

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/SB 372

INTRODUCER: Education Committee; and Senators Lee, Cruz, Harrell, and others

SUBJECT: Postsecondary Education for Certain Military Personnel

DATE: January 22, 2019 **REVISED:** _____

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

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 372 promotes uniformity in the application of military training and education toward postsecondary credit (credit) or career education clock hours (clock hours) by public postsecondary educational institutions and establishes a fee waiver for active duty members and honorably discharged veterans of the United States Armed Forces. Specifically, the bill requires:

- The Articulation Coordinating Committee (ACC) of the Florida Department of Education to convene a workgroup to develop a process for prioritizing and determining when military courses and occupations are appropriate for credit. The process must be approved by the Board of Governors of the State University System (BOG) and the State Board of Education (SBE), in consultation with the Florida Department of Veterans' Affairs.
- The ACC to approve a list of postsecondary course equivalencies and credit and clock hours awarded for military courses and occupations, which must be approved by the BOG and SBE in the statewide articulation agreement.
- State universities, Florida College System (FCS) institutions, and career centers to award credit or clock hours based on the approved list.
- A state university, FCS institution, career center operated by a school district, or a charter technical career center to waive transcript fees for active duty servicemembers and honorably discharged veterans, and their spouses and dependents.

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

The bill takes effect upon becoming a law.

II. Present Situation:

Florida provides active duty servicemembers and honorably discharged veterans with a number of educational benefits.

Academic College Credit for Training and Education Acquired in the Military

Florida law requires the Board of Governors of the State University System (BOG) and the State Board of Education (SBE) to enable, through regulation and rule, eligible servicemembers and veterans to earn academic college credit at public postsecondary educational institutions based on college-level training and education acquired in the military.¹

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

- Equivalency and alignment of military coursework with appropriate college courses;
- Course descriptions;
- Type and amount of college credit that may be awarded; and
- Transfer of credit.²

Articulation Coordinating Committee

The Commissioner of Education, in consultation with the Chancellor of the State University System, establishes the Articulation Coordinating Committee (ACC), whose primary role is to recommend statewide articulation policies.³ Specifically, the ACC must monitor the alignment between the exit requirements of one education system and admission requirements of another education system into which students typically transfer. The ACC also proposes guidelines for interinstitutional agreements between institutions, including universities, career, and technical centers, and recommends to the BOG and the SBE dual enrollment courses for approval.⁴ The Office of K-20 Articulation within the Florida Department of Education provides administrative support to the ACC.⁵

Statewide Articulation Agreement

The SBE and the BOG are required to enter into a statewide articulation agreement, which the SBE must adopt by rule.⁶ The agreement must preserve Florida's "2+2" system of articulation and facilitate the seamless articulation of student credit across and among Florida's educational entities. Specifically, the statewide articulation agreement includes provisions that govern:

- Articulation between secondary and postsecondary education;
- The admission of associate in arts degree graduates to the upper division of a state university;

¹ Section 1004.096, F.S.; *see also* Board of Governors Regulation 6.013 and Rule 6A-14.0302, F.A.C.

² *Id.*

³ Section 1007.01(3), F.S.

⁴ Section 1007.01(3)(a) and (b), F.S.

⁵ Section 1007.01(3), F.S.; s. 20.15(3)(h), F.S.

⁶ Section 1007.23(1), F.S. *See also* Rule 6A-10.024, F.A.C.

- Articulation of career credit to academic credit programs;
- The application of acceleration mechanisms to postsecondary credit; and
- General education requirements.

Tuition and Fee Waivers

Florida law provides tuition and fee waivers to students in certain circumstances, including veterans and active duty members of the United States Armed Forces (Armed Forces) who meet specified criteria.⁷ Some waivers are mandatory,⁸ while others are permissive.⁹

The following fee waivers apply to current or former members of the Armed Forces or United States Reserve Forces:

- A person who resides in-state while enrolled in a program who is an honorably discharged veteran of the Armed Forces, the U.S. Reserve Forces, or the National Guard; or who uses the educational assistance provided by the United States Department of Veterans Affairs is eligible for, and must receive an out-of-state fee waiver from a state university, a Florida College System (FCS) institution, a career center operated by a school district, or a charter technical career center.¹⁰
- An active duty member of the Armed Forces residing or stationed out-of-state is eligible for, and must receive an out-of-state fee waiver from a state university, FCS institution, career center operated by a school district, or charter technical career center.¹¹
- An active duty member of the Armed Forces using military tuition assistance provided by the United States Department of Defense is eligible for, and may receive a waiver of any portion of the student activity and service, fee, the financial aid fee, the technology fee, the capital improvement fee, and any other fees otherwise authorized in law from an FCS institution.¹²
- A recipient of a Purple Heart or another combat decoration superior in precedence who is currently or was at the time of the military action a resident of the state is eligible for, and must receive a tuition waiver for an undergraduate or career certificate program from a state university, an FCS institution, a career center operated by a school district, or a charter technical career center.¹³

III. Effect of Proposed Changes:

Academic College Credit for Training and Education Acquired in the Military

The bill promotes uniformity in the application of military training and education toward postsecondary credit (credit) or career education clock hours (clock hours)¹⁴ by public

⁷ Section 1009.26, F.S.

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

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

¹⁰ Section 1009.26(13)(a), F.S.

¹¹ Section 1009.26(14)(a), F.S.

¹² Section 1009.26(15), F.S.

¹³ Section 1009.26(8), F.S.

¹⁴ Postsecondary credit is the type of credit assigned by a postsecondary institution to courses or course equivalent learning that is part of an organized and specified program leading to a baccalaureate, associate degree, certificate, or Applied Technology Diploma (ATD). One college credit is based on the learning expected from the equivalent of fifteen (15) fifty-minute periods of classroom instruction. A clock hour is the unit assigned to courses or course equivalent learning that is part

postsecondary educational institutions, and requires the Board of Governors of the State University System (BOG) and the State Board of Education (SBE), in consultation with the Department of Veterans' Affairs, to adopt regulations and rules, respectively, to create a system for the uniform award of credit or clock hours based on military training and education.

The bill requires the Articulation Coordinating Committee (ACC) to convene a workgroup by July 15, 2020, that is responsible for developing a process for prioritizing and determining postsecondary course equivalencies and the minimum credit or clock hours that must be awarded for courses taken and occupations held by individuals while in the military. The workgroup must provide recommendations to the BOG and the SBE by December 1, 2020, for approval at each board's next meeting that allows for adequate public notice.

The workgroup must consist of the following 13 members:

- The chair of the ACC, or his or her designee, serving as chair;
- Four members representing academic affairs administrators and faculty from state universities, appointed by the chair of the BOG;
- Four members representing academic affairs administrators and faculty from FCS institutions, appointed by the chair of the SBE;
- Two members representing faculty from career centers, appointed by the SBE; and
- Two members representing veterans, appointed by the executive director of the FDVA.

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

Upon BOG and SBE approval of the recommended process, the ACC must facilitate a review of military courses and occupations for postsecondary equivalencies and the minimum credit or clock hours that must be awarded.

Within one year after BOG and SBE approval of the ACC workgroup recommended process, the bill requires the ACC to approve a prioritized list of postsecondary course equivalencies and the minimum credit or clock hours that must be awarded for courses taken or occupations held by individuals during their service in the military. The list must then be adopted in the statewide articulation agreement by the BOG and SBE at the next meeting of each board allowing for adequate public notice. The list must be updated annually.

The bill requires state universities,¹⁵ FCS institutions, and career centers to award credit or clock hours, as applicable, for approved courses and occupations included in the list, if the credit or clock hours are applicable to the student's degree or certificate. Institutions may also grant additional credit or clock hours, if appropriate. Credit awarded on these bases is guaranteed to transfer to other public postsecondary institutions as if the credit was earned at the receiving institution.

of an organized and specified program leading to an ATD or a career and technical certificate. One clock hour is based on the learning expected from the equivalent of thirty (30) hours of instruction. Rule 6A-14.030, F.A.C.

¹⁵ It is unclear if such credit awarded would be included in the calculation of excess hours as required in s. 1009.286(4), F.S., and BOG Regulation 7.003(21). Board of Governors, *2020 Agency Analysis of SB 372* (Nov. 4, 2019), at 7. Credit hours earned through examinations (e.g., Advanced Placement or International Baccalaureate) or courses taken by active-duty military personnel are not included in the calculation of excess hours at a state university. Section 1009.286(4)(a) and (e), F.S.

Requiring the BOG and the SBE to adopt a uniform system and specified course equivalencies could lend greater consistency to the process of awarding academic credit based on military courses or occupations across all public postsecondary institutions.

Fee Waivers

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

The transcript fee waiver may further assist with making higher education more affordable for active duty members and honorably discharged veterans of the Armed Forces.

The bill takes effect upon becoming a 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:

Qualifying servicemembers and veterans may save money if additional postsecondary credit or clock hours are awarded for training and education they acquired in the military. In addition, qualifying servicemembers and honorably discharged veterans may save money through the transcript fee waiver, which will also apply to spouses and dependents.

C. Government Sector Impact:

The Board of Governors of the State University System (BOG) and the State Board of Education (SBE) may incur fiscal costs from the bill, based on the provisions that require the BOG and the SBE to amend or adopt new regulations and rules, and that require a workgroup to convene and draft recommendations.

In addition, institutions will have to waive the transcript fee for active duty servicemembers and honorably discharged veterans, and their spouses and dependents, and annually report the number of waivers to the BOG and the SBE. Based on 2017-18 student enrollment data, the BOG estimates that approximately 8,000 veterans or active duty members generate between \$48,000 to \$80,000 in transcript fees.¹⁶

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

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

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

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

CS by Education on December 9, 2019:

The committee substitute modifies the postsecondary course and credit evaluation process established in the bill. Specifically, the committee substitute:

- Includes an option for the application of military training and education to career education clock hours (clock hours), rather than only academic credit.
- Removes the requirement that the Articulation Coordinating Committee (ACC) workgroup review recommendations of the American Council on Education.

¹⁶ Board of Governors, *2020 Legislative Bill Analysis of SB 372* (Nov. 4, 2019), at 9.

- Modifies the process for review and approval of postsecondary course equivalencies and the minimum postsecondary credit (credit) and clock hours to be awarded, to:
 - Require an ACC workgroup to submit to the Board of Governors of the State University System (BOG) and State Board of Education (SBE) a process for prioritizing and determining postsecondary course equivalencies for military courses and occupations by December 1, 2020, which must be approved timely by the BOG and SBE.
 - Upon BOG and SBE approval of the workgroup's recommendations, require the ACC to facilitate a review of military courses and occupations, and postsecondary course equivalencies and credit and clock hour awards.
 - Require the ACC to approve a prioritized list of postsecondary course equivalencies and minimum credit and clock hour awards within one year of BOG and SBE approval of the workgroup's recommendations.
 - Require the BOG and SBE to timely approve in the statewide articulation agreement the list approved by the ACC.
 - Remove the January 1, 2022, date by which postsecondary institutions must award credit, and requires the award of credit and clock hours based on BOG and SBE approval.
- Changes the effective date from July 1, 2020, to upon becoming a law.

B. Amendments:

None.