

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 45 Postsecondary Education Course Registration for Veterans

**SPONSOR(S):** K-20 Innovation Subcommittee; Smith

**TIED BILLS:** **IDEN./SIM. BILLS:** SB 94

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) K-20 Innovation Subcommittee	15 Y, 0 N, As CS	Thomas	Sherry
2) Community & Military Affairs Subcommittee	15 Y, 0 N	Tait	Hoagland
3) Education Committee			

### SUMMARY ANALYSIS

The bill requires institutions within the Florida College System (FCS) and the State University System (SUS) that offer priority course registration for a segment of the student population (or upon the implementation of such a policy), to provide priority course registration to veterans of the U.S. Armed Forces who are receiving GI Bill educational benefits.

The bill encourages independent postsecondary educational institutions that offer priority course registration for a segment of the student population (or upon the implementation of such a policy) to provide priority course registration to veterans of the U.S. Armed Forces, who are receiving GI Bill educational benefits.

The spouse or dependent children of the veteran to whom the GI Bill educational benefits have been transferred would also be granted priority course registration.

The bill provides that qualified GI Bill users will be eligible for priority registration until the expiration of the GI Bill educational benefits.

The fiscal impact of the bill is minimal. (See Fiscal Comments)

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

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### **Present Situation**

##### **Priority Course Registration**

Florida laws authorize colleges and universities to establish rules and policies to govern admission of students to programs and courses within the institutions. All State University System and Florida College System institutions have priority course registration for designated groups of students as a component of their admission policies.<sup>1</sup>

Priority course registration allows designated groups of students at colleges and universities to register for courses for an upcoming semester before the entire student population is able to register. 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, honors college students, and student veterans.

Postsecondary institutions 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>2</sup> It is at the discretion of both public and private institutions of higher education whether or not to offer priority course registration and to determine which groups of students would be eligible. If an institution does not offer priority registration for veterans, students who are veterans register for courses at the same time as the general student population.

Currently, the following public colleges and universities 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. The institutions licensed by the Commission for Independent Education (Commission) currently enroll veterans but do not generally provide priority course registration for a segment of the population.<sup>3</sup>

For those veterans who attend institutions that do not provide priority course registration for veterans using the GI Bill, the Department of Veterans Affairs provided the following example: if a veteran using the GI Bill is a junior registering for classes, the veteran may have to wait for the seniors to register first. Then, the veteran would have to compete with other juniors to register for the class seats still available. If the veteran is unable to register for classes required for the degree, he or she would be unable to take non-degree electives to maintain full-time enrollment status and could receive a reduction of benefits through the GI Bill.<sup>4</sup>

##### **Federal GI Bill Education Benefits Programs for Veterans**

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. The most commonly utilized GI Bill benefits include the Montgomery GI Bill Active Duty and the Post 9/11 - GI Bill. The Post 9/11 -

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<sup>1</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 would include priority course registration policies. Section 1007.263, F.S., governs admissions of students to Florida College System institutions.

<sup>2</sup> Section 1.01(14), F.S. defines the term "veteran" as a person who serves in the active military, naval, or air service and who was discharged or released under honorable conditions only or who later receive an upgrade 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>3</sup> Department of Education Analysis, *Bill Analysis for HB 45* (August 17, 2011).

<sup>4</sup> Telephone conversation with Department of Veterans Affairs Office (November 8, 2011).

GI Bill is the most recent adaptation of the GI Bill and offers substantially enhanced financial assistance compared to the Montgomery GI Bill.

*The Montgomery GI Bill Active Duty (MGIB-AD) Educational Assistance Program  
(Chapter 30 of Title 38, U.S. Code)*

The benefits outlined in chapter 30 are available to veterans who served on active duty service beginning on or after July 1, 1985. In order to use benefits under the MGIB-AD, service members must serve on active duty for a minimum of two years and receive a fully honorable discharge. Recipients receive one month of benefits for each month of active duty.

The GI Bill monthly payment rate is determined by two factors: student status (full time, half time, or part time) and duty status. In most cases a student would be considered a full time student if he or she is taking 12 or more credits per semester. If a student is on active duty, the GI Bill will only reimburse for the actual tuition and expenses. Once a student leaves active duty service, the GI Bill will pay the full payment rate regardless of the actual cost of tuition.<sup>5</sup>

*The Post 9/11 Veterans Educational Assistance Program (Post-9/11)  
(Chapter 33 of Title 38, U.S. Code)*

In order to qualify for chapter 33 benefits, a service member must have served on active duty for a minimum of 90 days after September 10, 2001. A veteran's eligibility for benefits under this chapter expires 15 years from the date of the last discharge. Individuals eligible under chapter 33 are entitled to 36 months of educational assistance. Service members enrolled in the Post-9/11 GI Bill program are able to transfer unused education benefits to their spouses or children.

The new Post 9/11 GI Bill, which went into effect on August 1, 2009, provides education benefits for service members who have served on active duty for 90 or more days since Sept. 10, 2001. These benefits are tiered based on the number of days served on active duty, creating a benefit package that gives current and previously activated National Guard and Reserve members the same benefits as active duty service members.<sup>6</sup>

## **Veterans in Florida**

Florida's population of 1.6 million veterans is the third largest in the nation, after California and Texas.<sup>7</sup> 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.

Both nationwide and in Florida, there has recently been an influx of veterans on college campuses. Nationwide, the number of veterans enrolling in colleges has increased to approximately 800,000 veterans using the GI Bill in 2010, which is an increase of 40 percent from 2009.<sup>8</sup> In Florida there is a large student veteran presence in universities and colleges. For the 2010 academic year, 10,966 veterans and/or spouses or dependent children were enrolled in the State University System of

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<sup>5</sup> Active Duty Montgomery GI Bill User's Guide available at <http://www.military.com/education/content/gi-bill/active-duty-gi-bill-users-guide.html>

<sup>6</sup>New Post 9/11 GI Bill Overview available at <http://www.military.com/education/content/gi-bill/new-post-911-gi-bill-overview.html>.

<sup>7</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>8</sup> Trevor Hughes, *Vets Go From Combat to Campus*, USA Today, April 12, 2011, available at [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)

Florida;<sup>9</sup> 15,604 in the Florida College System;<sup>10</sup> 16,500 in private for-profit institutions; and 4,490 in private non-profit institutions.<sup>11</sup>

### **Effect of Proposed Changes**

This bill is intended to extend priority registration opportunities to veterans if the institution offers such opportunities to other students. More specifically, the bill requires institutions within the Florida College System and the State University System that offer priority course registration for a segment of the student population, or upon the implementation of such a policy, to provide priority course registration to veterans of the U.S. Armed Forces who are receiving GI Bill educational benefits. The bill also allows for the spouse or dependent children of the veteran to whom the GI Bill educational benefits have been transferred to be granted priority course registration. The bill will enable veterans who are utilizing GI Bill educational benefits to have greater access to available courses, thereby decreasing the number of excess hours taken by veterans and reducing the time to graduation.

The bill encourages independent postsecondary educational institutions<sup>12</sup> that offer priority course registration for a segment of the student population, or upon the implementation of such a policy, to provide priority course registration to veterans of the U.S. Armed Forces who are receiving GI Bill educational benefits. The spouse or dependent children of the veteran to whom the GI Bill educational benefits have been transferred must also be granted priority course registration. Since independent postsecondary institutions are not required to implement a priority course registration policy, the impact on veterans enrolled in those institutions will depend upon whether a policy is adopted.

The bill provides that qualified GI Bill recipients will be eligible for priority course registration until the expiration of the GI Bill educational benefits.

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

#### **B. SECTION DIRECTORY:**

**Section 1:** Creates s. 1004.075, F.S., relating to priority course registration for veterans – requiring institutions within the Florida College System and the State University System to provide priority course registration for veterans if a priority course registration policy is implemented or exists, providing eligibility requirements.

**Section 2:** Creates s. 1005.09, F.S. relating to priority course registration for veterans – encouraging certain independent postsecondary educational institutions to provide priority course registration for veterans.

**Section 3:** Provides an effective date of July 1, 2012.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

#### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

##### **1. Revenues:**

None.

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<sup>9</sup> Board of Governors Analysis, *Bill Analysis for HB 45* (September 16, 2011).

<sup>10</sup> Email, Florida Department of Education, Division of Florida Colleges (October 28, 2011).

<sup>11</sup> Independent Colleges & Universities of Florida Accountability Report, 13, (2010), *available at*

<http://www.icuf.org/newdevelopment/publications/icuf-accountability-report>

<sup>12</sup> Section 1005.02(11), F.S. defines the term “independent postsecondary educational institutions” as any postsecondary educational institution that operates in this state or makes application to operate in this state, and is not provided, operated, and supported by the State of Florida, its political subdivisions, or the Federal Government.”

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

A veteran or his or her spouse or dependent children receiving GI Bill educational benefits may benefit from priority course registration which would give the recipient greater access to the courses needed in order to move through a degree/certificate program rapidly and graduate earlier.

D. FISCAL COMMENTS:

The State University System and the Florida College System expect a minimal fiscal impact as a result of the priority course registration. Both systems acknowledge that minimal expenses may occur due to computer programming and related administrative costs of implementation.<sup>13</sup>

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On December 6, 2011, the K-20 Innovation Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment provided a definition of independent postsecondary educational institutions, as defined in s. 1005.02(11), F.S., that are encouraged to provide priority course registration for veterans.

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<sup>13</sup> Department of Education Analysis, *Bill Analysis for HB 45* (August 17, 2011).