

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/CS/HB 217 Postsecondary Education For Certain Military Personnel

**SPONSOR(S):** Education Committee, Higher Education & Career Readiness Subcommittee; Hattersley; Ponder and others

**TIED BILLS:** None **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	12 Y, 0 N	Crowley	Lloyd
3) Education Committee	17 Y, 0 N, As CS	D'Souza	Hassell

### SUMMARY ANALYSIS

The bill requires, in consultation with the Department of Veterans' Affairs, the Board of Governors (BOG) to adopt regulations and the State Board of Education (SBE) to adopt rules to create a uniform system that enables servicemembers and veterans of the United States Armed Forces to earn postsecondary credit at public postsecondary educational institutions for experience, college-level training, and education, acquired in the military. The regulations and rules must include procedures for credential evaluation and the award of postsecondary credit, including, but not limited to, equivalency and alignment of military coursework with appropriate postsecondary courses and course descriptions.

The bill requires the Articulation Coordinating Committee (ACC) to:

- convene a workgroup to develop a uniform process for determining when military experience is appropriate for postsecondary credit;
- provide recommendations to the BOG and the SBE regarding a uniform process for determining postsecondary course equivalencies; and
- approve list of postsecondary course equivalencies and the minimum credit that must be awarded for military experience and credentials.

The bill requires the BOG and the SBE to adopt the list approved by the ACC. The bill requires state universities, Florida College System (FCS) institutions, and career centers to award postsecondary credit based on the list adopted by the BOG and the SBE, if the credit is applicable toward the student's degree or certificate.

The bill authorizes institutions to award additional postsecondary credit if appropriate. The bill guarantees credit awarded in accordance with minimum credit requirements to transfer to other state universities, FCS institutions, and career centers as if the credit were earned at the receiving institution.

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.

The bill would have minimal fiscal impact on state colleges and universities.

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

**This document does not reflect the intent or official position of the bill sponsor or House of Representatives.**

**STORAGE NAME:** h0217e.EDC

**DATE:** 3/14/2019

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Present Situation**

##### Postsecondary Credit

The Articulation Coordinating Committee (ACC) is a K-20 advisory body appointed by the Commissioner of Education.<sup>1</sup> It is comprised of representatives from all levels of public and private education: the State University System, the Florida College System (FCS), independent postsecondary institutions, public schools, nonpublic schools, and career and technical education. There is also an additional member representing students. The ACC exists to coordinate ways to help students move easily from institution to institution and from one level of education to the next.

In 2012, the Legislature required the Board of Governors (BOG) and the State Board of Education (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.<sup>2</sup> The regulations and rules 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.<sup>3</sup>

In 2016, the Legislature broadened the statute to also include veterans of the United States Armed Forces.<sup>4</sup> The BOG and SBE have adopted and amended their own separate and respective regulations and rules to fulfil this statutory duty.<sup>5</sup>

##### 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.<sup>6</sup> 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.<sup>7</sup> 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.

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<sup>1</sup> Florida Department of Education, *Articulation Coordinating Committee*, <http://www.fldoe.org/policy/articulation/committees/articulation-coordinating-committee-ov/meetings.stml> (last visited March 14, 2019).

<sup>2</sup> Chapter 2012-169, L.O.F.

<sup>3</sup> Section 1004.096, F.S.

<sup>4</sup> Chapter 2016-142, L.O.F.

<sup>5</sup> 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](https://www.flbog.edu/documents_regulations/regulations/FINAL%206.013%20Military%20Veterans%20and%20Active%20Duty%20.pdf)

<sup>6</sup> 38 USC Ch. 33: Post-9/11 EDUCATIONAL ASSISTANCE.

<sup>7</sup> Chapter 2018-8, L.O.F.

## Effect of Proposed Changes

### Postsecondary Credit

The bill requires, in consultation with the Department of Veterans' Affairs, 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 postsecondary credit at public postsecondary educational institutions for experience, college-level training, and education, acquired in the military. The regulations and rules must include procedures for credential evaluation and the award of postsecondary credit, including, but not limited to, equivalency and alignment of military coursework with appropriate postsecondary courses and course descriptions.

The bill requires the ACC to convene a workgroup by August 31, 2019 to develop a uniform process for determining when military experience is appropriate for postsecondary credit. The workgroup must be composed of the following 13 members:

- The chair of the ACC, who shall serve 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 chair of the SBE.
- Two members representing veterans, appointed by the executive director of the Department of Veterans' Affairs.

The bill requires the workgroup to provide recommendations regarding a uniform process for determining postsecondary course equivalencies and the minimum credit that must be awarded for military credentials and experience to the BOG and the SBE by December 1, 2019, for approval at the next publicly noticed meeting of each board. The Office of K-20 Articulation must provide administrative support for the workgroup.

The bill requires the ACC to facilitate the review of military experience and credentials for postsecondary course equivalencies and the amount of credit that must be awarded beginning no later than January 1, 2020, in accordance with the approved process. The ACC must approve a list of postsecondary course equivalencies and the minimum credit that must be awarded for military experience and credentials no later than November 30, 2020, and annually thereafter. The BOG and the SBE must adopt the list approved by the ACC at the next publicly noticed meeting of each board.

The bill requires state universities, FCS institutions, and career centers to award postsecondary credit based on the list adopted by the BOG and the SBE, if the credit is applicable toward the student's degree or certificate. Institutions may award additional postsecondary credit if appropriate. Credit awarded in accordance with minimum credit requirements is guaranteed to transfer to other state universities, FCS institutions, and career centers as if the credit were earned at the receiving institution.

### 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, in consultation with the Department of Veterans' Affairs, to create a uniform system for the award of postsecondary college credit to certain servicemembers and veterans of the United States military; requiring the ACC to convene a workgroup by a specified date; providing membership and duties of the workgroup; providing administrative support for the workgroup; requiring the workgroup to provide recommendations to the BOG and the SBE by a specified date; requiring the ACC to identify military experience and credentials for postsecondary credit by a specified date; requiring the ACC to approve and the BOG and the SBE to adopt a specified list; requiring certain postsecondary institutions to award credit for specified military experience and credentials; authorizing the award of additional credits; and requiring certain credits to transfer between specified postsecondary institutions.

**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 an effective date of July 1, 2019.

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

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

**1. Revenues:**

Allowing these students to earn course credit for their military training and experience and waiving their transcript fees would have a minimal impact on revenues appropriated through the Tuition and Fees Trust Fund.

**2. Expenditures:**

More students earning course credit outside of the college and university systems would result in a minimal reduction in expenditures needed for instruction, reducing the costs to both the state and the student.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

**1. Revenues:**

None.

**2. Expenditures:**

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

Postsecondary credit awarded for military experience and credentials could reduce the educational costs to students. Additionally, 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. At state colleges, which have a larger share of veteran students than state universities, veterans account for less than 3% of total enrollment.<sup>8</sup> Given the small number of fee waivers required by the bill, and the low cost of those fees, the loss will be minimal.

### 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 & 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 & Career Readiness Subcommittee.

On March 13, 2019, the Education Committee adopted an amendment and reported the bill favorably as a committee substitute. The amendment:

- Changes “academic college credit” to “postsecondary credit” to include career credit offered by FCS institutions and career centers/technical colleges.
- Specifies that the ACC shall convene a workgroup by August 1, 2019 to develop a uniform process for determining when military experience is appropriate for postsecondary credit and that the Office of K-20 Articulation will provide administrative support.
- Establishes membership for the workgroup, including:
  - Chair of the ACC, to serve 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 chair of the SBE; and
  - Two members representing veterans, appointed by the executive director of the Department of Veterans Affairs.

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<sup>8</sup> The Florida College System. (2011). *Program Review: Veterans in the Florida College System*. Retrieved from <http://www.fldoe.org/core/fileparse.php/7724/urlt/0072371-veteranspr.pdf>

- Provides deadlines for the workgroup to submit recommendations to the BOG and SBE and requires the BOG and SBE to approve those recommendations.
- Requires that the actual review of military experience for postsecondary course equivalencies begin no later than January 1, 2020.
- Requires the ACC to approve a list of postsecondary course equivalencies and the minimum credit that must be awarded for military experience by November 30, 2020, and annually thereafter.
- Requires the BOG and SBE to adopt the list approved by the ACC at the next publicly noticed meeting of each board.

The analysis is drafted to the committee substitute passed by the Education Committee.