

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 Military and Veterans Affairs and Space

BILL: SB 372

INTRODUCER: Senator Lee

SUBJECT: Postsecondary Education for Certain Military Personnel

DATE: November 12, 2019 REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------|----------------|-----------|------------------|
| 1. | Brown | Caldwell | MS | Favorable |
| 2. | | | ED | |
| 3. | | | AP | |

I. Summary:

SB 372 adds military experience to the list of qualifying bases for which servicemembers and veterans may earn postsecondary course credit from a public postsecondary educational institution. The bill requires the Board of Governors of the State University System of Florida (BOG) and the State Board of Education (SBE), in consultation with the Florida Department of Veterans' Affairs (FDVA) to adopt regulations and rules, respectively, which create a uniform system for the awarding of postsecondary credit based on military experience, training, and education.

The Articulation Coordinating Committee (Committee) of the Florida Department of Education will convene a 13-member workgroup consisting of the chair of the committee (to serve as chair), administrators and faculty from state universities and Florida College System institutions, faculty from career centers, and veterans. The workgroup will develop a uniform process for determining when military experience and credentials are appropriate for postsecondary credit. The Committee will then approve a list of postsecondary course equivalencies, including minimum credit, based on military experience and credentials. To determine equivalencies and credit, the workgroup will consult the American Council on Education Military Guide for courses and occupations listed since January 1, 2000. The list is subject to approval by the BOG and the SBE.

The bill additionally provides active duty servicemembers and honorably discharged veterans, and their spouses and dependents, a fee waiver on a transcript from a state university, Florida College System institution, career center operated by a school district¹, or a charter technical

¹ The term "career center" refers to an educational institution under the control of the district school board which offers terminal courses of a technical nature, and courses for out-of-school youth and adults, pursuant to s. 1001.44(3)(a), F.S.

career center². Each of these institutions must annually report to the BOG and the SBE the number and value of transcript fee waivers granted.

Fiscal impact is unknown.

While the bill takes effect July 1, 2020, the Committee must approve the list by September 1, 2021, subject to adoption by the BOG and the SBE by December 1, 2021. As of January 1, 2022, academic institutions and career centers must award postsecondary credit for approved courses and occupations.

II. Present Situation:

Florida provides a number of educational benefits specifically to servicemembers and veterans.

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.³

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.⁴

Tuition and Fee Waivers

Florida law provides tuition and fee waivers to students, in certain circumstances, including veterans and active duty members of the U.S. Armed Forces (USAF) who meet specified criteria.⁵ Some waivers are mandatory,⁶ while others are permissive.⁷

The following fee waivers apply to current or former members of the USAF or U.S. Reserve Forces:

- A person who resides in-state while enrolled in the program who is an honorably discharged veteran of the USAF, the United States Reserve Forces, or the National Guard; or who uses

² The term “charter technical career center” refers to a public school or a public technical center operated under a charter granted by the district school board or Florida College System (FCS) institution board of trustees or a consortium, including one or more district school boards and FCS institution boards of trustees, that include the school district in which the facility is located, that is nonsectarian, and that is managed by a board of directors, pursuant to s. 1002.34(3)(a), F.S.

³ Section 1004.096, F.S.; *see also* Board of Governors, Regulation 6.013 and Rule 6A-14.0302, F.A.C.

⁴ *Id.*

⁵ Section 1009.26, F.S.

⁶ Section 1009.26 (5), (7)-(8), (12)-(14), F.S.

⁷ Section 1009.26 (1)-(4), (6), (9)-(11), and (15), F.S.

the educational assistance provided by the United States Department of Veterans Affairs (VA) is eligible for, and must receive an out-of-state fee waiver from a state university, a Florida College System institution, a career center operated by a school district, or a charter technical career center.⁸

- An active duty member of the USAF residing or stationed out-of-state is eligible for, and must receive an out-of-state fee waiver from a state university, Florida College System institution, career center operated by a school district, or charter technical career center.⁹
- An active duty member of the USAF 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 a Florida College System institution.¹⁰
- 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, a Florida College System institution, a career center operated by a school district or a charter technical career center.¹¹

Articulation Coordinating Committee (Committee)

The Commissioner of Education, in consult with the Chancellor of the State University System, establishes the Articulation Coordinating Committee, whose primary role is to recommend statewide articulation policies.¹² Specifically, the Committee 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 Committee 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.¹³ The Office of K-20 Articulation within the Florida Department of Education provides administrative support to the Committee.¹⁴

The American Council on Education's Military Guide

In 1945, the American Council on Education (ACE) established the Commission on Accreditation of Service Experiences, renamed the Commission on Educational Credit and Credentials in 1979, to evaluate military educational programs and aid institutions in determining and granting credit for them. Credit recommendations and detailed summaries for formal courses and occupations offered by branches of the military are published in the ACE Military Guide. All recommendations are based on ACE reviews conducted by college and university faculty members who are actively teaching in the areas they review. Courses and occupations are evaluated for college credit based on appropriate content, scope, and rigor. New courses and

⁸ Section 1009.26(13)(a), F.S.

⁹ Section 1009.26(14)(a), F.S.

¹⁰ Section 1009.26(15), F.S.

¹¹ Section 1009.26(8), F.S.

¹² Section 1007.01(3), F.S.

¹³ Section 1007.01(3)(a) and (b), F.S.

¹⁴ Section 1007.01(3), F.S.; s. 20.15(3)(h), F.S.

occupations are continually considered and added to the Military Guide on a rolling basis. ACE only reviews courses and occupations selected by the military services.¹⁵

III. Effect of Proposed Changes:

Academic College Credit for Training and Education Acquired in the Military

SB 372 adds military experience to the list of qualifying bases (currently consisting of college-level training and education acquired in the military) for which servicemembers and veterans may earn academic college credit from a public postsecondary educational institution. The bill 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 (FDVA) to adopt regulations and rules, respectively, to create a uniform system for the awarding of postsecondary credit based on military experience, training, and education.

The bill requires the Articulation Coordinating Committee (Committee) to convene a workgroup by July 15, 2020, to establish a list of course equivalencies and the minimum postsecondary credit that must be awarded for submission to the Committee for approval. To determine equivalencies and credit, the workgroup will consult the American Council on Education Military Guide for courses and occupations listed since January 1, 2000.

The workgroup will consist of the following 13 members:

- The chair of the Committee, serving as chair;
- Four members representing academic affairs administrators and faculty from state universities, appointed by the chair of the Board of Governors (BOG);
- Four members representing academic affairs administrators and faculty from Florida College System institutions, appointed by the chair of the State Board of Education;
- Two members representing faculty from career centers, appointed by the chair of the State Board of Education; and
- Two members representing veterans, appointed by the executive director of the FDVA.

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

The Committee must review the list for approval by September 1, 2021. The approved list will then be adopted in regulation by the BOG and rule by the SBE by December 1, 2021. As of January 1, 2022, state universities, Florida College System institutions, and career centers must award credit for approved courses and occupations included in the list, if the credit is part of the student's degree or certificate. Credit awarded on these bases is guaranteed to transfer to other institutions as if the credit were earned at the receiving institution.

Requiring the BOG and the SBE to adopt a uniform system could lend greater consistency to the process of awarding academic credit based on military experience or occupations.

¹⁵ American Council on Education, Guide to the Evaluation of Educational Experiences in the Armed Forces, <https://www.acenet.edu/news-room/Pages/Military-Guide-Online.aspx> (last visited Oct. 24, 2019).

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 provide for this transfer fee.

The bill takes effect July 1, 2020.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, Section 18 of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Qualifying servicemembers and veterans may save money by receiving postsecondary credit for military experience and through the transcript fee waiver, which will also apply to spouses and dependents.

C. Government Sector Impact:

The Board of Governors (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.

Additionally, institutions will lose revenue from the loss in tuition, and 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 data provided by the Board of Governors of the State University System, a total of approximately 8,000 veterans or active duty members enrolled from 2017-18 would generate between \$48,000 to \$80,000 in transcript fees.¹⁶

Total fiscal impact from these requirements is unknown.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The Board of Governors of the State University System provided the following comments:

- Subsection 1009.286(4), F.S., may need to be amended to clarify whether any credit earned through this new evaluation of military training and occupations is exempted from the credit hours included in the calculation used for determining excess hours fee requirements;
- Increasing the number of credit hours attempted for these students will directly impact their eligibility for all federal financial aid and the Florida Student Assistant Grant due to the limits on the number of credit hours for which financial aid is awarded;
- Current review of credit-by-examination course equivalencies are conducted by faculty from related disciplines. The workgroup specified in the bill appears to have not only the task of developing a process for determining processes for evaluation but also the actual review of the courses. However, the workgroup member will not have the necessary expertise to evaluate all of the American Council on Education (ACE) courses and occupations required by the bill;
- The timeline required in the bill, from July 15, 2020 to August 31, 2021, is insufficient to review the list¹⁷ of military training occupations provided by ACE as outlined in the bill.¹⁸

VIII. Statutes Affected:

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

¹⁶ Board of Governors of the State University System, *2020 Legislative Bill Analysis* (Nov. 4, 2019)(on file with the Senate Committee on Military and Veterans Affairs and Space).

¹⁷ “The ACE associate director of military programs provided a list of unique courses reviewed in 2000-2019 to Board of Governors staff on October 11, 2019. The results showed the review of 5,237 courses during that timeframe.” *Id.*

¹⁸ *Id.*

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
