

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.)

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Prepared By: The Professional Staff of the Military Affairs, Space, and Domestic Security Committee

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BILL: SB 94

INTRODUCER: Senator Fasano

SUBJECT: Postsecondary Education Course Registration for Veterans

DATE: September 30, 2011 REVISED: \_\_\_\_\_

| ANALYST           | STAFF DIRECTOR | REFERENCE | ACTION      |
|-------------------|----------------|-----------|-------------|
| 1. Fleming/Willar | Carter         | MS        | Pre-meeting |
| 2.                |                | HE        |             |
| 3.                |                | BC        |             |
| 4.                |                |           |             |
| 5.                |                |           |             |
| 6.                |                |           |             |

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**I. Summary:**

The bill creates s. 1004.075, F.S., to require institutions within the Florida College System and the State University System of Florida that offer priority course registration for a segment of the student population (or upon the establishment of such policy) to provide priority course registration to veterans of the U.S. Armed Forces. Those eligible for priority registration under the bill include veterans using GI Bill educational benefits or the spouse or dependent children of a veteran to whom the GI Bill educational benefits have been transferred. The bill provides that qualified GI Bill users will be eligible for priority registration until the expiration of the GI Bill educational benefits.

The bill also creates s. 1005.09, F.S., to encourage independent postsecondary institutions to provide priority course registration to veterans or their spouses or dependents who utilize GI Bill education benefits as public colleges and universities are required to provide under s. 1004.075, F.S.

The bill has an effective date of July 1, 2012.

**II. Present Situation:**

***Priority Course Registration***

Priority course registration allows designated groups of students at colleges and universities to register for courses for upcoming semesters before the entire student population is able to

register. In Florida, it is the discretion of both public<sup>1</sup> and private<sup>2</sup> institutions of higher education whether or not to offer priority course registration and to determine which groups of students would be eligible.<sup>3</sup> Some examples of groups of students who may typically be eligible for priority course registration at institutions that implement such a policy include: upper division students; student athletes; students with disabilities; honor college students; and student veterans.

As implied above, colleges and universities in Florida are currently not required to offer veterans of the U.S. Armed Forces priority when registering for courses based on their status as a veteran.<sup>4</sup> Except at institutions that offer priority registration and include veterans as an eligible population, students who are veterans register for courses at the same time as the general student population.<sup>5</sup> It is common for a veteran to have put higher education on hold when he or she makes the decision to serve in the U.S. Armed Forces. A veteran pursuing higher education may benefit from priority course registration so the veteran has greater access to the courses he or she needs in order to move through a degree program quickly and graduate.

### ***Veterans in Florida***

Florida has the third largest population of veterans in the nation with more than 1.6 million, behind California and Texas.<sup>6</sup> More specifically, Florida is home to approximately 127,000 veterans whose ages range from 18-34, which demonstrates a significant concentration of “college age” veterans who may be interested in pursuing higher education, either at the undergraduate or the graduate level. As the fourth largest state in the nation, Florida offers a broad range of opportunities for those pursuing higher education, with 39 public colleges and universities and 29 private, not-for-profit colleges and universities. Consequently, veterans interested in utilizing their GI Bill benefits<sup>7</sup> have a vast selection in deciding on an institution to attend.

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<sup>1</sup> There are 11 public universities within the State University System of Florida, which is governed by the Florida Board of Governors. The Florida College System consists of 28 institutions that offer 2- and 4-year degrees and is governed by the State Board of Education.

<sup>2</sup> Private colleges and universities in Florida are part of the Independent Colleges and Universities of Florida (ICUF) or are licensed by the Commission for Independent Education pursuant to s. 1005.21, F.S. ICUF consists of 29 private, non-profit higher educational institutions.

<sup>3</sup> For public universities, the Florida Board of Governor’s Regulation 1.001(4)(a)3. authorizes the board of trustees of each state university to adopt university regulations or policies relating to the admission and enrollment of students which includes priority course registration policies.

<sup>4</sup> Section 1.01(14), F.S., defines the term “veteran” as a person who served in the active military, naval, or air service and who was discharged or released there from under honorable conditions only or who later received an upgraded discharge under honorable conditions, notwithstanding any action by the U.S. Department of Veterans Affairs on individuals discharged or released with other than honorable discharges.

<sup>5</sup> The following public colleges and universities institutions currently offer priority course registration for veterans: Florida International University; Florida State University; the University of South Florida; Tallahassee Community College, St. Petersburg College, Northwest Florida State College, and Miami-Dade College (E-mail correspondence with SUS and FCS staff September 27, 2011).

<sup>6</sup> Florida Department of Veterans’ Affairs. 2009-10 Annual Report. Available at:  
[http://www.floridavets.org/pdf/ann\\_rprt\\_10.pdf](http://www.floridavets.org/pdf/ann_rprt_10.pdf)

<sup>7</sup> GI Bill benefits refers to the financial support for tuition and housing provided to veterans by the U.S. Department of Veterans Affairs.

Both nationwide and in Florida, there has recently been an influx of veterans on college campuses. Nationwide the number of veterans enrolling in college has increased to approximately 800,000 veterans using the GI Bill in 2010, which is up 40 percent from 2009.<sup>8</sup> Likewise, there is a large student veteran presence in universities and colleges in Florida. For the 2010 academic year, almost 29,000 veterans were enrolled in a public or private higher education institution in Florida, with 7,047 veterans enrolled within the State University System of Florida,<sup>9</sup> 17,453 enrolled within the Florida College System,<sup>10</sup> and 4,490 veterans enrolled at private institutions within the Independent Colleges and Universities of Florida (ICUF).<sup>11</sup>

### ***Federal Education Benefits for Veterans<sup>12</sup>***

The U.S. Department of Veterans Affairs (VA) administers a variety of education benefit programs, commonly known as the GI Bill, for veterans pursuing higher education.<sup>13</sup> The most commonly utilized GI Bill benefits include the Montgomery GI Bill<sup>14</sup> and the Post-9/11 GI Bill.<sup>15</sup> The Post-9/11 GI Bill is the most recent adaptation of the GI Bill and offers substantially enhanced financial assistance compared to the Montgomery GI Bill.<sup>16</sup>

The Post-9/11 GI Bill offers an unprecedented level of benefits in providing financial support for education and housing to individuals with at least 90 days of aggregate service on or after September 11, 2001, or individuals discharged with a service-connected disability after 30 days. A servicemember must have received an honorable discharge to be eligible for the Post-9/11 GI Bill. The Post-9/11 GI Bill covers the cost of tuition and fees, not to exceed the most expensive in-state undergraduate tuition at a public institution of higher education.<sup>17</sup> The Post-9/11 GI Bill provides veterans with 36 months of education benefits which expire 15 years from a veteran's last period of active duty of at least 90 consecutive days.<sup>18</sup>

For Post-9/11 GI Bill users attending a private school or a public school as a non-resident out-of-state student, the VA offers the Yellow Ribbon Program to help reimburse the difference. Under the Yellow Ribbon Program, institutions of higher learning voluntarily enter into an agreement with the VA to fund tuition and fee expenses that exceed the highest public in-state undergraduate tuition and fee rate in their state.<sup>19</sup>

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<sup>8</sup> USA Today article: Vets go from Combat to Campus by Trevor Hughes. April 12, 2011 from [http://www.usatoday.com/news/education/2011-04-11-college-vets\\_N.htm](http://www.usatoday.com/news/education/2011-04-11-college-vets_N.htm)

<sup>9</sup> State University System of Florida 2012 Legislative Bill Analysis.

<sup>10</sup> E-mail correspondence with Florida College System staff September 23, 2011.

<sup>11</sup> Email correspondence with ICUF staff September 23, 2011. 2010-11 ICUF Accountability Report

<sup>12</sup> For more information on federal education benefits for veterans, see: <http://www.gibill.va.gov/benefits/index.html>.

<sup>13</sup> For more information, see <http://www.gibill.va.gov/benefits/index.html>.

<sup>14</sup> Chapter 30 of Title 38, U.S. Code

<sup>15</sup> Chapter 33 of Title 38, U.S. Code

<sup>16</sup> Congress passed the Post-9/11 Veterans Educational Assistance Act in June 2008, which came to be known as the Post-9/11 GI Bill.

<sup>17</sup> In addition to graduate and undergraduate degrees, individuals may use the Post-9/11 GI Bill benefits towards vocational/technical training, on-the-job training, flight training, correspondence training, licensing and national testing programs, and tutorial assistance.

<sup>18</sup> Post-9/11 GI Bill Pamphlet. Available at: [http://www.gibill.va.gov/documents/pamphlets/ch33\\_pamphlet.pdf](http://www.gibill.va.gov/documents/pamphlets/ch33_pamphlet.pdf).

<sup>19</sup> [http://www.gibill.va.gov/benefits/post\\_911\\_gibill/index.html](http://www.gibill.va.gov/benefits/post_911_gibill/index.html)

The Post-9/11 GI Bill also includes the Transfer of Post-9/11 GI-Bill Benefits to Dependents program which allows an individual to transfer Post-9/11 GI Bill benefits to the individual's spouse, one or more of the individual's children, or any combination of spouse and child. An eligible servicemember may transfer up to the total months of unused Post-9/11 GI Bill benefits, or the entire 36 months if the member has used none.

### **III. Effect of Proposed Changes:**

**Section 1** creates s. 1004.075, F.S., to require institutions within the Florida College System and the State University System of Florida that offer priority course registration for a segment of the student population (or upon the establishment of such policy) to provide priority course registration to veterans of the U.S. Armed Forces. Those eligible for priority registration under the bill include veterans using GI Bill educational benefits or the spouse or dependent children of a veteran to whom the GI Bill educational benefits have been transferred. The bill provides that qualified GI Bill users will be eligible for priority registration until the expiration of the GI Bill educational benefits.

**Section 2** creates s. 1005.09, F.S. to encourage independent postsecondary institutions that are under the jurisdiction of the Commission for Independent Education (Commission) or exempt from the jurisdiction of the Commission to provide the same benefit of priority course registration to veterans or their spouses or dependents who utilize GI Bill education benefits as public colleges and universities are required to provide under s. 1004.075, F.S.

**Section 3** provides that the bill takes effect July 1, 2012.

### **IV. Constitutional Issues:**

#### A. Municipality/County Mandates Restrictions:

None.

#### B. Public Records/Open Meetings Issues:

None.

#### C. Trust Funds Restrictions:

None.

### **V. Fiscal Impact Statement:**

#### A. Tax/Fee Issues:

None.

#### B. Private Sector Impact:

None.

C. Government Sector Impact:

The State University System of Florida and the Florida College System expect a minimal fiscal impact as a result of the bill. Both systems acknowledge that minimal expenses may occur due to additional administrative staff time required to notify and process eligible veteran students.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

A. Committee Substitute – Statement of Substantial Changes:

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

None.

B. Amendments:

None.

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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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