

and develop a tuition assistance program, including rules for implementing and reviewing the program, for active members in good standing of the guard who enroll in a state community college or university.

Section 250.10(8), F.S., directs the Department of Military Affairs to administer the tuition assistance program. Members of the guard are exempt from payment of one-half of tuition and fees subject to the following conditions:

- Participation in the program is limited to 10 years from the date of initial enrollment, or until graduation or the full-time or part-time student terminates enrollment, whichever occurs earlier.
- Guard members are to be admitted on a space-available basis.

Subject to an annual appropriation in the General Appropriations Act, the Department of Military Affairs may pay the full cost of tuition and fees for required courses for guard members if a member is unable to gain admittance on a space-available basis and, at least on one previous occasion, the member was denied admission to the required course. The Department of Military Affairs is also authorized, subject to appropriations, to pay the full cost of tuition and fees for required courses for members of the guard who enlisted after June 30, 1997.

The FY 2000-2001 General Appropriations Act provided \$1,758,315.00 to the Department of Military Affairs for the tuition assistance program. For the 2000-2001 academic year, the Florida National Guard had 1,331 members participating in the tuition assistance program. Of those participating members, 34 were classified as non-residents for which the guard paid an additional \$112,000.00. The guard estimates that by classifying the 34 non-resident guard participants as residents for tuition purposes, the guard could have enrolled another 70 members in the tuition assistance program. The tuition assistance program has helped the guard recover from a period when it could not meet recruiting quotas to a position of national leadership in enlisting new members.

Section 240.235, F.S., directs the Board of Regents to exempt one-half of all tuition and course related fees for guard members participating in the tuition assistance program. The Division of Colleges and Universities reported that for the 2000-2001 academic year, 700 fee waivers totaling \$351,777.00 were provided to 477 guard members. Section 240.35, F.S., requires community colleges to waive fees for Florida National Guard members participating in the tuition assistance program. The Division of Community Colleges reported that for the 2000-2001 academic year, fee waivers totaling \$351,866.56 were provided to guard members.

III. Effect of Proposed Changes:

The bill enables members of the Florida National Guard who meet eligibility requirements for participation in the tuition assistance program administered by the Department of Military Affairs to be classified as Florida residents for tuition purposes. This classification allows the department to avoid the additional cost of out-of-state tuition for some members and maximize its annual appropriation for the tuition assistance program.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Classifying all Florida National Guard members as state residents for tuition purposes would allow more members to participate in the Department of Military Affairs tuition assistance program.

C. Government Sector Impact:

The bill would not necessitate an increase in the appropriation for the Department of Military Affairs' tuition assistance program; however, it would enable the department to assist more guard members within the appropriation. For the 2000-2001 academic year, the state community colleges and universities would have incurred a loss of \$112,055.00 in non-resident fees by classifying guard members as residents for tuition purposes.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Typically, the reason some of the members of the Florida National Guard do not qualify as residents for tuition purposes is they leave the state for active military duty and return to school in Florida before they have re-established residency.

VIII. Amendments:

#1 by Education:

Amends s. 240.1201, F.S., to add active members of the Reserves of the Armed Services of the United States as persons classified as residents for tuition purposes. (WITH TITLE AMENDMENT)

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
