks, to assist with the payment of educational expenses as funds are specifically appropriated in the General Appropriations Act to assist with the payment of educational

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523 expenses.

524 Section 11. Section 1009.5341, Florida Statutes, is amended
525 to read:

526 1009.5341 Florida Bright Futures Scholarship awards for
527 graduate study.—

528 (1) For the 2021-2022 academic year, Florida Bright Futures
529 Scholarship recipients who graduate in the 2010-2011 academic
530 year and thereafter with a baccalaureate degree in 7 semesters,
531 or the equivalent or fewer hours, and wish to pursue graduate
532 study may apply the unused portion of their Florida Academic
533 Scholars award or Florida Medallion Scholars award toward 1
534 semester of graduate study, not to exceed 15 semester hours paid
535 at the undergraduate rate. A baccalaureate degree may include,
536 but is not limited to, college credits earned through
537 articulated acceleration mechanisms pursuant to s. 1007.27.

538 (2) Beginning with the 2022-2023 academic year, a Bright
539 Futures scholarship recipient may apply the unused portion of
540 his or her Florida Academic Scholars award or Florida Medallion
541 Scholars award toward graduate study in a degree field on an
542 approved list developed pursuant to s. 1009.46(2) (a), which must
543 be paid at the undergraduate rate.

544 Section 12. Subsections (1) and (2) of section 1009.535,
545 Florida Statutes, are amended to read:

546 1009.535 Florida Medallion Scholars award.—

547 (1) A student is eligible for a Florida Medallion Scholars
548 award if he or she meets the general eligibility requirements
549 for the Florida Bright Futures Scholarship Program and:

550 (a) Has achieved a weighted grade point average of 3.0 as
551 calculated pursuant to s. 1009.531, or the equivalent, in high

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552 school courses that are designated by the State Board of
553 Education as college-preparatory academic courses and has
554 attained at least the score required under s. 1009.531(6) (b) ~~on~~
555 ~~the combined verbal and quantitative parts of the Scholastic~~
556 ~~Aptitude Test, the Scholastic Assessment Test, or the recentered~~
557 ~~Scholastic Assessment Test of the College Entrance Examination,~~
558 ~~or an equivalent score on the ACT Assessment Program;~~

559 (b) Has completed the International Baccalaureate
560 curriculum but failed to earn the International Baccalaureate
561 Diploma or has completed the Advanced International Certificate
562 of Education curriculum but failed to earn the Advanced
563 International Certificate of Education Diploma, and has attained
564 at least the score required under s. 1009.531(6) (b) ~~on the~~
565 ~~combined verbal and quantitative parts of the Scholastic~~
566 ~~Aptitude Test, the Scholastic Assessment Test, or the recentered~~
567 ~~Scholastic Assessment Test of the College Entrance Examination,~~
568 ~~or an equivalent score on the ACT Assessment Program;~~

569 (c) Has attended a home education program according to s.
570 1002.41 during grades 11 and 12 and has attained at least the
571 score required under s. 1009.531(6) (b) ~~on the combined verbal~~
572 ~~and quantitative parts of the Scholastic Aptitude Test, the~~
573 ~~Scholastic Assessment Test, or the recentered Scholastic~~
574 ~~Assessment Test of the College Entrance Examination, or an~~
575 ~~equivalent score on the ACT Assessment Program;~~

576 (d) Has been recognized by the ~~merit or achievement program~~
577 ~~of the~~ National Merit Scholarship Corporation as a scholar or
578 finalist but has not completed the program of volunteer service
579 work required under s. 1009.534; ~~or~~

580 (e) Has been granted academic honors by one or more of the

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College Board National Recognition Programs for students from underrepresented communities ~~recognized by the National Hispanic Recognition Program as a scholar~~, but has not completed the program of volunteer service work required under s. 1009.534; or

(f) For a high school student who graduates in the 2021-2022 academic year and thereafter:

1. Has earned an associate degree with a minimum cumulative postsecondary grade point average of 3.0 on a 4.0 scale before graduating from high school; or

2. Has earned an Advanced Placement Capstone Diploma with scores of 3 or higher on six Advanced Placement Examinations.

A high school student graduating in the 2011-2012 academic year and thereafter must complete at least 75 hours of volunteer service work approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students. The student must identify a social or civic issue or a professional area that interests him or her, develop a plan for his or her personal involvement in addressing the issue or learning about the area, and, through papers or other presentations, evaluate and reflect upon his or her experience. Except for credit earned through service-learning courses adopted pursuant to s. 1003.497, the student may not receive remuneration or academic credit for volunteer service work performed. Such work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service must be documented in writing, and the document must be

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signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work.

(2) A Florida Medallion Scholar who is enrolled in a certificate, diploma, associate, or baccalaureate degree program at a public or nonpublic postsecondary education institution is eligible, ~~beginning in the fall 2018 semester~~, for an award equal to the amount specified in the General Appropriations Act necessary to pay 75 percent of tuition and fees established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-(13), (14)(F), and (16), as applicable, to assist with the payment of educational expenses. Beginning in the fall 2021 semester, a Florida Medallion Scholar who is enrolled in an associate degree program at a Florida College System institution is eligible for an award equal to the amount specified in the General Appropriations Act necessary to pay 100 percent of tuition and fees established under s. 1009.23(3), (4), (7), (8), (10), and (11) to assist with the payment of educational expenses.

Section 13. Section 1009.71, Florida Statutes, is created to read:

1009.71 Florida Bright Opportunities Grant Program.—

(1) ESTABLISHMENT; PURPOSE.—The Florida Bright Opportunities Grant Program is established and shall be administered by the participating institutions in accordance with rules of the State Board of Education. The program shall provide an award equal to the amount necessary to cover tuition and registration fees, after applying all other federal and state financial aid, for eligible students at a Florida College

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System institution, a career center operated by a district school board under s. 1001.44, or a charter technical career center under s. 1002.34.

(2) ELIGIBILITY.—In order to be eligible for the program, a student must have a tuition and registration fee balance not covered by all federal financial and state financial aid, and:

(a) Be enrolled as a student seeking a degree or career certificate, in an associate degree, technical certificate, applied technology diploma, or clock hour certificate program at a Florida College System institution, or a clock hour career certificate or diploma program at a district career center or charter technical career center. The students must be enrolled for at least 6 semester hours, or the equivalent per term, at a Florida College System institution, district career center, or charter technical career center;

(b) Meet the requirements under s. 1009.40(1)(a)2. and 3. and (c); and

(c) Qualify and remain eligible each academic year for the Pell Grant.

An institution may not impose additional criteria to determine a student's eligibility to receive a grant under this section.

(3) GRANT AWARD.—The program shall:

(a) Cover remaining tuition and registration fees, with a stipend for books as specified in the General Appropriations Act, for eligible students after all other federal and state financial aid is applied to tuition and fees.

(b) Be allocated, subject to the availability of funding, on a first-come, first-served basis. The award may not exceed

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the cost of tuition and fees at that institution, plus a stipend for books as determined in the General Appropriations Act. Returning students shall receive priority over new students.

(4) AWARD DURATION.—A student is eligible to receive an award for the number of semesters or quarters specified in s. 1009.40(3).

(5) DISTRIBUTION OF FUNDS.—

(a) The funds appropriated for the Florida Bright Opportunities Grant Program must be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula must consider at least the prior year's distribution of funds and the number of eligible applicants who did not receive awards.

(b) Subject to appropriation by the Legislature, payment of grants must be transmitted to the institution in advance of the registration period. Institutions shall notify students of the amount of their awards.

(c) The eligibility status of each student to receive a disbursement must be determined by each institution as of the end of its regular registration period, inclusive of a drop-add period. Institutions may not be required to reevaluate a student's eligibility status after this date for purposes of changing eligibility determinations previously made.

(d) Each participating institution shall report to the department by the established date the number of students eligible for the program for each academic term. Each institution also shall report to the department any necessary demographic and eligibility data for such students.

(e) Institutions shall certify to the department within 30

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697 days after the end of regular registration each term the amount
 698 of funds disbursed to each student. Institutions shall remit to
 699 the department any undisbursed advances for the fall, spring,
 700 and summer terms within 30 days after the end of the summer
 701 term.

702 (6) RULES.—The State Board of Education shall adopt rules
 703 to implement this section.

704 Section 14. Section 1009.711, Florida Statutes, is created
 705 to read:

706 1009.711 Florida Endeavor Scholarship Program.—

707 (1) ESTABLISHMENT; PURPOSE.—The Florida Endeavor
 708 Scholarship Program is established and shall be administered by
 709 participating institutions in accordance with rules of the State
 710 Board of Education. The program shall provide an award equal to
 711 the amount necessary to cover tuition and registration fees for
 712 eligible students at a Florida College System institution, a
 713 career center operated by a district school board under s.
 714 1001.44, or a charter technical career center under s. 1002.34.

715 (2) ELIGIBILITY.—In order to be eligible for the program, a
 716 student may not have earned a high school credential prior to
 717 enrolling at the institution, and must:

718 (a) Be enrolled in a career certificate or noncollege-
 719 credit applied technology diploma program or in a General
 720 Education Program at a Florida College System institution, a
 721 district career center, or a charter technical career center;

722 (b) Meet the requirements under s. 1009.40(1)(a)2. and 3.
 723 and (c);

724 (c) Earn at least 225 clock hours; and

725 (d) Earn a minimum 2.5 postsecondary grade point average.

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726
 727 An institution may not impose additional criteria to determine a
 728 student's eligibility to receive a grant under this section.

729 (3) SCHOLARSHIP AWARD.—A student is eligible to receive an
 730 award equal to the amount to cover tuition and registration fees
 731 for a career certificate or applied technology diploma program
 732 for the number of semesters or quarters specified in s.
 733 1009.40(3). The award may not exceed the cost of tuition and
 734 registration fees at that institution. The institution shall
 735 award scholarships subject to the availability of funding, on a
 736 first-come, first-served basis. Returning students must be given
 737 priority over new students.

738 (4) DISTRIBUTION OF FUNDS.—

739 (a) The funds appropriated for the Florida Endeavor
 740 Scholarship Program must be distributed to eligible institutions
 741 in accordance with a formula approved by the State Board of
 742 Education. The formula must consider at least the prior year's
 743 distribution of funds and the number of eligible applicants who
 744 did not receive awards.

745 (b) Subject to the appropriation of funds by the
 746 Legislature, the department shall transmit payment of grants to
 747 the institution in advance of the registration period.
 748 Institutions shall notify students of the amount of their
 749 awards.

750 (c) The eligibility status of each student to receive a
 751 disbursement must be determined by each institution as of the
 752 end of its regular registration period, inclusive of a drop-add
 753 period. Institutions may not be required to reevaluate a
 754 student's eligibility status after this date for purposes of

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changing eligibility determinations previously made.

(d) Each participating institution shall report to the department by the established date the number of students eligible for the program for each academic term. Each institution also shall report to the department any necessary demographic and eligibility data for such students.

(e) Institutions shall certify to the department within 30 days after the end of regular registration each term the amount of funds disbursed to each student. Institutions shall remit to the department any undisbursed advances for the fall, spring, and summer terms within 30 days after the end of the summer term.

(5) RULES.—The State Board of Education shall adopt rules to implement this section.

Section 15. Paragraph (b) of subsection (4) and subsection (5) of section 1009.893, Florida Statutes, are amended to read:

1009.893 Benacquisto Scholarship Program.—

(4) In order to be eligible for an initial award under the scholarship program, a student must meet the requirements of paragraph (a) or paragraph (b).

(b) A student who initially enrolls in a baccalaureate degree program in the 2018-2019 through 2021-2022 academic years ~~year or later~~ and who is not a resident of this state, as determined in s. 1009.40 and rules of the State Board of Education, must:

1. Physically reside in this state on or near the campus of the postsecondary educational institution in which the student is enrolled;

2. Earn a high school diploma from a school outside Florida

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which is comparable to a standard Florida high school diploma or its equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282, or s. 1003.435 or must complete a home education program in another state; and

3. Be accepted by and enrolled full-time in a baccalaureate degree program at an eligible regionally accredited Florida public or independent postsecondary educational institution during the fall academic term following high school graduation.

(5)(a)1. An eligible student who meets the requirements of paragraph (4)(a), who is a National Merit Scholar, and who attends a Florida public postsecondary educational institution shall receive a scholarship award as specified in the General Appropriations Act equal to the institutional cost of attendance ~~minus the sum of the student's Florida Bright Futures Scholarship and National Merit Scholarship.~~

2. An eligible student who meets the requirements of paragraph (4)(b), who is a National Merit Scholar, and who attends a Florida public postsecondary educational institution shall receive a scholarship award as specified in the General Appropriations Act equal to the institutional cost of attendance ~~for a resident of this state minus the student's National Merit Scholarship.~~ Such student is exempt from the payment of out-of-state fees.

(b) An eligible student who is a National Merit Scholar and who attends a Florida independent postsecondary educational institution shall receive a scholarship award as specified in the General Appropriations Act equal to the highest cost of attendance for a resident of this state enrolled at a Florida public university, as reported by the Board of Governors of the

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813 ~~State University System, minus the sum of the student's Florida~~
814 ~~Bright Futures Scholarship and National Merit Scholarship.~~
815 Section 16. This act shall take effect July 1, 2021.

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: SB 532

INTRODUCER: Senator Burgess

SUBJECT: Workforce Education

DATE: March 8, 2021

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Sagues	Bouck	ED	Pre-meeting
2. _____	_____	HP	_____
3. _____	_____	RC	_____

I. Summary:

SB 532 authorizes school district career centers to offer an associate in applied science or associate in science degree program in nursing, but restricts offering the degree program to graduates of a licensed practical nursing program offered at that same career center.

The bill has no impact on state revenues or expenditures.

The bill takes effect on July 1, 2021.

II. Present Situation:

Workforce Education

Workforce education includes adult general education and career education, and may consist of a course or a program of study leading to an occupational completion point (OCP),¹ a career certificate, an applied technology diploma, or a career degree.² Specifically, workforce education includes:³

- Adult general education programs;⁴
- Career certificate programs;⁵

¹ An “occupational completion point”(OCP) means the occupational competencies that qualify a person to enter an occupation that is linked to a career and technical program. Section 1004.02(21), F.S.

² Section 1004.02(25), F.S.

³ Section 1011.80(1), F.S.

⁴ “Adult general education” means comprehensive instructional programs designed to improve the employability of the state’s workforce through adult basic education, adult secondary education, English for Speakers of Other Languages, applied academics for adult education instruction, and instruction for adults with disabilities. Section 1004.02(3), F.S.

⁵ A “career certificate program” means a course of study that leads to at least one OCP. The program may also confer credit that may articulate with a diploma or career degree education program. Section 1004.02(20), F.S.

- Applied technology diploma (ATD) programs;⁶
- Continuing workforce education courses;⁷
- Degree career education programs;⁸ and
- Apprenticeship⁹ and preapprenticeship¹⁰ programs.

Any workforce education program may be conducted by a Florida College System (FCS) institution or a school district, except that college credit in an associate in applied science (AAS) or an associate in science (AS) degree may be awarded only by an FCS institution. However, if an AAS or an AS degree program contains within it an OCP that confers a certificate or an ATD, that portion of the program may be conducted by a school district career center.¹¹

Career Centers

A district school board may, as a part of the district school system, operate a career center.¹² A career center is an educational institution offering terminal courses of a technical nature and courses for out-of-school youth and adults. A career center is administered by a director responsible through the district school superintendent to the local district school board.¹³

Currently, there are 48 career centers accredited by the Council on Occupational Education (COE) operating in 32 school districts in Florida.¹⁴ The COE accredits postsecondary occupational institutions that offer career certificate, diploma, or applied associate degree programs. The associate degree includes both an AAS and AS degree.¹⁵ The COE does not

⁶ An “applied technology diploma (ATD) program” means a course of study that is part of a technical degree program, is less than 60 credit hours, and leads to employment in a specific occupation. An ATD program may consist of either technical credit or college credit. A public school district may offer an ATD program only as technical credit, with college credit awarded to a student upon articulation to a Florida College System (FCS) institution. Section 1004.02(7), F.S.

⁷ “Continuing workforce education” means instruction that does not result in a technical certificate, diploma, associate in applied science (AAS) degree, or associate in science (AS) degree. Continuing workforce education is for: (1) individuals who are required to have training for licensure renewal or certification renewal by a regulatory agency or credentialing body; (2) new or expanding businesses; (3) business, industry, and government agencies whose products or services are changing so that retraining of employees is necessary or whose employees need training in specific skills to increase efficiency and productivity; or (4) individuals who are enhancing occupational skills necessary to maintain current employment, to cross train, or to upgrade employment. Section 1004.02(12), F.S.

⁸ A “degree career education program” or “technical degree education program” means a course of study that leads to an AAS degree or an AS degree. A technical degree program may contain within it one or more program progression points and may lead to certificates or diplomas within the course of study. Section 1004.02(13), F.S.

⁹ Registered apprenticeship programs enable employers to develop and apply industry standards to training programs for registered apprentices that can increase productivity and improve the quality of the workforce. Apprentices who complete registered apprenticeship programs are accepted by the industry as journey workers. Florida Department of Education, *Apprenticeship Programs*, <http://fldoe.org/academics/career-adult-edu/apprenticeship-programs/> (last visited Feb. 04, 2021).

¹⁰ Registered pre-apprenticeship programs provide an avenue for both adults and youth who are at least 16 years old to become qualified to enter registered apprenticeship programs. Pre-apprenticeship programs are sponsored and operated by registered apprenticeship programs in the same trade or trades. Florida Department of Education, *Preapprenticeship*, <http://fldoe.org/academics/career-adult-edu/apprenticeship-programs/preapprenticeship.shtml> (last visited Feb. 04, 2021).

¹¹ Section 1011.80(2), F.S.

¹² Section 1001.44(1), F.S.

¹³ Section 1001.44(3)(a), F.S.

¹⁴ Florida Department of Education, *District Postsecondary Institutions*, <http://www.fldoe.org/core/fileparse.php/5398/urlt/DistPSInstMap.pdf> (last visited Feb. 23, 2021),

¹⁵ Council on Occupational Education, *Handbook of Accreditation* (2020), available at https://council.org/wp-content/uploads/2020/07/2020-Handbook-of-Accreditation_Generic_FINAL-w-Covers_7-26-20.pdf, at 58.

accredit institutions that offer credentials above an applied associate degree.¹⁶ The COE is one of the national accrediting agencies recognized by the U.S. Department of Education for eligibility to offer federal student financial aid.¹⁷

Florida College System Institutions

The FCS is composed of 28 colleges and 72 campuses that serve each of Florida's counties.¹⁸ The purpose of the FCS is to maximize open access for students, respond to community needs for postsecondary academic education and career degree education, and provide associate and baccalaureate degrees that will best meet the state's employment needs.¹⁹ The State Board of Education supervises the FCS, and each FCS institution is governed by a local board of trustees.²⁰ Each FCS institution is accredited by the Southern Association of Colleges and Schools Commission on Colleges.²¹

Articulation of Career Education to Degree Programs

Florida law guarantees that students who complete specified career certificate programs or ATDs at a career center or FCS institution are able to articulate the non-college-credit program into a college-credit AAS or AS degree program at an FCS institution.²² There are currently 33 career certificate program to AAS/AS degree articulation agreements, and 8 ATD program to AAS/AS degree articulation agreements.²³ The amount of credit applied to the degree program varies by program and is determined by school district career center and FCS institution college faculty. According to the Practical Nursing certificate program articulation agreement, students who complete the 1,350-clock hour Practical Nursing program are guaranteed 10 college credits upon

¹⁶ Council on Occupational Education, *FAQs*, <https://council.org/accreditation-frequently-asked-questions/> (last visited Feb. 04, 2021).

¹⁷ *Id.*

¹⁸ Florida Department of Education, *Division of Florida Colleges*, <http://www.fldoe.org/schools/higher-ed/fl-college-system/> (last visited Feb. 4, 2021). Each Florida College System institution is assigned one or more counties as a part of its service delivery area. Section 1000.21(3), F.S.

¹⁹ Section 1001.60(1), F.S.

²⁰ Art. IX, s. 8, Fla. Const.

²¹ The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) is the regional body for the accreditation of degree-granting higher education institutions in the southern states. It serves as the common denominator of shared values and practices among the diverse institutions in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia and Latin America and other international sites approved by the SACSCOC Board of Trustees that award associate, baccalaureate, master's, or doctoral degrees. Southern Association of Colleges and Schools Commission on Colleges, <http://sacscoc.org/> (last visited Feb. 4, 2021). All FCS institutions except Hillsborough Community College are accredited to the baccalaureate degree level. SACSCOC, *Florida*, https://sacscoc.org/institutions/?state=FL&results_per_page=25&curpage=1 (last visited Feb. 4, 2021).

²² Section 1007.23(4), F.S. The statewide articulation agreement guarantees the statewide articulation of appropriate workforce development programs and courses between school districts and FCS institutions and specifically provide that every ATD graduate must be granted the same amount of credit upon admission to an AAS or AS degree program.

²³ Florida Department of Education, *Career Certificate Program to AAS/AS Degree*, <http://www.fldoe.org/academics/career-adult-edu/career-technical-edu-agreements/psav-to-aas-as-degree.stml> (last visited Feb. 4, 2021), and *Applied Technology Diploma to Associate in Science or Associate in Applied Science Program Articulation* (Feb. 2020), available at <http://www.fldoe.org/core/fileparse.php/7525/urlt/atd-to-asandaas-articulationagreemts.pdf>.

entrance into the 72-credit AS degree program in Nursing.²⁴ Twenty-eight districts offered Licensed Practical Nursing (LPN) career certificate programs with close to 4,000 students enrolled in 2018-2019.²⁵

Florida Public Postsecondary Nursing Programs

Any educational institution that wishes to conduct a program in Florida for the pre-licensure education of professional or practical nurses must apply to the Department of Health, and be approved by the Florida Board of Nursing.²⁶

Each FCS institution offers a 72-credit hour AS degree in nursing to prepare students for employment as Registered Nurses (RN).²⁷ FCS institutions enrolled 13,619 student in the AS nursing degree program in 2018-2019.²⁸

Each AS degree must also include a minimum of 15 college credits of general education coursework.²⁹ The standards for all Florida AS degree programs, including nursing, are determined in the curriculum frameworks maintained by the Department of Education (DOE).³⁰ All Florida AS nursing degree programs are accredited by the Accreditation Commission for Education in Nursing (ACEN).³¹ There is currently no curriculum framework for an AAS degree in nursing, and no AAS degree programs in nursing are offered by FCS institutions.³²

²⁴ Florida Department of Education, *Postsecondary Adult Vocational (PSAV) to AAS/AS Degree Articulation, Statewide Agreement Worksheet Summary* (Feb. 28, 2018), available at <http://www.fldoe.org/core/fileparse.php/7525/urlt/p1-practicalnursing.rtf>.

²⁵ Department of Education, *2020 Legislative Bill Analysis of SB 418* (Oct. 8, 2019) at 3.

²⁶ Section 464.019, F.S. The Florida Board of Nursing is a 13-member board within the Department of Health that licenses, monitors, disciplines, educates and, when appropriate, rehabilitates its licensees to assure their fitness and competence in providing health care services for the people of Florida. Section 464.004, F.S., and Florida Board of Nursing, <https://floridasnursing.gov/> (last visited Feb. 4, 2021).

²⁷ Twenty-seven FCS institutions are approved to offer the bachelor of science degree for nursing (BSN). In 2018-2019, 6,429 students were enrolled in FCS BSN programs. Department of Education, *2020 Legislative Bill Analysis of SB 418* (Feb. 22, 2021) at 3.

²⁸ *Id.*

²⁹ Rule 6A-14.030(4), F.A.C.

³⁰ The Career & Technical Education (CTE) Programs section in the DOE is responsible for developing and maintaining educational programs that prepare individuals for occupations important to Florida's economic development. These programs are organized into 17 different career clusters and are geared toward middle school, high school, district technical school, and FCS students throughout the state. With the help of partners in education, business and industry, and trade associations, each program includes the academic and technical skills required to be successful in today's economy. Florida Department of Education, *Career & Technical Education*, <http://www.fldoe.org/academics/career-adult-edu/career-tech-edu/> (last visited Feb. 4, 2021).

³¹ The purpose of the ACEN is to provide specialized accreditation for all levels of nursing education and transition-to-practice programs. The ACEN accredits nursing education programs in secondary, postsecondary, and hospital-based governing organizations that offer certificates, diplomas, or degrees. The ACEN serves as a Title IV gatekeeper for all types of nursing education programs offered by certain institutions that are eligible to participate in financial aid programs administered by the United States Department of Education or other federal agencies. Accreditation Commission for Education in Nursing, *Mission, Purpose, Goals*, <https://www.acenursing.org/about/mission-purpose-goals/> (last visited Feb. 4, 2021).

³² In 2012, Florida nursing programs were leveled at the AS degree level in order to facilitate student transfer to aligned baccalaureate degrees. Florida Department of Education, *2020 Agency Analysis of SB 418* (Oct. 8, 2019).

Occupational Outlook

There were 49,549 LPNs employed in Florida in 2020. By 2028, it is expected that there will be a need for 56,043 LPNs, growing the profession by 13.1 percent.³³ Total job openings over this period is expected to be 38,674.³⁴ In addition, it is estimated that 1,984 practical nursing students will annually complete their program to fill 4,165 LPN job openings through 2027, placing the profession in the “moderate” supply gap category.³⁵

There were 194,146 RNs employed in Florida, in 2020. By 2028, it is expected that there will be a need for 215,063 RNs, growing the profession by 10.8 percent.³⁶ Total job openings over this period is expected to be 108,324.³⁷ In addition, it is estimated that 15,011 professional nursing students will annually complete their educational program to fill 14,094 RN job openings through 2027, placing the profession in the “very low or none” supply gap category.³⁸

III. Effect of Proposed Changes:

SB 532 amends s. 1011.80, F.S., to authorize school district career centers to offer an associate in applied science (AAS) or associate in science (AS) degree program, but restricts offering the degree program to graduates of a licensed practical nursing (LPN) program offered at that same career center.

The bill expands the number of institutions that may offer an associate degree in nursing, and so may increase access to such programs for students. Students who complete such programs and are licensed may increase the supply of nurses in Florida. Career centers that implement associate degree programs will be required to comply with additional requirements related to college credit programs and to institution and program accreditation.

Associate Degree Program Requirements

Students entering a college-credit nursing program who are not otherwise exempt would be required to complete a common placement test to assess basic mathematics and communication

³³ Florida Department of Economic Opportunity, *Employment Projections*, <https://floridajobs.org/workforce-statistics/data-center/statistical-programs/employment-projections> (last visited Feb. 22, 2021).

³⁴ *Id.*

³⁵ The Workforce Potential Supply Gap Analysis groups occupations into categories (high, moderate, low, very low/no potential gaps) based on the relative difference between employment demand and potential supply as provided from Florida educational and training institutions. The annual occupational job opening is the main source of demand and based on the annualized 10-year projections. This number takes into account occupational growth, transfers between occupations, and exits from an occupation. Supply data are based on completion tabulations from programs within the District Postsecondary, Florida College System, Commission for Independent Education, Independent Colleges & Universities of Florida, and the State University System institutions. Supply counts do not represent the total availability of labor for a given occupation. Other sources of labor supply may include individuals currently employed in similar occupations, migration, military separations or others currently outside the labor force. Florida Department of Economic Opportunity, Supply and Demand, <https://floridajobs.org/workforce-statistics/products-and-services/supply-and-demand> (last visited Feb. 19, 2021).

³⁶ Florida Department of Economic Opportunity, *Employment Projections*, <https://floridajobs.org/workforce-statistics/data-center/statistical-programs/employment-projections> (last visited Feb. 22, 2021).

³⁷ *Id.*

³⁸ *Supra* note 36.

skills.³⁹ In addition, a career center offering an AS nursing degree would be required to include in the program 15 credit hours of general education coursework. This general education coursework requirement would also apply to an AAS nursing program. However, since there is currently no curriculum framework for an AAS degree program in nursing, there is no mechanism to offer an AAS program.

In addition, the career center that offers the college-credit (professional) nursing program would be required to meet faculty qualifications that are more rigorous than those required for a practical nursing program.⁴⁰

Institution Accreditation

A career center seeking to offer an associate degree in nursing would need approval from the Board of Nursing. In addition, the career center would be required to obtain accreditation for its associate degree (professional) nursing program. Florida law requires that a nursing education program that prepares students for the practice of professional nursing and that is approved by the Board of Nursing must become an accredited program within 5 years after the date of enrolling the program's first students.⁴¹

A career center would not, however, be required to seek institutional accreditation other than its existing accreditation by the Council on Occupational Education (COE). COE accreditation authorizes member institutions to offer both the AAS and AS degree.

College Credit Program Tuition and Fees

Florida law⁴² specifies tuition that applies to students enrolled in workforce education programs who are reported for funding. College credit fees for associate degree programs are determined in law and are specific only to Florida College System (FCS) institutions.⁴³ It is unclear if such fees currently applied to FCS institution college-credit programs would be applied to school district career center college-credit degree programs.

³⁹ Section 1008.30, F.S. The State Board of Education, in conjunction with the Board of Governors, is required to develop and implement a common placement test for the purpose of assessing the basic computation and communication skills of students who intend to enter a degree program at any public postsecondary educational institution. A student who entered 9th grade in a Florida public school in the 2003-2004 school year, or any year thereafter, and earned a Florida standard high school diploma or a student who is serving as an active duty member of any branch of the United States Armed Services is not be required to take the common placement test. *Id.*

⁴⁰ An associate degree program requires the program director and at least 50 percent of the faculty to be registered nurses who have a master's or higher degree in nursing or a bachelor's degree in nursing and a master's or higher degree in a field related to nursing; a practical nursing program requires similar faculty to have bachelor's degrees. Section 464.019(1)(a), F.S.

⁴¹ Section 464.019(11), F.S.

⁴² Section 1009.22, F.S. The tuition for programs leading to a career certificate or an ATD is \$2.33 per contact hour for residents and nonresidents and the out-of-state fee is \$6.99 per contact hour. Adult general education programs have a block tuition of \$45 per half year or \$30 per term. Fees are determined by the district school board or FCS institution.

⁴³ Section 1009.23, F.S. For FCS institution college credit, developmental education, and educator preparation institute programs, the standard tuition is \$71.98 per credit hour for residents and nonresidents, and the out-of-state fee is \$215.94 per credit hour. Fees are specified in law.

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:

None.

C. Government Sector Impact:

School district career centers that choose to implement an associate degree nursing program would likely incur expenses related Board of Nursing approval and nursing program accreditation. For example:

- There is a \$1,000 application fee to the Board of Nursing.
- Accreditation Commission for Education in Nursing fees include \$3,500 for candidacy and initial accreditation, plus additional fees for site visits and full accreditation.⁴⁴

VI. Technical Deficiencies:

The bill authorizes a career center to offer an associate in applied science (AAS) or associate in science (AS) degree program in nursing. However, the bill specifies that a career center offering only the AS degree may offer such degree to graduates of a licensed practical nursing program at

⁴⁴ Accreditation Commission for Education in Nursing, *2020 Schedule of Fees*, <https://www.acenursing.org/for-programs/general-resources/2020-schedule-of-fees/> (last visited Feb. 4, 2021).

that career center, and appears to omit that restriction for a career center offering the AAS degree. Although there are currently no AAS degrees in nursing offered at Florida College System institutions and career centers, the sponsor may want to add the degree for consistency and account for possible future offerings.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1011.80 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.



903918

LEGISLATIVE ACTION

Senate

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House

The Committee on Education (Burgess) recommended the following:

Senate Amendment

Delete line 25
and insert:
associate in applied science or associate in science nursing
degree program offers it only to

By Senator Burgess

20-00590-21

2021532__

1 A bill to be entitled
 2 An act relating to workforce education; amending s.
 3 1011.80, F.S.; revising the workforce education
 4 programs that school district career centers are
 5 authorized to conduct; providing an effective date.
 6
 7 Be It Enacted by the Legislature of the State of Florida:
 8
 9 Section 1. Subsection (2) of section 1011.80, Florida
 10 Statutes, is amended to read:
 11 1011.80 Funds for operation of workforce education
 12 programs.—
 13 (2) Any workforce education program may be conducted by a
 14 Florida College System institution or a school district, except
 15 that college credit in an associate in applied science or an
 16 associate in science degree may be awarded only by a Florida
 17 College System institution. However, a school district career
 18 center may conduct the following:
 19 (a) Portions of ~~if~~ an associate in applied science or an
 20 associate in science degree program which contain ~~contains~~
 21 ~~within it~~ an occupational completion point that confers a
 22 certificate or an applied technology diploma.
 23 (b) An associate in applied science or an associate in
 24 science degree nursing program if the career center offering the
 25 associate in science nursing degree program offers it only to
 26 graduates of a licensed practical nursing program offered by the
 27 same, that portion of the program may be conducted by a school
 28 district career center. Any instruction designed to articulate
 29 to a degree program is subject to guidelines and standards

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30 adopted by the State Board of Education pursuant to s. 1007.25.
 31 Section 2. This act shall take effect July 1, 2021.

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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: SB 1450

INTRODUCER: Senator Rodriguez

SUBJECT: Civic Education Curriculum

DATE: March 8, 2021

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Bouck	ED	Pre-meeting
2.			AED	
3.			AP	

I. Summary:

SB 1450 requires the Florida Department of Education (DOE) to develop or approve an integrated civic education curriculum for public school students in kindergarten through grade 12. The bill provides requirements for the civic education curriculum to aid in students' development of civic responsibility and knowledge.

The bill also establishes the "Portraits in Patriotism Act," which integrates into the civics education curriculum personal stories of diverse individuals who demonstrate civic-minded qualities, including first-person accounts of victims of other nations' governing philosophies who can compare those philosophies with the philosophies of the United States.

The bill provides that the United States Government course that is required to earn a standard high school diploma include a comparative discussion of political ideologies that conflict with the principles of freedom and democracy in the nation's founding principles.

The bill has an effective date of July 1, 2021.

II. Present Situation:

The priorities of Florida's K-20 education system include civic literacy and to prepare students to become civically engaged and knowledgeable adults who positively contribute to their communities.¹

Instruction in Patriotism

Florida law requires each district school board to provide instruction on the history, significance, and principles of the Declaration of Independence and the Constitution of the United States, flag

¹ Section 1000.03(5)(c), F.S.

education, and civil government.² District school boards must also provide instruction on the contributions of African Americans, Hispanics, and women to the United States.³

District school boards are required to provide a character-development program for students in kindergarten through grade 12.⁴ Each district school board must develop or adopt a curriculum for its K-12 character-development program and submit it to the Florida Department of Education (DOE) for approval.⁵ The character development curriculum must “stress the qualities of patriotism; responsibility; citizenship; kindness; respect for authority, life, liberty, and personal property; honesty; charity; self-control; racial, ethnic, and religious tolerance; and cooperation.”⁶

To encourage patriotism, district school boards are required to provide instruction on the sacrifices made by veterans and Medal of Honor recipients while serving the country and protecting democratic values worldwide.⁷ A district school board may also adopt rules requiring patriotic programs in schools that encourage respect for the government of the United States and its national anthem and flag.⁸ Teachers or administrators in the schools may read or post historic material such as the Constitution of the United States, the Bill of Rights, and other foundational materials.⁹ Public schools are encouraged to coordinate instruction relating to the nation’s founding fathers with “American Founders’ Month” in September.¹⁰

Instruction in Civics

Currently, Florida’s Next Generation Sunshine State Standards for social studies include civics and government content in kindergarten through grade 12.¹¹ A student must successfully complete three middle school or higher courses in social studies in order to be promoted to high school.¹² One of the three courses must be a civics education course that includes the roles and responsibilities of federal, state, and local governments; the structures and functions of the legislative, executive, and judicial branches; and the meaning and significance of documents such as the Articles of Confederation, Declaration of Independence, and the Constitution of the United States.¹³

At the high school level, 24 credits are required for a standard high school diploma.¹⁴ Three credits must be in social studies, including one credit each in United States History and World History; one-half credit in economics; and one-half credit in United States Government.¹⁵ Course

² Section 1003.42(2)(a)-(e), F.S.

³ Ss. 1003.42(2)(h) and (p)-(q), F.S.

⁴ Section 1003.42(2)(s), F.S.

⁵ *Id.*

⁶ *Id.*

⁷ Section 1003.42(2)(t), F.S.

⁸ Section 1003.44(1), F.S.

⁹ Section 1003.44(2), F.S.

¹⁰ Section 1003.44(3), F.S. and s. 683.1455, F.S.

¹¹ See CPALMS, *Browse and Search Standards*, <http://www.cpalms.org/Public/search/Standard> (last visited Mar. 4, 2021) (providing the Next Generation Sunshine State Standards for each subject area, by grade level).

¹² Section 1003.4156(1)(c), F.S.

¹³ Section 1003.4156(1)(c), F.S.

¹⁴ Section 1003.4282(1)(a), F.S.

¹⁵ Section 1003.4282(3)(d), F.S.

standards for United States Government include evaluating and defending positions on the founding ideals and principles of American government, explaining how nations are governed differently, and comparing indicators of democratization in other countries.¹⁶

Students in the middle grades civics course and the high school United States History course must take an end-of-course assessment¹⁷ that constitutes 30 percent of the student's final course grade.¹⁸

Review of Civic Education

To further address civic education in Florida, Governor DeSantis issued Executive Order 19-32 in January 2019, directing the Commissioner of Education (commissioner) to review Florida's K-12 academic standards and identify opportunities to prepare high school graduates to be knowledgeable citizens, particularly in the principles of the United States Constitution.¹⁹

Additionally, in 2019, the Legislature established a requirement for the commissioner, in consultation with specified organizations and stakeholders, to review the state-approved middle grades civics education course instructional materials and the test specifications for the statewide, standardized civics end-of-course assessment.²⁰ Recommendations for improvements to the materials and test specifications were provided to the Governor and Legislature on December 31, 2019.²¹

The DOE began a review of the statewide civic education course standards on January 1, 2020.²² The State Board of Education is expected to adopt revisions to standards by the summer of 2021, and the approval of new course descriptions, with revised standards, is expected by the fall.²³

III. Effect of Proposed Changes:

The bill modifies s. 1003.4282, F.S., to revise the Next Generation Sunshine State Standards social studies credit requirement for high school graduation. The bill requires instruction in United States Government to include a comparative discussion of political ideologies, such as communism and totalitarianism, that conflict with the principles of freedom and democracy essential to the founding principles of the United States.

To assist in preparing students to be civically responsible and knowledgeable adults, the bill adds to s. 1003.44, F.S., to require the Department of Education (DOE) to develop or approve an

¹⁶ See CPALMS, *United States Government Course Standards*, <https://www.cpalms.org/Public/PreviewCourse/Preview/633> (last visited Mar. 4, 2021).

¹⁷ Section 1008.22(3)(b)1., F.S.

¹⁸ Section 1003.4156(1)(c), F.S. and s. 1003.4282(3)(d), F.S.

¹⁹ Office of the Governor, Executive Order Number 19-32, Jan. 31, 2019 (Commitment to Eliminating Common Core, Ensuring High-Quality Academic Standards and Raising the Bar for Civic Literacy).

²⁰ Chapter 19-150, L.O.F.; Section 1003.4156(1)(c), F.S. See also Florida Department of Education, *Civics Review*, <http://www.fldoe.org/civicsreview/> (last visited Mar. 4, 2021).

²¹ Memorandum re Committee Substitute for (CS/HB) 807- Civics Education Report (Dec. 31, 2019), available at <https://www.fldoe.org/core/fileparse.php/7749/urlt/HB807Report.pdf> (last visited Mar. 4, 2021).

²² *Id.* See also Florida Department of Education, *Civics Review*, <http://www.fldoe.org/civicsreview/> (last visited Mar. 4, 2021).

²³ *Id.*

integrated civic education curriculum for students in kindergarten through grade 12. District school boards and charter schools must incorporate the curriculum as part of students' regular school work. The DOE must approve integrated civic education curricula submitted by district school boards and charter schools that assist students in developing:

- An understanding of their rights and responsibilities as residents of Florida and of the founding principles of the United States as described in ss. 1003.42(2)(a)-(c), F.S.²⁴
- A sense of civic pride and desire to participate regularly in government.
- An understanding of the process for effectively advocating before government bodies and officials.
- An understanding of the civic-minded expectations, developed by the State Board of Education, of an upright and desirable citizenry that recognizes and accepts responsibility for preserving and defending the blessings of liberty inherited from prior generations and secured by the United States Constitution.

The bill also requires the DOE to curate oral history resources for use with the civic education curriculum. Designated as the "Portraits in Patriotism Act," the bill provides that these resources will be based on the personal stories of diverse individuals who demonstrate civic-minded qualities. The stories may include first-person accounts of victims of other nations' governing philosophies who can compare those philosophies with the philosophies of the United States.

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.

²⁴ Sections 1003.42(a)-(c), F.S. require district school boards to provide instruction on the history and content of the Declaration of Independence, the meaning and significance of the United States Constitution and its amendments, and the arguments supporting a republican form of government as advocated in the Federalist Papers.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1003.4282, 1003.44.

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

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

None.

B. Amendments:

None.

By Senator Rodriguez

39-01366A-21

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A bill to be entitled

An act relating to civic education curriculum; amending s. 1003.4282, F.S.; revising the social studies high school graduation credit requirement; amending s. 1003.44, F.S.; requiring the Department of Education to develop or approve an integrated civic education curriculum that meets certain requirements; requiring the department to curate oral history resources to be used along with such curriculum; providing a short title; requiring the department to approve the civic education curricula submitted by school districts and charter schools; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (d) of subsection (3) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma.—

(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT REQUIREMENTS.—

(d) *Three credits in social studies.*—A student must earn one credit in United States History; one credit in World History; one-half credit in economics; and one-half credit in United States Government, which must include a comparative discussion of political ideologies, such as communism and totalitarianism, that conflict with the principles of freedom and democracy essential to the founding principles of the United States. The United States History EOC assessment constitutes 30

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percent of the student's final course grade.

Section 2. Subsection (6) is added to section 1003.44, Florida Statutes, to read:

1003.44 Patriotic programs; rules.—

(6) To help families, civic institutions, local communities, district school boards, and charter schools prepare students to be civically responsible and knowledgeable adults, the Department of Education shall:

(a) Develop or approve an integrated civic education curriculum that school districts and charter schools must incorporate as part of regular school work in kindergarten through grade 12. The civic education curriculum must assist students in developing:

1. An understanding of their shared rights and responsibilities as residents of the state and of the founding principles of the United States as described in s. 1003.42(2)(a)-(c).

2. A sense of civic pride and desire to participate regularly with government at the local, state, and federal levels.

3. An understanding of the process for effectively advocating before government bodies and officials.

4. An understanding of the civic-minded expectations, developed by the State Board of Education, of an upright and desirable citizenry that recognizes and accepts responsibility for preserving and defending the blessings of liberty inherited from prior generations and secured by the United States Constitution.

(b) Curate oral history resources to be used along with the

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59 civic education curriculum which provide portraits in patriotism
60 based on the personal stories of diverse individuals who
61 demonstrate civic-minded qualities, including first-person
62 accounts of victims of other nations' governing philosophies who
63 can compare those philosophies with those of the United States.
64 This paragraph may be cited as the "Portraits in Patriotism
65 Act."

66 (c) Approve integrated civic education curricula submitted
67 by school districts and charter schools that meet the
68 requirements of this subsection.

69 Section 3. This act shall take effect July 1, 2021.

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: SB 726

INTRODUCER: Senator Taddeo

SUBJECT: Individual Education Plan Requirements for Students with Disabilities

DATE: March 8, 2021

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Sagues	Bouck	ED	Pre-meeting
2. _____	_____	AED	_____
3. _____	_____	AP	_____

I. Summary:

SB 726 modifies communication and timeline provisions for developing an Individual Education Plan (IEP) in order to ensure quality planning for a successful transition of a student with a disability to postsecondary education and career opportunities. Specifically, the bill requires:

- An IEP team to start the transition process during the student's seventh grade year rather than at age 14, and have an operational plan in place that is implemented on the first day of the student's first year in high school or when he or she attains the age of 16, whichever comes first.
- School districts to provide:
 - Information to parents and students on the school district's high school-level transition courses and vocational, career, and collegiate programs available to such students and how to access such programs.
 - Applications for Division of Vocational Rehabilitation services and Agency Persons with Disabilities services to students and parents at IEP meetings.
- Parents to attest in writing that they understand the process for deferment of a high school diploma and whether the student will defer the receipt of such diploma to no later than May 15 of the year the student will graduate.
- The Florida Department of Education (FDOE) to conduct a review of existing transition services and programs to establish uniform best practices for such programs to deliver appropriate employment, pre-employment, and independent living skills education to enrolled students. The FDOE must publish best practices by July 1, 2022.

The bill has no impact on state revenues or expenditures. See Section V.

The bill takes effect on July 1, 2021.

II. Present Situation:

Students with Disabilities

All students who are between the ages of three to 21 and have a disability have the right to a free, appropriate public education (FAPE).¹ It is the responsibility of each state and school district to develop procedures consistent with the requirement that all students with disabilities have access to a FAPE in the least restrictive environment.²

Individuals with Disabilities Education Act (IDEA)

The Individuals with Disabilities Education Act (IDEA)³ is a federal law that makes available a FAPE to eligible children with disabilities throughout the nation and ensures special education and related services to those children.⁴

The IDEA governs how states and public agencies provide early intervention, special education, and related services to more than 7.5 million eligible infants, toddlers, children, and youth with disabilities.⁵

The stated purpose of the IDEA is to:⁶

- Ensure that all children with disabilities have available to them a FAPE that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living;
- Ensure that the rights of children with disabilities and parents of such children are protected;
- Assist states, localities, educational service agencies, and federal agencies to provide for the education of all children with disabilities;
- Assist states in the implementation of a statewide, comprehensive, coordinated, multidisciplinary, interagency system of early intervention services for infants and toddlers with disabilities and their families;
- Ensure that educators and parents have the necessary tools to improve educational results for children with disabilities by supporting system improvement activities; coordinated research and personnel preparation; coordinated technical assistance, dissemination, and support; and technology development and media services; and
- Assess, and ensure the effectiveness of, efforts to educate children with disabilities.

The Individuals with Disabilities Education Act (IDEA) requires that:⁷

¹ Section 1003.5716, F.S.

² Florida Department of Education, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>, at 9.

³ U.S. Department of Education, *IDEA Individuals with Disabilities Education Act*, <https://sites.ed.gov/idea/about-idea/#IDEA-Purpose> (last visited March 4, 2021).

⁴ *Id.*

⁵ As of school year 2018-19. *Id.*

⁶ *Id.*

⁷ Florida Department of Education, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>, at 9.

- Students with disabilities who meet the criteria of one or more categories of disability specified in law and who need special education services have an Individual Education Plan (IEP);
- The IEP must be reviewed at least annually and revised as necessary;
- Due process rights are guaranteed;
- Student records are confidential;
- Parents are important partners in the IEP process and must be invited to all IEP meetings; and
- Student evaluation procedures are nondiscriminatory.

Workforce Innovation and Opportunity Act of 2014 (WIOA)

The WIOA⁸ aims to increase opportunities for individuals facing barriers to employment and focus on the connection between education and career preparation.⁹ The WIOA requires that state vocational rehabilitation agencies set aside at least 15 percent of their federal funds to provide preemployment transition services¹⁰ to eligible individuals with a disability who:¹¹

- Are between 14 and 21 years of age;¹² and
- Have a current individual education plan (IEP);¹³ or
- Have or are eligible for an accommodation plan pursuant to s. 504 of the Rehabilitation Act of 1973.¹⁴

Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973¹⁵ prohibits any program or activity that receives federal financial assistance from discriminating against an otherwise qualified individual solely by reason of his or her disability. State and local agencies that administer federally funded programs or activities may devise an accommodation plan¹⁶ for someone with a disability to allow the disabled person's participation in the program.¹⁷

⁸ Pub. L. No. 113-128, 128 Stat. 1425 (July 22, 2014).

⁹ See U.S. Department of Labor, Employment & Training Administration, *WIOA Overview*, <https://www.doleta.gov/wioa/about/overview/> (last visited March 5, 2020).

¹⁰ "Transition services" means a coordinated set of activities for a student, designed within an outcome-oriented process, that promote movement from school to post-school activities, including postsecondary education; vocational training; integrated employment; supported employment; continuing and adult education; adult services; independent living, or community participation. Section 413.20(26), F.S.

¹¹ States may elect a lower minimum age or higher maximum age for receipt of pre-employment services under IDEA. Workforce Innovation Technical Assistance Center, *Preemployment Transition Services*, <http://www.wintac.org/topic-areas/pre-employment-transition-services> (last visited March 5, 2021).

¹² Section 413.310(1), F.S.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ Pub. L. No. 93-112, s. 504, 83 Stat. 355, 361 (1973), as amended and codified in 29 U.S.C. s. 794.

¹⁶ The Section 504 plan identifies the services and accommodations necessary for a student to access instruction and may include accommodations in the classroom and for local and state assessments. Florida Department of Education, *Accommodations, Assisting Students with Disabilities* (2018), available at <http://www.fldoe.org/core/fileparse.php/7567/urlt/0070069-accomm-educator.pdf>, at 3.

¹⁷ See *Alexander v. Choate*, 469 U.S. 287 (1985).

The Individual Education Plan

The IEP is the primary vehicle for communicating the school district's commitment to addressing the unique educational needs of a Florida student with a disability.¹⁸ To ensure quality planning for a successful transition of a student with a disability to postsecondary education and career opportunities, an IEP team begins the process of identifying the need for transition services before the student with a disability attains the age of 14 years. When the student attains the age of 16, the IEP must be updated annually to include a statement:¹⁹

- Addressing the intent for the student to pursue a standard high school diploma and other appropriate measurable long-term postsecondary education and career goals.
- Of intent to receive a standard high school diploma and a Scholar²⁰ or Merit²¹ designation as determined by the parent.
- Of appropriate measurable long-term postsecondary education and career goals based upon age-appropriate transition assessments related to training, education, employment, and, if appropriate, independent living skills and the transition services, including preemployment transition services and courses of study needed to assist the student in reaching such goals.

IEP teams are required to invite agencies,²² with parental consent if the student has not reached the age of majority consent, that may provide services after the student exits high school and include consideration of pre-employment transition services²³ through the Division of Vocational Rehabilitation (VR)²⁴ in the development of post-secondary and career goals.²⁵

¹⁸ Florida Department of Education, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>, at 9.

¹⁹ Section 1003.5716(2), F.S.

²⁰ See Section 1003.4285, F.S.

²¹ *Id.*

²² Agency involvement in transition planning is based on the nature of the student's needs and the student's disability, whether the student is potentially eligible for services and the student's postsecondary education and career goals, such as further education, training, employment and independent living. Agencies frequently involved in the planning and delivery of transition services in Florida include: Agency for Persons with Disabilities; Center for Independent Living; Department of Children and Families; Division of Blind Services; Division of Vocational Rehabilitation (VR); Social Security Administration; Local career and technical schools, Florida colleges and universities; and other adult service providers. Florida Department of Education, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>, at 47.

²³ VR provides pre-employment services, which may include career exploration counseling, workplace readiness training, community-based work experiences, self-advocacy instruction, peer mentoring and postsecondary educational counseling for students with a disability. *Id.* at 48.

²⁴ The Division of VR is housed in the FDOE. VR and VR services mean any service, provided directly or through public or private entities, to enable an individual or group of individuals to achieve an employment outcome, including, but not limited to, medical and vocational diagnosis, an assessment for determining eligibility and vocational rehabilitation needs by qualified personnel; counseling, guidance, and work-related placement services; vocational and other training services; physical and mental restoration services; maintenance for additional costs incurred while participating in rehabilitation; interpreter services for individuals who are deaf; recruitment and training services to provide new employment opportunities in the fields of rehabilitation, health, welfare, public safety, law enforcement, and other appropriate service employment; occupational licenses; tools, equipment, and initial stocks and supplies; transportation; telecommunications, sensory, and other technological aids and devices; rehabilitation technology services; referral services designed to secure needed services from other agencies; transition services; on-the-job or other related personal assistance services; and supported employment services. Section 413.20(8) and (28), F.S.

²⁵ Florida Department of Education, *Legislative Bill analysis for SB 726* (2021).

Deferral of Receipt of a Standard Diploma

A student with a disability who's IEP requires special education, transition planning, transition services or related services through age 21 may defer the receipt of their standard diploma. After deferral, the student must also be enrolled in accelerated college credit instruction, industry certification courses that lead to college credit, a collegiate high school program, courses necessary to satisfy the requirements for scholar designation, or a structured workstudy, internship or pre-apprenticeship program to continue to receive FAPE.²⁶

The district must work with the student and his or her parent to review the benefits of deferring and describe in writing the services and programs available to the student who wishes to defer.²⁷ The decision to defer is made by the parent, or the student if 18 or over, along with the rest of the IEP team, during the year the student is expected to meet all of the requirements for a standard diploma.²⁸ This decision must be noted on the student's IEP and the approval of the parent or student, if appropriate, may be documented on a separate form from the IEP.²⁹

The parent and student must be informed in writing by January 30 of the year in which the student is expected to meet graduation requirements, that:³⁰

- Failure to defer releases the school district of the obligation to provide FAPE;
- The deadline for acceptance or deferral is May 15 of that year; and
- Failure to attend the graduation ceremony does not constitute deferral.

Students do not need to defer every year after this decision is made. The deferral will last until the student is no longer eligible for FAPE or chooses to receive their diploma.³¹

III. Effect of Proposed Changes:

SB 726 amends s. 1003.5716, to modify communication and timeline provisions for developing an Individual Education Plan (IEP) in order to ensure quality planning for a successful transition of a student with a disability to postsecondary education and career opportunities. Such modifications may provide parents and students with additional information and time to make informed decisions to meet the student's post-secondary needs for success. Specifically, the bill requires:

- An IEP team to start the transition process during the student's seventh grade year rather than before age 14, and have an operational plan in place that is implemented on the first day of the student's first year in high school or when he or she attains the age of 16, whichever comes first.
- School districts to provide information to parents and students on the school district's high school-level transition courses and vocational, career, and collegiate programs available to students with disabilities, and how to access such programs, including:

²⁶ Section 1003.4282(11)(c)-(d), F.S. Rule 6A-1.09963(6), F.A.C.

²⁷ Florida Department of Education, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>, at 64.

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ Students with disabilities are no longer eligible for FAPE if awarded a standard high school diploma or attained age 22. *Id.* Rule 6A-1.09963(6), F.A.C.

- School-based transition programs;
- The Florida Center for Students with Unique Abilities (FSCUA);³² and
- Programs and services provided by the Division of Vocational Rehabilitation (VR), the Agency for Persons with Disabilities (APD)³³, and the Division of Blind Services.³⁴
- School districts to provide applications³⁵ for VR services and APD services to students and parents at IEP meetings.
- School district IEP teams to discuss with parents restrictions on information sharing that come into effect without the appointment of guardianship upon a student with a disability turning 18 years of age.
- Parents to attest in writing that they understand the process for deferment of a high school diploma and whether the student will defer the receipt of such diploma to no later than May 15 of the year the student will graduate.
- The Florida Department of Education (FDOE) to conduct a review of existing transition services and programs to establish uniform best practices for such programs to deliver appropriate employment, pre-employment, and independent living skills education to enrolled students. The FDOE to establish and publish on its website uniform best practices by July 1, 2022.

The bill takes effect on July 1, 2021.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

³² In 2016, the Florida Legislature established FCSUA located at the University of Central Florida. The purpose of FSCUA is to increase independent living, inclusive and experiential postsecondary education, and employment opportunities for students with intellectual disabilities through degree, certificate, or nondegree programs and to establish statewide coordination of the dissemination of information regarding programs and services for students with disabilities. Section 1004.6495, F.S.

³³ The APD is housed within the Department of Children and Families and is responsible for providing all services provided to persons with developmental disabilities pursuant to current law, including the operation of all state institutional programs and the programmatic management of Medicaid waivers established to provide services to person with developmental disabilities. Section 20.197, F.S.

³⁴ The Division of Blind Services is housed with the FDOE and among other duties is responsible developing and implement a state plan for vocational rehabilitation services for individual who are blind. Section 413.011, F.S.

³⁵ When an application is signed and dated by a customer or his/her representative, a 60-day clock begins to determine eligibility under federal law. Since students with disabilities who are 14-21 years of age are potentially eligible for Pre-Employment Transition Services, an application for traditional VR services is not required to receive these services. Providing students an “application” may create the unintended consequence of starting the clock for the Division to determine eligibility for “vocational rehabilitation services,” as opposed to “pre-employment transition services,” when such eligibility determination would be premature and unnecessary. Florida Department of Education, *Legislative Bill analysis for SB 726* (2021).

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:

None.

C. Government Sector Impact:

The bill has no impact on state revenues or expenditures.

However, the Florida Department of Education (FDOE) may incur costs associated with conducting a review of existing transition services and programs for students with disabilities and establishing uniform best practices for such programs.³⁶ The FDOE may also incur costs establishing and publishing uniform best practices on its website.³⁷

VI. Technical Deficiencies:

The sponsor may wish to consider adding for clarity the terminology used earlier in the bill to denote that the age specifications are subject to whichever occurs first.³⁸

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the section 1003.5716 of the Florida Statutes.

³⁶ Florida Department of Education, *Legislative Bill analysis for SB 726* (2021).

³⁷ *Id.*

³⁸ *Id.*

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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

By Senator Taddeo

40-01001-21

2021726__

A bill to be entitled

An act relating to individual education plan requirements for students with disabilities; amending s. 1003.5716, F.S.; revising the timeline for the development and implementation of an individual education plan (IEP) for a student with disabilities to transition to postsecondary education and career opportunities; revising the requirements for an IEP for the transitions to a postsecondary education or career opportunities; requiring the parents of students with disabilities to provide a written notice relating to the deferment of a standard high school diploma by a specified date; conforming provisions to changes made by the act; requiring the Department of Education to conduct a review of specified services and programs; requiring the department to establish and publish on its website uniform best practices for such services and programs by a specified date; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (1) and (2) of section 1003.5716, Florida Statutes, are amended to read:

1003.5716 Transition to postsecondary education and career opportunities.—All students with disabilities who are 3 years of age to 21 years of age have the right to a free, appropriate public education. As used in this section, the term "IEP" means individual education plan.

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

40-01001-21

2021726__

(1) To ensure quality planning for a successful transition of a student with a disability to postsecondary education and career opportunities, during the student's seventh grade year, an IEP team shall begin the process of, and develop an IEP for, identifying the need for transition services before the student with a disability enters high school ~~attains the age of 14 years~~ in order for his or her postsecondary goals and career goals to be identified. The plan must be operational and in place to begin implementation on the first day of the student's first year in high school or when he or she attains the age of 16 years, whichever occurs first. This process must include, but is not limited to:

(a) Consideration of the student's need for instruction in the area of self-determination and self-advocacy to assist the student's active and effective participation in an IEP meeting; ~~and~~

(b) Preparation for the student to graduate from high school with a standard high school diploma pursuant to s. 1003.4282 with a Scholar designation unless the parent chooses a Merit designation;—

(c) The provision of information to parents and students about the school district's high school-level transition courses and vocational, career, and collegiate programs available to students with disabilities and how to access such programs, including, but not limited to, school-based transition programs; the Center for Students with Unique Abilities collegiate, career, and technical courses; and programs and services provided to youth and adults by the Division of Vocational Rehabilitation, the Agency for Persons with Disabilities, and

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the Division of Blind Services. Applications for Division of Vocational Rehabilitation services and Agency for Persons with Disabilities services shall be provided to parents and students at IEP meetings. An IEP team must also discuss with parents restrictions on information sharing which come into effect without the appointment of guardianship upon a student with a disability turning 18 years of age; and

(d) Discussion of the process for a student with a disability who meets the requirements for a standard high school diploma to defer the receipt of such diploma pursuant to s. 1003.4282(10)(c). The parent of such student must provide a notice in writing no later than May 15 of the year his or her student will graduate that he or she understands the process for deferment and whether his or her student will defer the receipt of such diploma.

(2) Beginning not later than the first IEP to be in effect when the student enters the first day of his or her first year in high school or attains the age of 16, or younger if determined appropriate by the parent and the IEP team, the IEP must include the following statements that must be updated annually:

(a) A statement of intent to pursue a standard high school diploma and a Scholar or Merit designation, pursuant to s. 1003.4285, as determined by the parent.

(b) A statement of intent to receive a standard high school diploma before the student attains the age of 22 and a description of how the student will fully meet the requirements in s. 1003.4282, including, but not limited to, a portfolio pursuant to s. 1003.4282(10)(b) which meets the criteria

40-01001-21 2021726__

specified in State Board of Education rule. The IEP must also specify the outcomes and additional benefits expected by the parent and the IEP team at the time of the student's graduation.

(c) A statement of appropriate measurable long-term postsecondary education and career goals based upon age-appropriate transition assessments related to training, education, employment, and, if appropriate, independent living skills and the transition services, including preemployment transition services and courses of study needed to assist the student in reaching those goals.

Section 2. The Department of Education shall conduct a review of existing transition services and programs for students with disabilities to establish uniform best practices for such programs to deliver appropriate employment, pre-employment, and independent living skills education to students enrolled in such transition programs. The department must establish and publish on its website such uniform best practices no later than July 1, 2022.

Section 3. This act shall take effect July 1, 2021.

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: SB 938

INTRODUCER: Senator Wright

SUBJECT: Purple Star Campuses

DATE: March 8, 2021

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Sagues	Bouck	ED	Pre-meeting
2. _____	_____	MS	_____
3. _____	_____	AP	_____

I. Summary:

SB 938 establishes the Purple Star Campus Program to recognize exemplary schools that support military-connected children, including public schools, charter schools, and schools participating in the Florida educational choice scholarship program. The bill requires the Department of Education to establish the Purple Star Campus Program that requires a participating school to:

- Designate a staff member as a military liaison.
- Maintain a webpage on a school's website which include resources for military students and families.
- Maintain a student-led transition program that assists military students in transitioning into the school.
- Offer professional development training opportunities for staff members on issues relating to military students.

The bill also authorizes a school to partner with a school district to procure digital, professional development or other assistance necessary to implement the criteria of the Purple Star Campus program.

The bill has no impact on state revenues or expenditures.

The bill takes effect on July 1, 2021.

II. Present Situation:

Military Personnel and Families

The total number of United States military personnel located worldwide is over 3.5 million.¹ A total of 1,153,176 Department of Defense (DoD) active duty military members² are assigned to the 50 states and the District of Columbia. More than half, 54.8 percent, are located in California, Virginia, Texas, North Carolina, Georgia, and Florida.³

A total of 785,119 selected reserve⁴ members are assigned to the 50 states and the District of Columbia. Over half, 50.2 percent, of selected reserve members in the United States are assigned to California, Texas, Florida, Pennsylvania, New York, Ohio, Georgia, Virginia, Illinois, North Carolina, Missouri, Alabama, and Minnesota.⁵

Close to two-thirds, 62.8 percent or 1,644,456, of total DoD force family members are children.⁶ Over one-third, 36.8 percent, of family members are spouses.⁷ Overall, 38.1 percent of the total DoD force has children.⁸

Across the 1,644,456 military children, more than two-thirds are 11 years of age or younger:⁹

- 37.8 percent or 622,295 children are 0-5 years of age.
- 32 percent or 526,411 children are 6-11 years of age.
- 23.7 percent or 390,448 children are 12-18 years of age.
- 6.4 percent or 105,302 children are 19-22 years of age.

Military Families in Florida

Florida is home to 16 military bases with 100 or more active duty personnel. Florida is also home to a number of National Guard and Military Reserve Units.¹⁰ The following chart breaks down the dependents of active duty military personnel located at Florida military bases:¹¹

¹ Department of Defense, *2019 Demographics, Profile of the Military Community* (2019), available at <https://download.militaryonesource.mil/12038/MOS/Reports/2019-demographics-report.pdf>. at iii.

² Active duty Service branches include DoD's Army, Navy, Marine Corps, and Air Force. Department of Defense, *2019 Demographics, Profile of the Military Community* (2019), available at <https://download.militaryonesource.mil/12038/MOS/Reports/2019-demographics-report.pdf>. at iii.

³ *Id.* at 33.

⁴ Reserve components include DoD's Army National Guard, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard and Air Force Reserve, and Department of Homeland Security's (DHS) Coast Guard Reserve. *Id.* at iii.

⁵ *Id.* at 89.

⁶ Children include minor dependents age 20 or younger and dependents age 22 or younger enrolled as full-time students. *Id.* at 121.

⁷ *Id.*

⁸ *Id.* at 122.

⁹ *Id.* at 123.

¹⁰ Student Support Services Project, Florida Department of Education, *Interstate Military Compact Awareness* (2016), available at https://sss.usf.edu/resources/format/pdf/2016_Charter_School_Presentation.pdf.

¹¹ Military bases include: Blount Island, Corry Station Naval Technical Training Center, Eglin Air Force Base (AFB), Homestead AFB, Hurlburt Field, Jacksonville Naval Air Station (NAS), Key West NAS, MacDill AFB, Mayport Naval Station, Naval Coastal Systems Center, Naval Hospital Pensacola, NSA Orlando, Patrick AFB, Pensacola NAS, Southern Command, Tyndall AFB, Whiting Field NAS, and "Other" bases with fewer than 100 active duty personnel. Department of

Florida Dependents of Active Duty Personnel								
Active Duty Personnel	Spouses	Children				Other Dependents	Total Dependents	Total
		Ages 0 to 5	Ages 6 to 11	Ages 12 to 18	Age 19+			
66,418	32,715	22,114	17,760	12,266	2,322	238	87,415	153,833

Interstate Compact on Educational Opportunity for Military Children

In 2008, the Florida Legislature enacted the Interstate Compact on Educational Opportunity for Military Children (compact).¹² The purpose of the compact is to remove barriers to educational success imposed on children of military families because of frequent moves and deployment of their parents.¹³ Currently, all 50 states are members of the compact.¹⁴

It is estimated that the average military family moves three times more often than the average non-military family. These frequent moves can cause children to miss out on extracurricular activities and to face challenges in meeting graduation requirements. In addition to moving frequently, students must repeatedly adjust to new living environments, schools, and peer groups much more than their civilian counterparts.¹⁵

As a member of the compact,¹⁶ Florida recognizes the need to provide support to students of military families. States participating in the compact work to coordinate graduation requirements, transfer of records and course placement, and other administrative policies.¹⁷ The compact is designed to:¹⁸

- Facilitate the timely enrollment of children of military families and ensuring such children are not placed at a disadvantage due to difficulty in the transfer of education records from the previous school district or variations in entrance or age requirements.
- Facilitate the student placement process through which children of military families are not disadvantaged by variations in attendance requirements, scheduling, sequencing, grading, course content, or assessment.
- Facilitate the qualification and eligibility for enrollment, educational programs, and participation in extracurricular academic, athletic, and social activities.
- Facilitate the on-time graduation of children of military families.

Defense, *2019 Demographics, Profile of the Military Community* (2019), available at <https://download.militaryonesource.mil/12038/MOS/Reports/2019-demographics-report.pdf> at 176-177.

¹² Florida Department of Education, *Questions and Answers for Schools Concerning The Interstate compact on Educational Opportunities for Military Children* (2104), available at <http://www.fldoe.org/core/fileparse.php/7757/urlt/0082683-gamilitary.pdf>.

¹³ Section 1000.36, F.S.

¹⁴ Department of Defense Education Activity, *The Military Interstate Compact*, <https://www.dodea.edu/Partnership/interstateCompact.cfm#:~:text=Currently%20all%2050%20States%20and%20the%20Di strict%20of,times%20more%20often%20than%20the%20average%20non-military%20family>. (last visited March 3, 2021).

¹⁵ Florida Department of Education, *Military Family Resources*, <http://www.fldoe.org/academics/exceptional-student-edu/military-families/> (last visited Feb. 15, 2021).

¹⁶ Interstate Commission on Educational Opportunity for Military Children (2012), available at <https://mic3.net/assets/mic3commissionrules-final-amendednov2012.pdf>.

¹⁷ Department of Defense Education Activity, *The Military Interstate Compact*, <https://www.dodea.edu/Partnership/interstateCompact.cfm#:~:text=Currently%20all%2050%20States%20and%20the%20Di strict%20of,times%20more%20often%20than%20the%20average%20non-military%20family>. (last visited March 3, 2021).

¹⁸ Section 1000.36, F.S.

- Provide for the adoption and enforcement of administrative rules implementing the compact.
- Provide for the uniform collection and sharing of information between and among member states, schools, and military families.
- Promote coordination between compacts affecting military children.
- Promote flexibility and cooperation between the educational system, parents, and the student in order to achieve educational success for the student.

Other Educational Benefits

In addition to the benefits the compact affords children of military families, Florida also provides other educational benefits to military families, including:¹⁹

- In-state tuition rates and fee waivers.
- Required college credit for military training.
- Course withdrawal because of military service, without penalty.
- National Guard educational dollars for duty program.
- Accepting military permanent change of station orders that relocate a military family to any military installation within the state as proof of Florida residency.
- Accepting exit or end-of-course exams required for graduation from a sending state.
- Providing preferential treatment to dependent children of active duty military personnel who moved as a result of military orders in a school's controlled open enrollment process.

Purple Star Campus Program

The Purple Star Campus Program seeks to recognize exemplary schools that support military-connected children.²⁰ Seven states are currently participating in the program: Ohio, Virginia, Arkansas, South Carolina, Texas, Tennessee, and Georgia.²¹

The Purple Star Campus program requires that a school:²²

- Have a staff point of contact (POC) for military students and families. The POC serves as the primary link between the military family and the school. The individual could be a counselor, administrator, teacher, or another staff member.
- Maintain a dedicated page on its website featuring information and resources for military families.
- Maintain a student led transition program to include a student transition team coordinator.
- Provide professional development for additional staff on special considerations for military students and families.

¹⁹ Enterprise Florida, *Florida's 2021 Military-Friendly Guide* (2021), available at <https://www.enterpriseflorida.com/wp-content/uploads/Florida-Military-Friendly-Guide.pdf>.

²⁰ Military Child Education Coalition, *Parent Programs, Hot Topic: Purple Star Campus* (2019), available at https://www.militarychild.org/upload/images/Purple%20Star%20Schools/updated_Purple_Star_Campus.pdf.

²¹ *Id.*

²² *Id.*

III. Effect of Proposed Changes:

SB 938 creates s. 1003.051, F.S., Purple Star Campuses, to recognize exemplary schools that support military-connected children. The program may help students transition to a new school environment more easily and remove barriers to educational success. Specifically the bill:

- Defines a military student as a student enrolled in a school district, charter school, or a school or institution participating in a Florida educational choice scholarship program and:
 - A dependent of a current member of the United States military serving in active duty; or
 - A former member of the Army, Navy, Air Force, Marine Corps, or Coast Guard, a reserve component of any branch of the United States military, or the Florida National Guard.
- Requires the Department of Education to establish the Purple Star Campus Program that requires a participating school to:
 - Designate a staff member as a military liaison.
 - Maintain a webpage on a school's website which include resources for military students and families.
 - Maintain a student-led transition program that assists military students in transitioning into the school.
 - Offer professional development training opportunities for staff members on issues relating to military students.

The bill also authorizes a school to partner with a school district to procure digital, professional development or other assistance necessary to implement the criteria of the Purple Star Campus program.

The bill takes effect on July 1, 2021.

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:

None.

C. Government Sector Impact:

The bill has no impact on state revenues or expenditures.

VI. Technical Deficiencies:

The bill gives authority to the Department of Education to adopt rules to implement s. 1003.051, F.S. However, pursuant to s. 1001.02(1), F.S., the State Board of Education is the chief implementing body of public education in Florida, and has the authority to adopt rules, pursuant to law. The sponsor may want to amend the bill to reflect the proper authority.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 1003.051 of the Florida Statutes.

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

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

None.

B. Amendments:

None.



748890

LEGISLATIVE ACTION

Senate

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House

The Committee on Education (Wright) recommended the following:

Senate Amendment (with title amendment)

Delete line 44

and insert:

(4) The State Board of Education shall adopt rules to
implement this

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

And the title is amended as follows:

Delete line 10

and insert:

State Board of Education to adopt rules; providing an



748890

12

effective

By Senator Wright

14-00665A-21

2021938__

A bill to be entitled

An act relating to Purple Star Campuses; creating s. 1003.051, F.S.; defining the term "military student"; requiring the Department of Education to establish the Purple Star Campus program; specifying program criteria for participating schools; authorizing the department to establish additional program eligibility criteria; authorizing schools to partner with school districts to meet such criteria; requiring the department to adopt rules; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1003.051, Florida Statutes, is created to read:

1003.051 Purple Star Campuses.—

(1) As used in this section, the term "military student" means a student who is:

(a) Enrolled in a school district, charter school, or any school or educational institution participating in an educational choice scholarship program established pursuant to chapter 1002; and

(b) A dependent of a current member of the United States military serving on active duty in, or a former member of, the Army, Navy, Air Force, Marine Corps, or Coast Guard, a reserve component of any branch of the United States military, or the Florida National Guard.

(2) (a) The Department of Education shall establish the

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14-00665A-21

2021938__

Purple Star Campus program. At a minimum, the program must require a participating school to:

1. Designate a staff member as a military liaison.

2. Maintain a webpage on the school's website which includes resources for military students and their families.

3. Maintain a student-led transition program that assists military students in transitioning into the school.

4. Offer professional development training opportunities for staff members on issues relating to military students.

(b) The department may establish additional program eligibility criteria by rule.

(3) A school may partner with a school district to procure digital, professional development, or other assistance necessary for the school to meet the criteria specified in subsection (2).

(4) The department shall adopt rules to implement this section.

Section 2. This act shall take effect July 1, 2021.

Page 2 of 2

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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: SB 1484

INTRODUCER: Senator Gruters

SUBJECT: Florida Private Student Assistance Grant Program

DATE: March 8, 2021

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Westmark	Bouck	ED	Pre-meeting
2. _____	_____	AED	_____
3. _____	_____	AP	_____

I. Summary:

SB 1484 alters eligibility for students to receive a Florida private student assistance grant (grant). The bill specifies that recipients of a grant, as an alternative to the requirement to have been accepted at an appropriate independent nonprofit college or university, have the option of having been accepted at a competency-based nonprofit virtual postsecondary institution in order to receive a grant, provided the institution:

- Is accredited by a member of the Council of Regional Accrediting Commissions;
- Is created by the governors of several states;
- Has established and continually maintains a location of operation in this state; and
- Maintains a governing body or advisory board in this state.

The bill takes effect July 1, 2021.

II. Present Situation:

The Florida Student Assistance Grant (FSAG) Program is a need-based grant program available to degree-seeking, resident, undergraduate students who demonstrate substantial financial need and are enrolled in participating postsecondary institutions.¹

Florida Private Student Assistance Grant Program

The Florida Private Student Assistance Grant Program (Program) is available to students who attend eligible private, non-profit, four-year colleges and universities.² The Program is

¹ Office of Student Financial Assistance, *Florida Student Assistance Grant Program Fact Sheet* (2020-21), available at <https://www.floridastudentfinancialaidsg.org/PDF/factsheets/FSAG.pdf>, at 1.

² *Id.*

administered by participating institutions in accordance with rules of the State Board of Education (SBE).³

Institutional Eligibility

In order to be eligible to administer the Program, an institution must:⁴

- Be a baccalaureate-degree-granting, nonprofit independent college or university;
- Be accredited by the Commission on Colleges of the Southern Association of Colleges & Schools (SACS);
- Be located in and chartered as a domestic corporation by Florida;
- Administer the Pell Grant.⁵

Student Eligibility

Florida private student assistance grants (grants) may be made only to full-time degree-seeking students who meet general requirements for student eligibility,⁶ attend eligible private, non-profit, four-year colleges and universities,⁷ and are awarded for the amount of demonstrated unmet need for tuition and fees, not to exceed the maximum annual award amount specified in the General Appropriations Act (GAA).⁸

Eligibility for the renewal of financial aid awards such as the grant is evaluated at the end of the second semester or third quarter of each academic year. As a condition for renewal, a student must have earned:⁹

- A minimum cumulative grade point average of 2.0 on a 4.0 scale; and
- For undergraduate full-time study, 12 credits per term or the equivalent for the number of terms for which aid was received.

A student applying for a grant is required to apply for the Pell Grant.¹⁰ Recipients of such grants must have been accepted at a baccalaureate-degree-granting independent nonprofit college or university accredited by SACS and located in and chartered as a domestic corporation by the

³ Section 1009.51(1), F.S.

⁴ Office of Student Financial Assistance, *2020-21 Institutional Eligibility Program Requirements for Participation in State Scholarship & Grant Programs* (2021), available at https://www.floridastudentfinancialaidsg.org/pdf/Institution_Eligibility_Requirements.pdf.

⁵ Administering the Pell Grant involves Title IV eligibility and requires approved accreditation. *Id.*

⁶ See s. 1009.40, F.S.

⁷ Office of Student Financial Assistance, *Florida Student Assistance Grant Program Fact Sheet* (2020-21), available at <https://www.floridastudentfinancialaidsg.org/PDF/factsheets/FSAG.pdf>, at 1.

⁸ Section 1009.51(2)(a), F.S. A demonstrated unmet need of less than \$200 renders the applicant ineligible for a Florida private student assistance grant. *Id.*

⁹ Section 1009.40(1)(b)1., F.S. A student who fails to earn the minimum number of credits required for renewal shall lose his or her eligibility for renewal for a period equivalent to one academic year. However, the student may reapply during a subsequent application period and may be eligible for an award if he or she has earned a minimum cumulative grade point average of 2.0 on a 4.0 scale. Section 1009.40(1)(b)3., F.S.

¹⁰ Section 1009.51(2)(b), F.S. Priority in the distribution of grant moneys may be given to students who are within one semester of completing a degree or certificate program. An institution may not make a grant from this program to a student whose expected family contribution exceeds one and one-half times the maximum Pell Grant-eligible family contribution. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award. Section 1009.51(2)(c), F.S.

state.¹¹ If funds are available, a student who received an award in the fall or spring term may receive an award in the summer term.¹² A student receiving a grant is eligible to receive scholarship funding for nine semesters or fourteen quarters of full-time enrollment.¹³

Reporting and Distribution Requirements

Each participating institution determines applicant eligibility and award amount,¹⁴ and is required to report to the Department of Education (DOE) the students eligible for the Program for each academic term, including necessary demographic and eligibility data for such students.¹⁵ Only eligible institutions can disburse state aid through the Program.¹⁶

The funds appropriated for the Program must be distributed to eligible institutions in accordance with a formula approved by the SBE.¹⁷ Institutions must comply with disbursement and remittance requirements specified in law.¹⁸

Each institution that receives moneys through the Program must prepare a biennial report submitted to DOE by March 1 every other year that includes a financial audit, conducted by an independent certified public accountant, of the institution's administration of the Program and a complete accounting of moneys allocated to the institution for the Program. DOE may conduct its own annual or biennial audit of an institution's administration of the Program and its allocated funds in lieu of the required biennial report and financial audit report.¹⁹

In 2019-2020, 16,139 students were disbursed almost \$25 million, an average of \$1,549 per student, at 35 eligible private colleges and universities.²⁰

¹¹ Section 1009.51(2)(a), F.S.

¹² Priority in the distribution of summer awards must be given to students who are within one semester of completing a degree or certificate program, and no student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time enrollment, except as otherwise provided in s. 1009.40(3), F.S. Section 1009.51(2)(a), F.S.

¹³ Office of Student Financial Assistance, *Florida Student Assistance Grant Program Fact Sheet* (2020-21), available at <https://www.floridastudentfinancialaidsg.org/PDF/factsheets/FSAG.pdf>, at 4.

¹⁴ *Id.*

¹⁵ Section 1009.51(2)(d), F.S. The eligibility status of each student to receive a disbursement must be determined by each institution as of the end of its regular registration period, inclusive of a drop-add period. Section 1009.51(4)(c), F.S.

¹⁶ Office of Student Financial Assistance, *Florida Student Scholarship & Grant Programs*, <https://www.floridastudentfinancialaidsg.org/SAPHome/SAPHome?url=home> (last visited March 4, 2021).

¹⁷ Section 1009.51(4)(a), F.S.

¹⁸ Section 1009.51(4)(d), F.S.

¹⁹ Section 1009.51(4)(e), F.S.

²⁰ Office of Student Financial Assistance, *End-of-Year Report 2019-20* (Sept. 1, 2020), available at https://www.floridastudentfinancialaidsg.org/PDF/PSI/FSAGPR_2019_2020.pdf, at 1.

Council of Regional Accrediting Commissions

The Council of Regional Accrediting Commissions (C-RAC) represents the seven organizations responsible for the accreditation²¹ of approximately 3,000 of the nation's colleges and universities:²²

- Accrediting Commission for Community and Junior Colleges;
- Higher Learning Commission;
- Middle States Commission on Higher Education;
- New England Commission of Higher Education;
- Northwest Commission on Colleges and Universities;
- SACS; and
- WASC Senior College and University Commission.

As of 2017, C-RAC members help assure quality at 2,866 Title IV institutions in 3,524 locations across the United States.²³

Florida Members

SACS accredits 74 Florida public and private colleges and universities,²⁴ including 12 universities that make up the State University System of Florida, 28 institutions in the Florida College System, and 34 private colleges and universities.

State Authorization Reciprocity Agreements

The State Authorization Reciprocity Agreements (SARA) provide a voluntary, regional approach to state oversight of postsecondary distance education. Membership is open to degree-granting postsecondary institutions from all sectors, including non-profit and for-profit public colleges and universities and independent institutions accredited by an agency recognized by the U.S. Secretary of Education. States that join SARA agree to follow uniform processes for approving their eligible institutions' participation and interact with other states' SARA institutions in a common way when those institutions carry out activities in SARA states other than their own.

²¹ Defined as “a process of external review used by the higher education community to assure quality and spur ongoing improvement.” Council of Regional Accrediting Commissions, *Accreditation 101*, <https://www.c-rac.org/accreditation-101> (last visited March 3, 2021). Accrediting commissions are private, nonprofit organizations comprised of college and university members, with commissions and visiting teams made up of volunteers. *Id.* The U.S. Department of Education lists four primary functions of accreditation:

1. Assess the quality of academic programs at institutions of higher education.
2. Create a culture of continuous improvement of academic quality at colleges and universities and stimulate a general raising of standards among educational institutions.
3. Involve faculty and staff comprehensively in institutional evaluation and planning.
4. Establish criteria for professional certification and licensure and for upgrading courses offering such preparation.

U.S. Department of Education, *Accreditation in the United States* (Feb. 4, 2021), available at https://www2.ed.gov/admins/finaid/accred/accreditation_pg2.html#U.S.

²² Council of Regional Accrediting Commissions, *Who We Are*, <https://www.c-rac.org/copy-of-about-us> (last visited March 3, 2021).

²³ Council of Regional Accrediting Commissions, *Quick Facts*, <https://www.c-rac.org/quick-facts> (last visited March 3, 2021).

²⁴ Southern Association of Colleges and Schools Commission on Colleges, *SACSCOC Accredited and Candidate List* (January 2021), available at <https://sacscoc.org/app/uploads/2019/11/Institutionswebmemlist.pdf>.

Participating institutions also agree to follow the Interregional Guidelines for the Evaluation of Distance Education Programs, otherwise known as online learning, for best practices in postsecondary distance education developed by leading practitioners of distance education and adopted by C-RAC.²⁵

As of April 2020, 49 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands are members of SARA. Over 2,100 colleges and universities participate in SARA.²⁶ Of these, over 80 are based in Florida.²⁷

III. Effect of Proposed Changes:

SB 1484 alters eligibility for students to receive a Florida private student assistance grant (grant). The bill specifies that recipients of a grant, as an alternative to the requirement to have been accepted at a baccalaureate-degree-granting independent nonprofit college or university appropriately accredited, have the option of having been accepted at a competency-based²⁸ nonprofit virtual postsecondary institution in order to receive a grant, provided the institution:

- Is accredited by a member of the Council of Regional Accrediting Commissions;
- Is created by the governors of several states;
- Has established and continually maintains a location of operation in this state; and
- Maintains a governing body or advisory board in this state.

Allowing students who have been accepted at a competency-based nonprofit virtual postsecondary institution to receive a grant may allow additional students to receive the grant. However, an institution meeting the expanded eligibility criteria to administer such grants may be required to translate student competency attainment to meet student eligibility requirements for a renewal award under the Florida Private Student Assistance Grant Program (Program), including a minimum 2.0 cumulative grade point average (GPA) and completion of 12 credits per term.²⁹

Western Governors University

An institution that appears to meet several of the qualifications for participation in the Program is Western Governors University (WGU).³⁰ WGU is a competency-based, private online university offering a bachelor's or master's degree. Created in 1995 by 19 United States governors, WGU is accredited by the Northwest Commission on Colleges and Universities, a regional accreditation body represented under the Council of Regional Accrediting Commissions.

Students enrolled at WGU earn degrees through demonstration of competencies in required areas

²⁵ NC-SARA, *About NC-SARA*, <https://www.nc-sara.org/about-nc-sara> (last visited March 5, 2021).

²⁶ *Id.*

²⁷ NC-SARA, *NC-SARA Institution Directory*, <https://www.nc-sara.org/directory> (last visited March 5, 2021).

²⁸ Competency-based education measures progress by students demonstrating through valid, reliably assessed learning objectives that they have acquired knowledge and skills required to earn degrees or other credentials in a particular academic discipline or field of study, regardless of the amount of time spent. Competency-Based Education Network, *Frequently Asked Questions*, <https://www.cbenetwork.org/frequently-asked-questions/> (last visited March 3, 2021).

²⁹ See s. 1009.40(1)(b), F.S.

³⁰ WGU currently enrolls 7,044 active Florida students, and has 10,673 Florida graduates. Western Governors University, *WGU in Florida* (January, 2021).

through assessments. As such, the degree programs allow students to move at their desired pace as well as accelerate their programs through prior experience.³¹

WGU serves students in all 50 states as an online university but maintains an on-the-ground presence at its eight state affiliates: WGU Washington, WGU Nevada, WGU Texas, WGU Missouri, WGU Indiana, WGU Ohio, WGU Tennessee, and WGU North Carolina.³²

WGU students do not get letter-grades or a GPA as part of their degree program.³³ Students progress through courses as they demonstrate mastery of the material, rather than advancing only at the end of the semester or term.³⁴

The bill takes effect July 1, 2021.

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.

³¹ Education Commission of the States, *Policy Snapshot: Competency-Based Education* (June 2017), available at <http://www.ecs.org/wp-content/uploads/PS-Competency-Based-Education.pdf>, at 4.

³² Western Governors University, *Higher Education Veteran Tapped by WGU to Lead Regional Operations* (Dec. 10, 2020), available at <https://www.wgu.edu/newsroom/press-release/2020/12/higher-education-veteran-tapped-lead-regional-operations.html>. WGU does not have a physical base in Florida. Phone conversation, Western Governors University personnel (March 8, 2021).

³³ Western Governors University, *Commonly asked questions about WGU* (Nov. 17, 2020), available at <https://www.wgu.edu/blog/commonly-asked-questions-wgu2011.html>.

³⁴ Western Governors University, *Competency-based education*, <https://www.wgu.edu/about/competency-based-education.html> (last visited March 8, 2021).

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Expanding eligibility for the Florida private student assistance grant may affect how funds are allocated across the several Florida student assistance grants,³⁵ including decreased availability of funds for institutions already eligible for grants.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1009.51 of the Florida Statutes.

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

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

None.

B. Amendments:

None.

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

³⁵ See s. 1009.51(4)(a), F.S.

By Senator Gruters

23-01451A-21

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A bill to be entitled

An act relating to the Florida Private Student Assistance Grant Program; amending s. 1009.51, F.S.; expanding eligibility for the program to full-time degree-seeking students accepted at a competency-based nonprofit virtual postsecondary institution that meets specified criteria; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (2) of section 1009.51, Florida Statutes, is amended to read:

1009.51 Florida Private Student Assistance Grant Program; eligibility for grants.—

(2) (a) Florida private student assistance grants may be made only to full-time degree-seeking students who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees and may not exceed the maximum annual award amount specified in the General Appropriations Act. A demonstrated unmet need of less than \$200 shall render the applicant ineligible for a Florida private student assistance grant. Recipients of such grants must have been accepted at a baccalaureate-degree-granting independent nonprofit college or university, which is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools and which is located in and chartered as a domestic corporation by the state, or at a competency-based nonprofit virtual postsecondary

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institution that is accredited by a member of the Council of Regional Accrediting Commissions and is created by the governors of several states, has established and continually maintains a location of operation in this state, and maintains a governing body or advisory board in this state. If funds are available, a student who received an award in the fall or spring term may receive an award in the summer term. Priority in the distribution of summer awards shall be given to students who are within one semester of completing a degree or certificate program. No student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time enrollment, except as otherwise provided in s. 1009.40(3).

Section 2. This act shall take effect July 1, 2021.

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