

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 217 Postsecondary Education For Certain Military Personnel
SPONSOR(S): Higher Education & Career Readiness Subcommittee; Hattersley; Ponder and others
TIED BILLS: **IDEN./SIM. BILLS:** SB 442

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Higher Education & Career Readiness Subcommittee	12 Y, 0 N, As CS	D'Souza	Bishop
2) Higher Education Appropriations Subcommittee			
3) Education Committee			

SUMMARY ANALYSIS

The bill requires the Board of Governors (BOG) to adopt regulations and the State Board Education (SBE) to adopt rules to create a uniform system to enable servicemembers and veterans of the United States Armed Forces to earn academic college credit at public postsecondary educational institutions for college-level training, education, and experience acquired in the military. The bill delineates the minimum required procedures for evaluating military credentials and experience and awarding academic college credit based on such credentials and experience.

The bill requires state universities, Florida College System (FCS) institutions, career centers operated by a school district, and charter technical centers to waive the transcript fee for active duty members and honorably discharged veterans of the United States Armed Forces, and their spouses and dependents.

See fiscal comments.

The bill provides an effective date of July 1, 2019.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

College Credit

In 2012, the Legislature required the BOG and SBE to adopt regulations and rules to enable members of the United States Armed Forces to earn academic college credit at public postsecondary educational institutions for college-level training and education acquired in the military.¹ The regulations and rules must include procedures for credential evaluation and the award of academic college credit, including, but not limited to, 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

In 2016, the Legislature broadened the statute to also include veterans of the United States Armed Forces.³ The BOG and SBE have adopted and amended their own separate and respective regulations and rules to fulfil this statutory duty.⁴

Fee Waivers

Currently, active duty members of the United States Armed Forces are reimbursed for tuition through the US Department of Defense (DOD) Military Tuition Assistance (MTA) program.⁵ The DOD MTA program expressly prohibits the payment of fees, which are defined as any charge not directly related to course instruction.

In 2018, the Legislature authorized FCS institutions to waive any portion of specified fees that are not covered under the DOD MTA program so active duty servicemembers using the DOD MTA program would no longer incur out of pocket costs when they are enrolled in a FCS institution that elects to implement the fee waiver.⁶ These fees include the student activity and service fee, financial aid fee, technology fee, capital improvement fee, and any other fees authorized in s. 1009.23, F.S. Each FCS institution must report to the SBE the number and value of all fee waivers granted annually.

Effect of Proposed Changes

College Credit

The bill requires the BOG to adopt regulations and SBE to adopt rules to create a uniform system that enables servicemembers and veterans of the United States Armed Forces to earn academic college credit at public postsecondary educational institutions for college-level training, education, and experience acquired in the military.

¹ Chapter 2012-169, L.O.F.

² Section 1004.096, F.S.

³ Chapter 2016-142, L.O.F.

⁴ Rule 6A-14.0302, F.A.C., available at <https://www.flrules.org/gateway/ruleNo.asp?id=6A-14.0302> and Florida Board of Governors Regulation 6.013, available at https://www.flbog.edu/documents_regulations/regulations/FINAL%206.013%20Military%20Veterans%20and%20Active%20Duty%20.pdf

⁵ 38 USC Ch. 33: Post-9/11 EDUCATIONAL ASSISTANCE.

⁶ Chapter 2018-8, L.O.F.

The bill provides, at a minimum, that BOG regulation and SBE rule relating to the evaluation of military credentials, experience, and awarding academic college credit based on such credentials and experience must include the following:

- A list of courses for which academic college credit must be awarded for specified military credentials and experience.
- A policy for the mandatory transfer of academic college credits awarded between public and postsecondary educational institutions.
- The minimum number of academic college credits each public postsecondary educational institution must offer for qualifying military credentials and experience.

Additionally, the BOG and SBE must utilize the American Council on Education's "Guide to the Evaluation of Education Experiences in the Armed Services," or a similar resource if this guide is discontinued when determining what military credentials and experience will be applied toward the award of academic college credit.

Each public postsecondary educational institution may offer additional academic credits for military credentials and experience and is required to participate in the uniform system created under this bill.

Fee Waivers

The bill requires state universities, FCS institutions, career centers operated by a school district, and charter technical centers to waive the transcript fee for active duty members and honorably discharged veterans of the United States Armed Forces, and their spouses and dependents. Additionally, institutions must annually report to the BOG and the SBE the number and value of fee waivers granted.

B. SECTION DIRECTORY:

Section 1. Amends s. 1004.096, F.S., requiring the BOG and SBE to create a uniform system for the award of postsecondary college credit to certain servicemembers and veterans of the United States Armed Forces.

Section 2. Amends s. 1009.26, F.S., requiring specified postsecondary institutions to waive the transcript fee for active duty members of the United States Armed Forces and certain veterans, and their spouses and dependents.

Section 3. Provides and effective date of July 1, 2019.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Active duty members and honorably discharged veterans of the United States Armed Forces will no longer have to incur the cost of a transcript fee when they are enrolled in a state university, FCS institution, career center operated by a school district, or a charter technical center.

D. FISCAL COMMENTS:

State universities, FCS institutions, career centers operated by a school district, and charter technical centers will lose transcript fee revenue.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill provides the BOG and SBE with the authority to adopt regulations and rules to waive the transcript fee for active duty members and honorably discharged veterans of the United States Armed Forces, their spouses, and dependents.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On February 13, 2019, the Higher Education and Career Readiness Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The amendment expanded the transcript fee waiver to the spouses and dependents of active duty members and honorably discharged veterans of the Armed Forces of the United States.

The analysis is drafted to the committee substitute passed by the Higher Education and Career Readiness Subcommittee.