Postsecondary Education & Workforce Subcommittee

March 21, 2023
2:00 PM
Morris Hall (17 HOB)

Meeting Packet

Paul Renner
Speaker

Lauren Melo
Chair

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Postsecondary Education & Workforce Subcommittee

Start Date and Time: Tuesday, March 21, 2023 02:00 pm

End Date and Time: Tuesday, March 21, 2023 06:00 pm

Location: Morris Hall (17 HOB)

Duration: 4.00 hrs

Consideration of the following bill(s):

HB 459 Education by Giallombardo
HB 515 Office of Inspector General of the Board of Governors of the State University System by Silvers
HB 845 Collegiate Purple Star Campuses by Dunkley, Hunschofsky
HB 1603 Okeechobee County by Tuck

Consideration of the following proposed committee substitute(s):

PCS for HB 465 -- Workforce Education
PCS for HB 1247 -- William L. Boyd, IV, Effective Access to Student Education Grants

To submit an electronic appearance form, and for information about attending or testifying at a committee meeting, please see the "Visiting the House" tab at www.myfloridahouse.gov.

NOTICE FINALIZED on 03/17/2023 4:16PM by Haney.Kendall

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 459 Education
SPONSOR(S): Giallombardo and others
TIED BILLS: None **IDEN./SIM. BILLS:** SB 1654

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Postsecondary Education & Workforce Subcommittee		McDaniel	Kiner
2) Higher Education Appropriations Subcommittee			
3) Education & Employment Committee			

SUMMARY ANALYSIS

Computer science, including computer coding and programming, is defined by Florida law as "the study of computers and algorithmic processes, including their principles, hardware and software designs, applications, and societal impact." Problem solving, such as computational thinking, understanding and recognizing patterns, understanding and implementing sequencing, and understanding representation, or how computers represent data, are all foundational skills for computer science learning.

At the secondary level, all Florida College System (FCS) institutions and state university systems (SUS) require two credits of sequential foreign language instruction. A student must complete two consecutive years of a foreign language course in order to be eligible for the Florida Bright Futures Program.

The bill requires high schools to provide computer science courses with enough rigor that two credits in such courses and attainment of a related industry certification or technical certificate are equivalent to two credits of sequential foreign language instruction. The bill requires FCS and SUS institutions to recognize these credits as foreign language credits. The Commissioner's designated computer science courses, as well as computer science courses taken toward earning the relevant industry certification or technical certificate, must be included in the Course Code Directory.

The bill requires the Department of Education to include in the Bright Futures advertisement notification sent to students, teachers, school leaders, parents, and certified school counselors a list of approved apprenticeship programs, eligible postsecondary educational institutions, high-demand jobs and critical skill sets in the state, and a wage breakdown of jobs in the state. Beginning with the student's first year of high school, this notification must be sent.

The bill makes specific industry and career certificate pathway options, as well as designated apprenticeship programs, eligible for a Florida Bright Futures student award in the 2023-24 academic year and thereafter.

The bill contains clarifying language that converts semester credit hours to equivalent clock hours for award eligibility purposes. In addition, the bill provides retroactive authority for students to combine volunteer service and paid work to meet the volunteer service or paid work requirement. Eligible paid work completed on or after June 27, 2022 must be counted toward a student's total required paid work hours.

The bill has an indeterminate fiscal impact. *See* Fiscal Comments.

The bill has an effective date of July 1, 2023.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Computer Science Courses and Instruction

Florida law defines computer science as "the study of computers and algorithmic processes, including their principles, hardware and software designs, applications, and their impact on society."[1] Computer science also includes computer coding and computer programming.

Foundational skills for computer science learning include problem solving, such as computational thinking, understanding and recognizing patterns, understanding and implementing sequencing, and understanding representation, meaning how computers represent data.[2] One application of these skills is computational thinking, which refers to the thought processes involved in expressing solutions as computational steps or algorithms that can be carried out by a computer.[3] Essentially, it is a problem-solving process that designs solutions that capitalize on the power of computers.[4] Although typically associated with computer science, computational thinking can be applied in the classroom setting through lessons in core subject areas. For example, in English language arts, students may be asked to analyze simple sentences and determine a framework for generating similar sentences, using pattern recognition and problem solving skills.[5]

Public schools are required to provide students in grades K-12 opportunities for learning computer science including computer coding and computer programming.[6]
Such opportunities may include:[7]

- instruction on computer coding in elementary and middle school;
- instruction to develop computer usage and digital literacy skills in middle school; and
- courses in computer science, computer coding, and computer programming in high school, including opportunities to earn industry certifications related to the courses.

Computer science courses must be offered to students in high school and middle school.[8] The Florida Virtual School (FLVS) must offer computer science courses identified in the Course Code Directory. If a school district does not offer an identified course, the district must provide students access to the course through FLVS or through other means.[9] There are 70 middle and high school computer science courses currently identified in the Course Code Directory.[10]

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[1] Section 1007.2616(1), F.S.
[2] K-12 Computer Instruction Framework Steering Committee, *K-12 Computer Instructional Framework*, pgs. 183-198, available at https://k12cs.org/wp-content/uploads/2016/09/K%E2%80%9312-Computer-Science-Framework.pdf (last visited Feb. 24, 2023).
[3] *Id.* at 86.
[4] *Id*.
[5] Code.org, *Computational Thinking Lesson Assessment*, *available at* https://code.org/curriculum/course3/1/Assessment1-CompThinking.pdf (last visited Feb. 1, 2023). If provided the following sentences: "The triangle has three sides." and "The square has four sides." A student can determine a framework sentence of "The ____ has ____ sides." This framework provides the student a basis for describing additional shapes. *Id*.
[6] Section 1007.2616(2)(a), F.S.
[7] *Id*.
[8] *Id*.
[9] Section 1007.2616(3), F.S.
[10] Florida Department of Education, *Florida Course Code Directory Computer Science Course Information 2022-2023* (2023), *available at* https://www.fldoe.org/core/fileparse.php/7746/urlt/2223CompSci.pdf (last visited Feb. 24, 2023).

Foreign Language Requirement

All Florida College System (FCS) institutions and state universities require two credits of sequential foreign language instruction at the secondary level.[11] A student whose first language is not English is exempt from this requirement if he or she demonstrates proficiency in his or her native language. The foreign language requirement can be satisfied with two credits of American Sign Language.[12]

The Board of Governors (BOG) of the State University System oversees the performance of state university boards of trustees in the enforcement of laws, rules, and regulations.[13] The BOG provides that a limited number of first-time-in-college, degree-seeking students who do not meet the foreign language requirement may be admitted; however, these students must complete the foreign language requirement prior to receiving their baccalaureate degree.[14]

Effect of Proposed Changes

Under the bill, high schools are required to offer computer science courses with sufficient rigor, such that two credits in such courses and the attainment of a related industry certification or technical certificate are equivalent to two credits of sequential foreign language instruction.

The bill specifies that FCS and SUS institutions must recognize the credits as foreign language credits. The Course Code Directory must include computer science courses designated by the commissioner and computer science courses taken to earn the relevant industry certification or technical certificate.

Present Situation

Florida Bright Futures Scholarship Program

In 1997,[15] the Florida Legislature created the Florida Bright Futures Scholarship Program (Bright Futures Program), a lottery-funded scholarship program, to reward any Florida high school graduate who merits recognition of high academic achievement and who enrolls in a degree program, certificate program, or applied technology program at an eligible Florida public or private postsecondary education institution.[16]

The Bright Futures Program consists of the following awards:

- Florida Academic Scholarship (FAS);
- Florida Medallion Scholarship (FMS);
- Florida Gold Seal Career and Professional Education (CAPE) Scholarship; and
- Florida Gold Seal Vocational Scholarship(FGSV).[17]

Florida Academic Scholarship and Florida Medallion Scholarship

A Florida high school student who wishes to qualify for the Florida Academic Scholar (FAS) award or the Florida Medallion Scholars (FMS) award must graduate from a Florida public high school with a standard high school diploma, graduate from a registered Florida Department of Education (DOE) private high school, earn a general education diploma (GED), complete a home education program, or graduate from a non-Florida high school as an eligible student.[18]

[11] Section 1007.262, F.S., and BOG Regulation 6.002(1)(h).
[12] *Id.*
[13] Section 1008.322(1), F.S.
[14] Board of Governor's Regulation 6.002(1)(h)
[15] Chapter 97-379, L.O.F.
[16] Section 1009.53(1), F.S.
[17] Section 1009.53(2), F.S.
[18] 2022-23 Bright Futures Student Handbook, *Chapter 1: Initial Eligibility Requirements* (Oct. 2022), at 2, *available at* https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter1.pdf. An out-of-state student may qualify for a Bright Futures Scholarship if the student earned a high school diploma from a non-Florida school while living with a parent or guardian who is a Florida resident and on military or public service assignment away from Florida during the student's last year of high school. Florida

A student must also meet the following initial eligibility requirements:[19]

Scholarship Type	16 High School Course Credits[20]	High School Weighted Bright Futures GPA	College Entrance Exams (ACT/SAT)[21]	Volunteer Service[22]	Service Hours[23]
FAS[24]	4 - English *(three must include substantial writing)* 4 - Mathematics *(at or above the Algebra I level)* 3 - Natural Science *(two must have substantial laboratory)* 3 - Social Science 2 - World Language *(sequential, in same language)*	3.50	2022-23 Graduates 29/1330 2023-24 Graduates 29/1340	100 hours	100 hours
FMS[25]		3.00	2022-23 Graduates 25/1210 2023-24 Graduates 25/1210	75 hours	75 hours

A student who has demonstrated academic merit through a recognition program may be eligible for an FAS or FMS award without having to meet one or more of the requirements identified in the table above. These merit recognition programs include:[26]

- National Merit Finalists and Scholars;
- National Hispanic Scholars;
- Advanced International Certificate of Education (AICE) Diploma;
- International Baccalaureate (IB) Diploma;
- AICE Curriculum; and
- IB Curriculum.

An FAS award recipient is eligible for an award equal to the amount necessary to pay 100 percent of tuition and applicable fees and an additional stipend for textbooks as specified in the General Appropriations Act (GAA).[27] An FMS award recipient is eligible for an award equal to the amount necessary to pay 75 percent of tuition and fees,[28] however, an eligible FMS recipient enrolled at a Florida College System (FCS) institution is eligible for an award amount equal to the amount necessary to pay 100 percent of tuition and fees.[29]

Department of Education, *Florida Bright Futures Scholarship Program and the Out-Of-State Student* (2022-23), at 2, *available at* https://www.floridastudentfinancialaidsg.org/PDF/BFOOSGuide.pdf.

[19] 2022-23 Bright Futures Student Handbook, *Chapter 1: Initial Eligibility Requirements* (Oct., 2022), at 2, *available at* https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter1.pdf.

[20] The required coursework aligns with the State University System admission requirements found in Florida Board of Governor's Regulation 6.002, *Admission of Undergraduate First-Time-in-College, Degree-Seeking Freshmen*, *available at* https://www.flbog.edu/wp-content/uploads/6_002FINAL_FTIC_03252020.pdf.

[21] Section 1009.531(6)(b)-(d), F.S. To ensure the required exam scores represent top student performance and are equivalent between the ACT and SAT, the department determines the score for FAS as no lower than 89th national percentile on the SAT, for FMS no lower than 75th national percentile on the SAT, and the required ACT score must be made concordant. The department must publish any changes to the exam requirements that apply to students graduating in the next 2 years.

[22] Section 1009.534(1), F.S. (Flush-left provision at end of section). Beginning with a high school student graduating in the 2022-23 academic year and thereafter, 100 hours may be in either volunteer work or paid work. *Id.*

[23] *Id.*

[24] Section 1009.534, F.S.

[25] Section 1009.535, F.S.

[26] Section 1009.534(1)(b)-(e), F.S.

[27] Section 1009.534(2), F.S.

[28] Section 1009.535(2), F.S. and BOG Regulation

[29] *Id*. Beginning with the fall 2021 semester, an FMS who is enrolled in an associate degree program at an FCS institution is eligible for the award.

A student may receive an FAS or FMS award for a maximum of 100 percent of the number of credit hours required to complete an associate degree, baccalaureate degree, or postsecondary career certificate program.[30]

For the 2021-2022 academic year, a total of $396,650,804 dollars[31] were disbursed to 68,585 students[32] receiving an FAS award and $207,279,974 dollars[33] to 50,355 students[34] receiving an FMS award.

Florida Gold Seal Vocational Scholarship

A Florida high school student who wishes to qualify for the Florida Gold Seal Vocational Scholarship (FGSV) award must meet the following initial eligibility requirements:[35]

- Achieve a minimum 3.0 weighted GPA in the non-elective high school courses.
- Take at least three full credits in a single career and technical education program.
- Achieve a minimum 3.5 unweighted GPA in the career education courses.
- Complete 30 service hours or 100 hours of paid work (beginning with 2022-2023 graduates).
- Achieve the required minimum score on the ACT, SAT, or Florida Postsecondary Education Readiness Test (P.E.R.T.) exams depicted in the table below:[36]

Exam Type	Sub-test	Required Score
ACT	Reading	19
	English	17
	Mathematics	19
SAT	Reading Test	24
	Writing and Language Test	25
	Math Test	24
P.E.R.T.	Reading	106
	Writing	103
	Mathematics	114

A student may receive an FGSV award for a maximum of 100 percent of the number of credit hours or equivalent clock hours required to complete an applied technology diploma, associate in applied science or associate in science degree, or a postsecondary career certificate program.[37]

An FGSV award recipient is eligible for an award equal to the amount specified in the GAA.[38] The award amount in the GAA for FY 2022-23 is:[39]

- $39 per credit hour or equivalent for a career certificate program.
- $39 per credit hour for an applied technology diploma program.
- $48 per credit hour for an associate in applied science or associate in science degree program.

[30] Section 1009.532(3)(a), F.S.
[31] Florida Bright Futures Scholarship Program, *Florida Bright Futures Scholarship Disbursement History* (as of Sep. 2022), *available at* https://www.floridastudentfinancialaidsg.org/PDF/PSI/BFReportsD2.pdf.
[32] *Id*.
[33] Florida Bright Futures Scholarship Program, *Florida Medallion Scholars Disbursement History* (as of Sep. 2022), *available at* https://www.floridastudentfinancialaidsg.org/PDF/PSI/BFReportsD3.pdf.
[34] *Id*.
[35] Section 1009.532(1), F.S.; *see also* 2021-22 Bright Futures Student Handbook, *Chapter 1: Initial Eligibility Requirements* (Aug. 5, 2021), at 6, *available at* https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter1.pdf.
[36] *Id*.
[37] Section 1009.532(5)(a)1., F.S.; *see also* 2021-22 Bright Futures Student Handbook, *Chapter 2: What You Need to Know Now That You Are Eligible* (July 1, 2021), at 3, *available at* https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter2.pdf.
[38] Section 1009.536(3), F.S.
[39] Specific Appropriation 3, s.1, ch. 2022-156, L.O.F.

For the 2021-2022 academic year, a total of $549,221 dollars[40] were disbursed to 655 students[41] receiving an FGSV award.

Florida Gold Seal Career and Professional Education (CAPE) Scholarship

A Florida high school student who wishes to qualify for the Florida Gold Seal Career and Professional Education (FGSC) Scholarship must meet the following initial eligibility requirements:[42]

- Earn a minimum of five postsecondary credit hours through CAPE industry certifications which articulate for college credit.
- Complete 30 service hours.

A student may receive an FGSC award for a maximum of 100 percent of the number of credit hours or equivalent clock hours required to complete an applied technology diploma, associate in applied science or associate in science degree, or a postsecondary career certificate program.[43]

An FGSC award recipient is eligible for an award equal to the amount specified in the GAA.[44] The award amount in the GAA for FY 2022-23 is:[45]

- $39 per credit hour or equivalent for a career certificate program.
- $39 per credit hour for an applied technology diploma program.
- $48 per credit hour for an associate in applied science or associate in science degree program.

Upon completion of an eligible associate in science degree program, an FGSC scholar may also receive an award for a maximum of 60 credit hours toward the baccalaureate degree.[46] The award amount specified in the GAA for FY 2021-22 is:[47]

- $48 per credit hour for a bachelor of science program for which there is a statewide articulation agreement.
- $48 per credit hour for a bachelor of applied science program at an FCS institution.

For the 2021-2022 academic year, a total of $202,657 dollars[48] were disbursed to 242 students[49] receiving an FGSC award.

[40] Florida Bright Futures Scholarship Program, *Florida Gold Seal Vocational Scholars Disbursement History* (as of Sep. 2022), *available at* https://www.floridastudentfinancialaidsg.org/PDF/PSI/BFReportsD4.pdf.
[41] *Id*.
[42] Section 1009.536(2)(a)-(b), F.S.
[43] Section 1009.532(5)(b)1., F.S.; *see also* 2021-22 Bright Futures Student Handbook*, Chapter 2: What You Need to Know Now That You Are Eligible* (July 1, 2021), at 3, *available at* https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter2.pdf.
[44] Section 1009.536(3), F.S.
[45] Specific Appropriation 3, s.1, ch. 2022-156, L.O.F.
[46] Section 1009.536(5)(b)2., F.S.
[47] Specific Appropriation 3, s.1, ch. 2022-156, L.O.F.
[48] Florida Bright Futures Scholarship Program, *Florida Gold Seal CAPE Scholars Disbursement History* (as of Sep. 2022), *available at* https://www.floridastudentfinancialaidsg.org/PDF/PSI/BFReportsD5.pdf.
[49] *Id*.

Student Volunteer Requirements for the Florida Bright Futures Scholarship Program

Each award in the Bright Futures Program requires a student to complete a specified number of hours of volunteer service work to be eligible to receive a scholarship award. A student must meet the following service requirements:

Bright Futures Scholarship Program	Required Service Hours[50]
FAS	100 volunteer or paid work hours
FMS	75 volunteer hours or 100 paid work hours
FGSV	30 volunteer hours or 100 hours of paid work
FGSC	30 volunteer hours or 100 hours of paid work

The student's volunteer service work or paid work must be approved by the district school board, the administrators of a nonpublic school, or the DOE for home education students.[51]

Each district school board and the administrators of a nonpublic school must establish approved activities and the process for documentation of service hours, including the deadline by which the hours must be completed.[52] Service work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office.[53] Except for credit earned through service-learning courses,[54] the student may not receive payment or academic credit for service work performed.[55]

The hours earned by a student must be documented in writing, signed by the student and the student's parent or guardian, and a representative of the organization where the work was performed.

In addition to the service hours, a student must identify a social or civic issue or a professional area that interests him or her, develop a plan for their personal involvement in addressing the issue or learning more about the area, and, through papers or presentations, evaluate and reflect upon his or her experience.[56]

Florida's Career and Technical Education Credential Types

Public career, technical and adult education programs are found within three education sectors: Florida public school districts; Florida school districts with workforce education programs; and FCS institutions.[57] There are several different career and technical credential types offered in Florida.[58]

The Career Certificate signifies a student has successfully completed a clock hour postsecondary career education program and is ready for employment in a field that requires non-college credit

[50] Sections 1009.534(1), 1009.535(1), 1009.536(1)(e), F.S.
[51] *Id*.
[52] 2021-22 Bright Futures Student Handbook, *Chapter 1: Initial Eligibility Requirements* (Aug. 5, 2021), at 4 and 6-7, *available at* https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter1.pdf.
[53] *Id*.
[54] Section 1003.497, F.S.
[55] 2021-22 Bright Futures Student Handbook, *Chapter 1: Initial Eligibility Requirements* (Aug. 5, 2021), at 4 and 6-7, *available at* https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter1.pdf.
[56] *Id*.
[57] Kathy Hebda, Florida Department of Education, *Workforce Education System Overview*, presentation to the House Postsecondary Education & Employment Committee (Jan. 24, 2023) at 3, *available at* https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3247&Session=2023&DocumentType=Meeting+Packets&FileName=pew+1-24-23.pdf.
[58] *Id* at 6.

postsecondary training.[59] The program varies in length from 40 hours or more to more than 1,500 hours.[60]

The Applied Technology Diploma (ATD) signifies a student has successfully completed a (clock hour or college credit) postsecondary career education program and is ready for employment in a field. The program has embedded statewide articulation leading to the award of an AS degree.[61] This pathway is offered by colleges or in school districts as non-college credit. An ATD program is a course of study that is part of an Associate in Science (AS) degree or an Associate in Applied Science (AAS) degree. The AS and AAS prepares students for occupations that require a two-year technical degree.[62]

The College Credit Certificate prepares students for entry into employment in a field that requires some college credit but less than a degree and signifies a student has successfully completed part of an AS degree.[63]

The Advanced Technical Certificate (ATC) prepares students who already have earned an AS, AAS, or baccalaureate degree with an advanced specialized program of instruction.[64]

Apprenticeship Programs

Apprenticeship and pre-apprenticeship training programs are an important part of Florida's workforce education ecosystem. Registered apprenticeship and pre-apprenticeship ensure the most qualified workforce for Florida's industries; they also give students the opportunity to gain advanced skills and knowledge, allowing them to find meaningful work and advance in and enjoy productive careers.[65]

Florida had 328 registered apprenticeship and pre-apprenticeship programs operating in 2021-22, training a total of 17,179 apprentices and pre-apprentices.[66] Furthermore, 1,917 apprentices completed their program, earning an apprenticeship certificate and an average exit wage of $23.86 per hour, or $49,629 per year.[67] In 2021-22, the DOE registered 27 new apprenticeship programs, bringing the total to 275 programs training 15,479 apprentices, as well as 16 new pre-apprenticeship programs, bringing the total to 53 pre-apprenticeship programs.[68]

Florida's registered apprenticeship programs require the following five core components: business involvement, structured on-the-job training, related technical instruction, rewards for skill gains, and a nationally recognized credential.[69]
Apprentices are individuals who are at least 16 years of age and who have entered into an agreement with a registered apprenticeship sponsor. They are a hired employee of the participating employer in an

[59] *Id*.
[60] Florida Department of Education, *The Florida College System Transparency, Accountability, Progress, and Performance*, at 2, *available at* https://www.fldoe.org/core/fileparse.php/7724/urlt/0083531-fcsawardtypestapp.pdf.
[61] Kathy Hebda, Florida Department of Education, *Workforce Education System Overview*, presentation to the House Postsecondary Education & Employment Committee (Jan. 24, 2023) at 6, *available at* https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3247&Session=2023&DocumentType=Meeting+Packets&FileName=pew+1-24-23.pdf.
[62] Florida Department of Education, *The Florida College System Transparency, Accountability, Progress, and Performance*, at 2, *available at* https://www.fldoe.org/core/fileparse.php/7724/urlt/0083531-fcsawardtypestapp.pdf.
[63] Kathy Hebda, Florida Department of Education, *Workforce Education System Overview*, presentation to the House Postsecondary Education & Employment Committee (Jan. 24, 2023) at 6, *available at* https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3247&Session=2023&DocumentType=Meeting+Packets&FileName=pew+1-24-23.pdf.
[64] *Id.*
[65] Florida Department of Education, Florida's Annual Apprenticeship and PreApprenticeship Report (2021-22), at 4, *available at* https://www.fldoe.org/core/fileparse.php/9904/urlt/2122ApprenticeshipReport.pdf.
[66] *Id* at 6.
[67] *Id.*
[68] *Id.*
[69] *Id* at 9-10.

"earn while you learn" model and engaged in learning the occupation through actual supervised work experiences.[70]

Effect of Proposed Changes

The bill amends the Florida Bright Futures Scholarship Program to incorporate student enrollment in designated apprenticeship programs as eligible to receive scholarship funding.

The bill requires the DOE to include a list of approved apprenticeship programs, eligible postsecondary educational institutions, high-demand jobs and critical skill sets in the state, and a wage breakdown of jobs in the state in the Bright Futures advertisement notification sent to students, teachers, school leaders, parents, and certified school counselors. This notification must be sent beginning with the student's first year of high school.

The bill includes clarifying language that converts semester credit hours to equivalent clock hours for the purpose of award eligibility. Furthermore, the bill changes the volunteer and work requirements to 75 hours of volunteer service, 100 hours of paid work, or a combination totaling 100 hours. Eligible paid work completed on or after June 27, 2022 must be included in a student's total number of required paid work hours.

The bill adds industry and career certificate options as eligible for a Florida Bright Futures student award in the 2023-24 academic year and thereafter. Students pursuing an industry certification will be eligible for an award for the following pathways:

Pathway	Credit Hours	Exceptions or Provisions
Industry Certification	Up to the number of hours required for the certificate	Not to exceed 36 credit hours or equivalent clock hours.
Technical Certificate	Up to the number of hours required for a specific certificate	Not to exceed 15 credit hours or equivalent clock hours.
Applied Technology Diploma	Up to the number of hours required for a specific diploma	Not to exceed 50 credit hours or equivalent clock hours.
Career and Technical Certificate	Up to the number of hours required for a specific certificate.	Not to exceed 19 credit hours or equivalent clock hours.
Apprenticeship Program	Up to the number of credit hours for a certificate of completion.	The student must not be not exempt from paying tuition and fees, including lab fees. 100 percent of the books, tools, and materials necessary to complete the apprenticeship program must not exceed $2,000.

B. SECTION DIRECTORY:

Section 1. Amending s. 1007, 2616, F.S., requiring high schools to offer certain computer science courses; requiring such courses to satisfy specified instruction requirements; requiring Florida College System institutions and state universities to recognize credits from such courses as foreign language credits; requiring such courses to be included in the Course Code Directory.

Section 2. Amending s. 1009.53, F.S., conforming provisions to changes made by the act; requiring the Department of Education to include specified information in an annual notification to certain individuals.

[70] *Id* at 12.

Section 3. Amending s. 1009.532, F.S., beginning in a specified academic year, authorizing students who earn a Florida Gold Seal Vocational Scholars award to enroll in certain programs.

Section 4. Amending s. 1009.533, F.S., providing that entities that operate apprenticeship programs are considered a postsecondary institution eligible for participation in the program.

Section 5. Amending s. 1009.534, F.S., authorizing students to use a combination of volunteer service hours and paid work hours to meet certain program eligibility requirements; providing that paid work hours completed on or after a specified date shall be used to meet certain program eligibility requirements.

Section 6. Amending s. 1009.535, F.S., authorizing students to use a combination of volunteer service hours and paid work hours to meet certain program eligibility requirements; providing that paid work hours completed on or after a specified date shall be used to meet certain program eligibility requirements.

Section 7. Amending s. 1009.536, F.S., authorizing the department to identify aptitude tests students may use to demonstrate readiness for postsecondary education for specified purposes; authorizing students to use a combination of volunteer service hours and paid work hours to meet certain program eligibility requirements; providing that paid work hours completed on or after a specified date shall be used to meet certain program eligibility requirements; authorizing students who earn a Florida Gold Seal Vocational Scholars award to enroll in certain programs.

Section 8. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

   None.

2. Expenditures:

   See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

   None.

2. Expenditures:

   None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill may save students money and increase access to postsecondary opportunities by authorizing approved apprenticeship programs and alternative aptitude tests to qualify for the Bright Futures Program.

D. FISCAL COMMENTS:

The fiscal impact of the bill is indeterminate. By authorizing approved apprenticeship programs and alternative aptitude tests to meet eligibility requirements under the Bright Futures Program, the number of students who may qualify and program cost/expenditures may increase.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

Not applicable.

A bill to be entitled

An act relating to education; amending s. 1007.2616, F.S.; requiring high schools to offer certain computer science courses; requiring such courses to satisfy specified instruction requirements; requiring Florida College System institutions and state universities to recognize credits from such courses as foreign language credits; requiring such courses to be included in the Course Code Directory; amending s. 1009.53, F.S.; conforming provisions to changes made by the act; requiring the Department of Education to include specified information in an annual notification to certain individuals; amending s. 1009.532, F.S.; beginning in a specified academic year, authorizing students who earn a Florida Gold Seal Vocational Scholars award to enroll in certain programs; amending s. 1009.533, F.S.; providing that entities that operate apprenticeship programs are considered a postsecondary education institution eligible for participation in the program; amending ss. 1009.534 and 1009.535, F.S.; authorizing students to use a combination of volunteer service hours and paid work hours to meet certain program eligibility requirements; providing that paid work hours completed on or after a specified date shall be used to meet

certain program eligibility requirements; amending s. 1009.536, F.S.; authorizing the department to identify aptitude tests students may use to demonstrate readiness for postsecondary education for specified purposes; authorizing students to use a combination of volunteer service hours and paid work hours to meet certain program eligibility requirements; providing that paid work hours completed on or after a specified date shall be used to meet certain program eligibility requirements; authorizing students who earn a Florida Gold Seal Vocational Scholars award to enroll in certain programs; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (7) and (8) of section 1007.2616, Florida Statutes, are renumbered as subsections (8) and (9), respectively, and a new subsection (7) is added to that section, to read:

1007.2616 Computer science and technology instruction.—

(7) High schools must provide students opportunities to take computer science courses of sufficient rigor, as identified by the commissioner, such that two credits in such courses and the earning of a related industry certification or technical certificate satisfies two credits of sequential foreign language

instruction. Florida College System institutions and state universities must recognize the credits as foreign language credits. Computer science courses identified by the commissioner and computer science courses taken to earn the related industry certification or technical certificate shall be included in the Course Code Directory.

Section 2. Subsections (1), (3), and (6) of section 1009.53, Florida Statutes, are amended to read:

1009.53 Florida Bright Futures Scholarship Program.—

(1) The Florida Bright Futures Scholarship Program is created to establish a lottery-funded scholarship program to reward any Florida high school graduate who merits recognition of high academic achievement and who enrolls in a degree program, certificate program, ~~or~~ applied technology program, or apprenticeship program, as defined in s. 446.021(6), at an eligible Florida public or private postsecondary education institution.

(3) The Department of Education shall administer the Bright Futures Scholarship Program according to rules and procedures established by the State Board of Education. A single application must be sufficient for a student to apply for any of the awards. The department shall advertise the availability of the scholarship program and shall notify students, teachers, parents, certified school counselors, and principals or other relevant school administrators of the criteria and application

procedures. The notification must also include a list of approved apprenticeship programs, eligible postsecondary educational institutions, high-demand jobs and critical skill sets in the state, and a wage breakdown of jobs in the state. The department must begin this process of notification no later than January 1 of each year beginning with a student's freshman year.

(6) A student enrolled in 6 to 8 semester credit hours or the equivalent clock hours may receive up to one-half of the maximum award; a student enrolled in 9 to 11 credit hours or the equivalent clock hours may receive up to three-fourths of the maximum award; and a student enrolled in 12 or more credit hours or the equivalent clock hours may receive up to the full award.

Section 3. Paragraphs (a) and (b) of subsection (1), subsection (2), and paragraph (a) of subsection (3) of section 1009.532, Florida Statutes, are amended to read:

1009.532 Florida Bright Futures Scholarship Program; student eligibility requirements for renewal awards.—

(1) To be eligible to renew a scholarship from any of the scholarships under the Florida Bright Futures Scholarship Program, a student must:

(a) Effective for students funded in the 2009-2010 academic year and thereafter, earn at least 24 semester credit hours or the equivalent clock hours in the last academic year in which the student earned a scholarship if the student was

enrolled full time, or a prorated number of credit hours or clock hours as determined by the Department of Education if the student was enrolled less than full time for any part of the academic year.

(b) Maintain the cumulative grade point average or the equivalent required by the scholarship program, except that:

1. If a recipient's grades fall beneath the average required to renew a Florida Academic Scholarship, but are sufficient to renew a Florida Medallion Scholarship, a Florida Gold Seal CAPE Scholarship, or a Florida Gold Seal Vocational Scholarship, the Department of Education may grant a renewal from one of those other scholarship programs, if the student meets the renewal eligibility requirements; or

2. For students initially eligible in the 2010-2011 academic term and thereafter, if at any time during a student's first academic year the student's grades or the equivalent are insufficient to renew the scholarship, the student may restore eligibility by improving the grade point average or the equivalent to the required level. A student is eligible for such a restoration one time. The Legislature encourages education institutions to assist students to calculate whether or not it is possible to raise the grade point average or the equivalent during the summer term. If the education institution determines that it is possible, the institution may so inform the department, which may reserve the student's award if funds are

available. The renewal, however, must not be granted until the student achieves the required cumulative grade point average or the equivalent. If the summer term is not sufficient to raise the grade point average or the equivalent to the required renewal level, the student's next opportunity for renewal is the fall semester of the following academic year.

(2) For students initially eligible in the 2010-2011 academic term and thereafter, and unless otherwise provided in this section, if a student does not meet the requirements for renewal of a scholarship because of lack of completion of sufficient credit hours or insufficient grades or the equivalent, the scholarship shall be renewed only if the student failed to complete sufficient credit hours or to meet sufficient grade requirements or the equivalent due to verifiable illness or other documented emergency, in which case the student may be granted an exception from academic requirements pursuant to s. 1009.40(1)(b)4.

(3)(a) A student who is initially eligible in the 2023-2024 ~~2012-2013~~ academic year and thereafter may receive an award for a maximum of 100 percent of the number of credit hours required to complete an associate degree program, a baccalaureate degree program, or a postsecondary career certificate program or, for a Florida Gold Seal Vocational Scholars award, may receive an award for a maximum of 100 percent of the number of credit hours or equivalent clock hours

required to complete one of the following at a Florida public or nonpublic education institution that offers these specific programs: for an applied technology diploma program as defined in s. 1004.02(7), up to 60 credit hours or equivalent clock hours; for a technical degree education program as defined in s. 1004.02(13), up to the number of hours required for a specific degree not to exceed 72 credit hours or equivalent clock hours; ~~or~~ for a career certificate program as defined in s. 1004.02(20), up to the number of hours required for a specific certificate not to exceed 72 credit hours or equivalent clock hours; for an industry certification, up to the number of hours required for a specific certificate not to exceed 36 credit hours or equivalent clock hours; for a technical certificate, up to the number of hours required for a specific certificate not to exceed 15 credit hours or equivalent clock hours; for an applied technology diploma, up to the number of hours required for a specific diploma not to exceed 50 credit hours or equivalent clock hours; for a career and technical certificate, up to the number of hours required for a specific certificate not to exceed 19 credit hours or equivalent clock hours; or for an apprenticeship program, as defined in s. 446.021(6), up to the number of credit hours or equivalent clock hours required for a registered apprenticeship certificate of completion if the student is not exempt from paying tuition and fees, including lab fees, under s. 1009.25, and 100 percent of the tools, books,

and materials necessary to complete the apprenticeship program not to exceed $2,000. A student who transfers from one of these program levels to another program level becomes eligible for the higher of the two credit hour limits.

Section 4. Subsection (6) is added to section 1009.533, Florida Statutes, to read:

1009.533 Florida Bright Futures Scholarship Program; eligible postsecondary education institutions.—A student is eligible for an award or the renewal of an award from the Florida Bright Futures Scholarship Program if the student meets the requirements for the program as described in this act and is enrolled in a postsecondary education institution that meets the description in any one of the following subsections:

(6) An entity that operates an apprenticeship program, as defined in s. s. 446.021(6).

Section 5. Subsection (1) of section 1009.534, Florida Statutes, is amended to read:

1009.534 Florida Academic Scholars award.—

(1) A student is eligible for a Florida Academic Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and:

(a) Has achieved a 3.5 weighted grade point average as calculated pursuant to s. 1009.531, or its equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses and has

attained at least the score required under s. 1009.531(6)(a) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(b) Has attended a home education program according to s. 1002.41 during grades 11 and 12, has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma, or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score required under s. 1009.531(6)(a) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(c) Has been awarded an International Baccalaureate Diploma from the International Baccalaureate Office or an Advanced International Certificate of Education Diploma from the University of Cambridge International Examinations Office;

(d) Has been recognized by the merit or achievement programs of the National Merit Scholarship Corporation as a scholar or finalist; or

(e) Has been recognized by the National Hispanic

Recognition Program as a scholar recipient.

The student must complete a program of volunteer service or, beginning with a high school student graduating in the 2022-2023 academic year and thereafter, paid work, as approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students, which must include 100 hours of volunteer service, ~~or~~ paid work, or a combination of both. Eligible paid work completed on or after June 27, 2022, shall be included in the student's total of paid work hours. The student may identify a social or civic issue or a professional area that interests him or her and develop a plan for his or her personal involvement in addressing the issue or learning about the area. The student must, through papers or other presentations, evaluate and reflect upon his or her volunteer service or paid work experience. Such volunteer service or paid work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service or paid work must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service or paid work.

Section 6. Subsection (1) of section 1009.535, Florida

Statutes, is amended to read:

1009.535 Florida Medallion Scholars award.—

(1) A student is eligible for a Florida Medallion Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and:

(a) Has achieved a weighted grade point average of 3.0 as calculated pursuant to s. 1009.531, or the equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses and has attained at least the score required under s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(b) Has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score required under s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(c) Has attended a home education program according to s.

1002.41 during grades 11 and 12 and has attained at least the score required under s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(d) Has been recognized by the merit or achievement program of the National Merit Scholarship Corporation as a scholar or finalist but has not completed the program of volunteer service or paid work required under s. 1009.534; or

(e) Has been recognized by the National Hispanic Recognition Program as a scholar, but has not completed the program of volunteer service or paid work required under s. 1009.534.

A high school student must complete a program ~~at least 75 hours~~ of volunteer service or, beginning with a high school student graduating in the 2022-2023 academic year and thereafter, ~~100 hours of~~ paid work approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students, which must include 75 hours of volunteer service, 100 hours of paid work, or 100 hours of a combination of both. Eligible paid work completed on or after June 27, 2022, shall be included in a student's total of required paid work hours. The student may

identify a social or civic issue or a professional area that interests him or her and develop a plan for his or her personal involvement in addressing the issue or learning about the area. The student must, through papers or other presentations, evaluate and reflect upon his or her volunteer service or paid work experience. Such volunteer service or paid work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service or paid work must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service or paid work.

Section 7. Paragraphs (b) and (e) of subsection (1), paragraph (b) of subsection (2), and paragraph (a) of subsection (5) of section 1009.536, Florida Statutes, are amended to read:

1009.536 Florida Gold Seal Vocational Scholars and Florida Gold Seal CAPE Scholars awards.—The Florida Gold Seal Vocational Scholars award and the Florida Gold Seal CAPE Scholars award are created within the Florida Bright Futures Scholarship Program to recognize and reward academic achievement and career preparation by high school students who wish to continue their education.

(1) A student is eligible for a Florida Gold Seal Vocational Scholars award if he or she meets the general

eligibility requirements for the Florida Bright Futures Scholarship Program and:

(b) Demonstrates readiness for postsecondary education by earning a passing score on:

1. The Florida College Entry Level Placement Test or its equivalent as identified by the Department of Education; or

2. Other aptitude tests identified by the department, including, but not limited to, the Armed Services Vocational Aptitude Battery and ACT WorkKeys Assessments.

(e) Completes at least 30 hours of volunteer service or, beginning with high school students graduating in the 2022-2023 academic year and thereafter, 100 hours of paid work, approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students, or 100 hours of a combination of both. Eligible paid work completed on or after June 27, 2022, shall be included in a student's total of required paid work hours. The student may identify a social or civic issue or a professional area that interests him or her and develop a plan for his or her personal involvement in addressing the issue or learning about the area. The student must, through papers or other presentations, evaluate and reflect upon his or her volunteer service or paid work experience. Such volunteer service or paid work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service

organization, or activities on behalf of a candidate for public office. The hours of volunteer service or paid work must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service or paid work.

(2) A student is eligible for a Florida Gold Seal CAPE Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program, and the student:

(b) Completes at least 30 hours of volunteer service or, beginning with a high school student graduating in the 2022-2023 academic year and thereafter, 100 hours of paid work, approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students, or 100 hours of a combination of both. Eligible paid work completed on or after June 27, 2022, shall be included in a student's total required paid work hours. The student may identify a social or civic issue or a professional area that interests him or her and develop a plan for his or her personal involvement in addressing the issue or learning about the area. The student must, through papers or other presentations, evaluate and reflect upon his or her experience. Such volunteer service or paid work may include, but is not limited to, a business or governmental internship, work for a

nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service or paid work must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service or paid work.

(5)(a) A student who is initially eligible in the 2023-2024 ~~2012-2013~~ academic year and thereafter may earn a Florida Gold Seal Vocational Scholarship for a maximum of 100 percent of the number of credit hours or equivalent clock hours required to complete one of the following at a Florida public or nonpublic education institution that offers these specific programs: for an applied technology diploma program as defined in s. 1004.02(7), up to 60 credit hours or equivalent clock hours; for a technical degree education program as defined in s. 1004.02(13), up to the number of hours required for a specific degree not to exceed 72 credit hours or equivalent clock hours; ~~or~~ for a career certificate program as defined in s. 1004.02(20), up to the number of hours required for a specific certificate not to exceed 72 credit hours or equivalent clock hours; for an industry certification, up to the number of hours required for a specific certificate not to exceed 36 credit hours or equivalent clock hours; for a technical certificate, up to the number of hours required for a specific certificate not to exceed 15 credit hours or equivalent clock hours; for an

applied technology diploma, up to the number of hours required for a specific diploma not to exceed 50 credit hours or equivalent clock hours; for a career and technical certificate, up to the number of hours required for a specific certificate not to exceed 19 credit hours or equivalent clock hours; or for an apprenticeship program, as defined in s. 446.021(6), up to the number of credit hours or equivalent clock hours required for a registered apprenticeship certificate of completion if the student is not exempt from paying tuition and fees, including lab fees, under s. 1009.25, and 100 percent of the tools, books, and materials necessary to complete the apprenticeship program not to exceed $2,000.

Section 8. This act shall take effect July 1, 2023.

PCS for HB 465

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCS for HB 465 Workforce Education
SPONSOR(S): Postsecondary Education & Workforce Subcommittee
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Postsecondary Education & Workforce Subcommittee		Dixon	Kiner

SUMMARY ANALYSIS

The bill increases the cap on the amount the Department of Education may reimburse an institution to $9,000, from $3,000, per completed workforce training program by an eligible student participating in the Open Door Grant Program. The bill also clarifies that a student is eligible to receive funding after all other federal and state financial aid or any other private or public financial assistance is applied. The bill also prohibits an institution from imposing additional criteria to determine student eligibility from that which is provided under current law.

The bill does not have a fiscal impact to the state but may have an impact on the private sector. *See* fiscal comments.

The bill is effective upon becoming law.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Open Door Grant Program

In 2021, the Legislature established the Open Door Grant Program (ODG)[1] in order to create and sustain a demand-driven supply of credentialed workers for high-demand occupations, expand the affordability of workforce training and credentialing, and increase the interest of current and future workers in short-term, high-demand career and technical education credentialing and certificate programs.[2] Grants are provided to school districts' postsecondary technical centers and Florida College System institutions to cover up to two-thirds of the cost of short-term, high-demand programs for eligible students upon successful completion and award of a credential of value. The ODG provides short-term training for high-demand programs in Florida, offering job seekers an opportunity to obtain expedited and affordable training.

Subject to availability of funds, under the ODG, a student who enrolls in an eligible program offered by an institution[3] and who does not receive state or federal financial aid may apply for and be awarded a grant to cover two-thirds of the cost of the program[4], if:[5]

- at the time of enrollment, the student pays one-third of the cost of the program and signs an agreement to either complete the program; or
- pay an additional one-third of the cost of the program in the event of noncompletion.

Once a student completes the program, the department[6] reimburses the institution in an amount equal to one-third of the cost of the program. An additional one-third will be provided upon attainment of a workforce credential or certificate by the student. Grant funds may be used to cover the student's one-third of the cost of the program for students in integrated education and training programs and students who do not have a high school diploma and meet the requirements established by the department. An institution may cover the student's one-third of the cost of the program based on student need, as determined by the institution.[7]

A student receiving state or federal financial aid who enrolls in an eligible program offered by an institution may apply for and be awarded a grant to cover the unmet need of the cost of the program after the application of all eligible financial aid. Financial aid and grants received by the student will be credited first to the student's costs before the award of a grant. After a student is enrolled in an eligible program, the department will award the grant to the institution for the amount of unmet need for the eligible student.[8] The department may not reimburse any institution more than $3,000 per completed workforce training program by an eligible student.[9]

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[1] Section 1009.895, F.S.
[2] Section 1009.895(1)(d), F.S., "Program" means a noncredit industry certification preparation, clock hour career certificate program, or for-credit short-term career and technical education program that results in the award of credentials identified under s. 445.004(4).
[3] Section 1009.895(1)(c), F.S., "Institution" means school district postsecondary technical career centers under s. 1001.44, Florida College System institutions under s. 1000.21(3), charter technical career centers under s. 1002.34, and school districts with eligible integrated education and training programs.
[4] Section 1009.895(1)(a), F.S., "Cost of the program" means the cost of tuition, fees, examination, books, and materials to a student enrolled in an eligible program.
[5] Section 1009.895(4)(a), F.S.
[6] Section 1009.895(1)(b), F.S., "Department" means the Department of Education.
[7] *Id.*
[8] Section 1009.895(4)(b), F.S.
[9] Section 1009.895(5), F.S.

In fiscal year 2021-2022, the Florida Legislature appropriated $35 million for the Open Door Grant Program, with $15 million appropriated to school districts and $20 million appropriated to the Florida College System.[10]

FY 2021 - 2022				
	Number of Institutions Applying for Awards	**Median Award Amount**	**Amount Expended**	**Most Common Credentials**
FCS Institutions	25 FCS Institutions	$532,846	$585,055	Public Safety Program – Firefighter, EMT, Law Enforcement) Healthcare
School Districts	25 school districts	$360,268	$504,100	Welding Public Safety – Firefighter, EMT, Law Enforcement Healthcare

In fiscal year 2022-2023, the Florida Legislature appropriated $15 million for the Open Door Grant program, with $15 million appropriated to school districts and $20 million appropriated to the Florida College System.[11]

Effects of Proposed Changes

The bill increases the cap on the amount the Department of Education may reimburse an institution to $9,000 from $3,000 per completed workforce training program by an eligible student participating in the Open Door Grant Program. The bill also clarifies that a student is eligible to receive funding after all other federal and state financial aid or any other private or public financial assistance is applied. The bill also prohibits an institution from imposing additional criteria to determine student eligibility from that which is provided under current law.

B. SECTION DIRECTORY:

Section 1: Amends s. 1009.895; prohibiting institutions from imposing additional criteria to determine student eligibility; revising student eligibility requirements; increasing the amount the Department of Education may reimburse an institution through the Open Door Grant Program for a completed workforce training program; revising the requirements for such workforce training programs.

Section 2: Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

   None.

2. Expenditures:

   See Fiscal Comments.

[10] Specific Appropriations 121A and 129A, s. 2, ch. 2021-36, L.O.F.
[11] Specific Appropriations 117 and 126, s. 2, ch. 2022-156, L.O.F.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Due to the increased amount of Open Door Grant reimbursement a postsecondary education institution can receive, the bill may reduce the overall number of grants available to eligible workforce training program students.

D. FISCAL COMMENTS:

The bill does not have a fiscal impact to the state. However, by increasing the amount of grant reimbursement an institution can receive per completed workforce training program (from $3,000 to $9,000), the number of students able to participate in or benefit from the grant program may be reduced.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

Not applicable.

A bill to be entitled

An act relating to workforce education; amending s. 1009.895; prohibiting institutions from imposing additional criteria to determine student eligibility; revising student eligibility requirements; increasing the amount the Department of Education may reimburse an institution through the Open Door Grant Program for a completed workforce training program; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (4) and (5) of section 1009.895, Florida Statutes, are amended to read:

1009.895 Open Door Grant Program.—

(4) Subject to the availability of funds:

(a) A student who enrolls in an eligible program offered by an institution and who does not receive state or federal financial aid may apply for and be awarded a grant to cover two-thirds of the cost of the program, if at the time of enrollment the student pays one-third of the cost of the program and signs an agreement to either complete the program or pay an additional one-third of the cost of the program in the event of noncompletion. The department shall reimburse the institution in an amount equal to one-third of the cost of the program upon a

CODING: Words stricken are deletions; words underlined are additions.

student's completion of the program. An additional one-third shall be provided upon attainment of a workforce credential or certificate by the student. Grant funds may be used to cover the student's one-third of the cost of the program for students in integrated education and training programs and students who do not have a high school diploma and meet the requirements established by the department. An institution may cover the student's one-third of the cost of the program based on student need, as determined by the institution.

(b) A student receiving state or federal financial aid who enrolls in an eligible program offered by an institution may apply for and be awarded a grant to cover the unmet need of the cost of the program after the application of all eligible financial aid. Financial aid and grants received by the student shall be credited first to the student's costs before the award of an open door grant. After a student is enrolled in an eligible program, the department shall award the grant to the institution for the amount of unmet need for the eligible student.

<u>An institution may not impose additional criteria to determine a student's eligibility to receive a grant under this section. A student is eligible to receive an award after all other federal and state financial aid or any other private or public financial assistance is applied.</u>

(5) The department may not reimburse any institution more than $9,000 ~~$3,000~~ per completed workforce training program by an eligible student.

Section 2. This act shall take effect upon becoming a law.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

HB 515

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 515 Office of Inspector General of the Board of Governors of the State University System
SPONSOR(S): Silvers
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Postsecondary Education & Workforce Subcommittee		Dixon	Kiner
2) Constitutional Rights, Rule of Law & Government Operations Subcommittee			
3) Education & Employment Committee			

SUMMARY ANALYSIS

The Board of Governors (BOG) is responsible for operating, regulating, controlling, and being fully responsible for the management of the State University System. Pursuant to Florida's Constitution, the BOG's management is subject to the powers of the Legislature to appropriate for the expenditure of funds. Like other state agencies, the BOG has an Office of Inspector General charged with promoting accountability, financial integrity and efficiency as required by law. The BOG IG is also charged with detecting fraud and abuse within state universities.

While the Governor's Chief Inspector General may exercise subpoena power on behalf of state agencies under the Governor's control, the BOG Inspector General does not have the authority to exercise subpoena power on behalf of a state university. In 2019, the Florida House of Representatives conducted an investigation into the unauthorized use of appropriated funds for fixed capital outlay projects at the University of Central Florida. Among the investigatory findings was the BOG's Office of Inspector General lacks resources to exercise the robust investigative role intended by the inspector general statutes and that such resources are essential to holding universities accountable to the BOG. To address the finding, the investigatory report recommended the BOG Inspector General investigate significant complaints or reports of possible waste, fraud and mismanagement and submit investigative findings to the Board of Governors, the Speaker of the House and Senate President. The investigatory report further recommended, if requested by the BOG, consideration be given to authorize the BOG Inspector General to exercise subpoena power on behalf of a state university.

The bill authorizes the BOG Inspector General, or designee, to issue and serve subpoenas duces tecum on behalf of the BOG or a state university to compel the attendance of witnesses and the production of documents, reports, answers, records, accounts, and other data in any medium.

In the event of noncompliance with a subpoena issued, the bill authorizes the BOG Inspector General to petition the circuit court of the county in which the person subpoenaed resides or has his or her principal place of business for an order requiring the subpoenaed person to appear and testify and to produce documents, reports, answers, records, accounts, or other data as specified in the subpoena.

The bill also provides for the BOG Inspector General to require or allow a person to file a statement, in writing, under oath, as to all the facts and circumstances concerning the matter that is to be audited, examined, or investigated.

The bill does not appear to have a fiscal impact on state government.

The bill has an effective date of July 1, 2023.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Governor's Chief Inspector General

The Office of Chief Inspector General (CIG) is responsible for promoting accountability, integrity, and efficiency in agencies under the Governor's jurisdiction.[1] The CIG monitors the activities of the agency inspectors general under the Governor's jurisdiction and is required, among other things, to do the following:

- Initiate, supervise, and coordinate investigations and carry out other activities designed to deter, detect, prevent, and eradicate fraud, waste, abuse, mismanagement, and misconduct in government;
- Investigate, upon receipt of a complaint or for cause, any administrative action of any agency, the administration of which is under the direct supervision of the Governor;
- Examine the records and reports of any agency the administration of which is under the direct supervision of the Governor;
- Coordinate complaint-handling activities with agencies;
- Coordinate the activities of the Whistle-blower's Act and maintain the whistle-blower's hotline to receive complaints and information concerning the possible violation of law or administrative rules, mismanagement, fraud, waste, abuse of authority, malfeasance, or a substantial or specific danger to the health, welfare, or safety of the public;
- Report expeditiously to and cooperate fully with the Department of Law Enforcement, the Department of Legal Affairs, and other law enforcement agencies when there are recognizable grounds to believe that there has been a violation of criminal law or that a civil action should be initiated;
- Act as liaison and monitor the activities of the inspectors general in the agencies under the Governor's jurisdiction; and
- Conduct special investigations and management reviews at the request of the Governor.[2]

In exercising the authority of the office, the Governor's Chief Inspector General, may, among other things, issue and serve subpoenas and subpoenas duces tecum, for agencies under the jurisdiction of the Governor, to compel the attendance of witnesses and the production of documents, reports, answers, records, accounts, and other data in any medium.[3]

Agency Inspectors General

An Office of Inspector General (OIG) is established in each state agency[4] to provide a central point for the coordination of and responsibility for activities that promote accountability, integrity, and efficiency in government.[5] Each agency OIG is, among other things, responsible for the following:

- Supervising and coordinating audits, investigations, and management reviews relating to the programs and operations of the agency;

[1] S. 14.32(1), F.S.
[2] S. 14.32(2), F.S.
[3] S. 14.32(5)(b), F.S.
[4] S. 20.055(1)(d), F.S. defines the term "state agency" as each department created pursuant to ch. 20, F.S., and the Executive Office of the Governor, the Department of Military Affairs, the Fish and Wildlife Conservation Commission, the Office of Insurance Regulation of the Financial Services Commission, the Office of Financial Regulation of the Financial Services Commission, the Public Service Commission, the Board of Governors of the State University System, the Florida Housing Finance Corporation, the Florida Gaming Control Commission, and the state courts system.
[5] S. 20.055(2), F.S.

- Conducting, supervising, or coordinating other activities carried out or financed by the agency for the purpose of promoting economy and efficiency in the administration of, or preventing and detecting fraud and abuse in, its programs and operations;
- Keeping the agency head,[6] or the CIG for agencies under the jurisdiction of the Governor, informed concerning fraud, abuses, and deficiencies relating to programs and operations administered or financed by the agency; recommending corrective action concerning fraud, abuses, and deficiencies; and reporting on the progress made in implementing corrective action;
- Ensuring effective coordination and cooperation between the Auditor General, federal auditors, and other governmental bodies to avoid duplication; and
- Ensuring that an appropriate balance is maintained between audit, investigative, and other accountability activities.

With respect to investigations, each OIG must initiate, conduct, supervise, and coordinate investigations designed to detect, deter, prevent, and eradicate fraud, waste, mismanagement, misconduct, and other abuses in state government.[7] For these purposes, each inspector general must do the following:

- Receive complaints and coordinate all activities of the agency as required by the Whistle-blower's Act;
- Receive and consider the complaints that do not meet the criteria for an investigation under the Whistle-blower's Act and conduct, supervise, or coordinate such inquiries, investigations, or reviews as the inspector general deems appropriate;
- Report expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, when the inspector general has reasonable grounds to believe there has been a violation of criminal law;
- Conduct investigations and other inquiries free of actual or perceived impairment to the independence of the inspector general or the inspector general's office, including freedom from any interference with investigations and timely access to records and other sources of information;
- Submit to entities contracting with the state or an individual substantially affected the findings of investigations involving such entities or individual, who must be advised that they may submit a written response to the findings, and whose written response, if any, must be included in the final report along with the inspector general's rebuttal, if any; and
- Submit timely final reports on investigations to the agency head, except for whistle-blower's investigations, which must be conducted and reported pursuant to the Florida Whistle-blower's Act.[8]

Board of Governors Inspector General

The Board of Governors (BOG) is responsible for operating, regulating, controlling, and being fully responsible for the management of the State University System. Pursuant to Florida's Constitution, the BOG's management is subject to the powers of the Legislature to appropriate for the expenditure of funds. Like other state agencies, the BOG has an Office of Inspector General charged with promoting accountability, financial integrity and efficiency as required by law. The BOG IG is also charged with detecting fraud and abuse within state universities.

If the BOG determines that the board of trustees of a state university is unwilling or unable to address substantiated allegations of waste, fraud, or financial mismanagement within a state university, the

[6] S. 20.055(1)(a), F.S., defines the term "agency head" as the Governor, a Cabinet officer, a secretary as defined in s. 20.03(5), F.S., or an executive director as defined in s. 20.03(6), F.S., the chair of the Public Service Commission, the Director of the Office of Insurance Regulation of the Financial Services Commission, the Director of the Office of Financial Regulation of the Financial Services Commission, the board of directors of the Florida Housing Finance Corporation, the chair of the Florida Gaming Control Commission, and the Chief Justice of the State Supreme Court.
[7] S. 20.055(7), F.S.
[8] *Id*.

BOG Inspector General must conduct, coordinate, or an request investigation into the substantiated allegations.[9]

The BOG Inspector General, when performing its duties, must have access to all information and personnel necessary to perform its duties and will have all of its current powers, duties and responsibilities as authorized in s. 20.055, F.S.[10]

In 2019, the Florida House of Representatives conducted an investigation into the unauthorized use of appropriated funds for fixed capital outlay projects at the University of Central Florida. Among the investigatory findings was the BOG's Office of Inspector General lacks resources to exercise the robust investigative role intended by the inspector general statutes and that such resources are essential to holding universities accountable to the BOG. To address the finding, the investigatory report recommended the BOG Inspector General investigate significant complaints or reports of possible waste, fraud and mismanagement and submit investigative findings to the Board of Governors, the Speaker of the House and Senate President. The investigatory report further recommended, if requested by the BOG, consideration be given to authorize the BOG Inspector General to exercise subpoena power on behalf of a state university.

Effect of Proposed Changes

The bill authorizes the BOG Inspector General, or designee, to issue and serve subpoenas duces tecum on behalf of the BOG or a state university to compel the attendance of witnesses and the production of documents, reports, answers, records, accounts, and other data in any medium.

In the event of noncompliance with a subpoena issued, the bill authorizes the BOG Inspector General to petition the circuit court of the county in which the person subpoenaed resides or has his or her principal place of business for an order requiring the subpoenaed person to appear and testify and to produce documents, reports, answers, records, accounts, or other data as specified in the subpoena.

The bill also provides for the BOG Inspector General to require or allow a person to file a statement, in writing, under oath, as to all the facts and circumstances concerning the matter that is to be audited, examined, or investigated.

B. SECTION DIRECTORY:

Section 1: Amends s. 20.155, F.S.; authorizing the Office of Inspector General to issue and serve subpoenas duces tecum for specified purposes and require or allow certain persons to file specified statements; authorizing the office to petition certain courts for specified purposes.

Section 2: Provides an effective date.

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:

[9] S. 20.155(5), F.S.
[10] *Id.*

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

See Fiscal Comments.

D. FISCAL COMMENTS:

This bill does not appear to have a fiscal impact on state or local government.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

If the intent of the bill is to mirror s. 14.32(5)(b), F.S., which authorizes the Governor's Chief Inspector General to exercise subpoena power on behalf of a state agency under the Governor's control, the sponsor may wish to amend the bill to authorize the BOG Inspector General to issue 'subpoenas' in addition to 'subpoenas duces tecum.'

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

A bill to be entitled

An act relating to the Office of Inspector General of the Board of Governors of the State University System; amending s. 20.155, F.S.; authorizing the Office of Inspector General to issue and serve subpoenas duces tecum for specified purposes and require or allow certain persons to file specified statements; authorizing the office to petition certain courts for specified purposes; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (5) of section 20.155, Florida Statutes, is amended to read:

20.155 Board of Governors of the State University System.—

(5)(a) OFFICE OF INSPECTOR GENERAL.—An Office of Inspector General shall be organized using existing resources and funds to promote accountability, efficiency, and effectiveness and to detect fraud and abuse within state universities. If the Board of Governors determines that a state university board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement, the office shall conduct, coordinate, or request investigations into substantiated allegations made by any person relating to waste, fraud, or financial mismanagement

CODING: Words stricken are deletions; words underlined are additions.

within a state university. The office shall have access to all information and personnel necessary to perform its duties and shall have all of its current powers, duties, and responsibilities authorized in s. 20.055.

(b)1. In exercising authority under this subsection, the Office of Inspector General or his or her designee may:

a. Issue and serve subpoenas duces tecum for the Board of Governors or the state universities in the State University System to compel the attendance of witnesses and the production of documents, reports, answers, records, accounts, and other data in any medium.

b. Require or allow a person to file a statement in writing, under oath or otherwise, as to all the facts and circumstances concerning the matter to be audited, examined, or investigated.

2. In the event of noncompliance with a subpoena issued under this paragraph, the Inspector General may petition the circuit court of the county in which the person subpoenaed resides or has his or her principal place of business for an order requiring the subpoenaed person to appear and testify and to produce documents, reports, answers, records, accounts, or other data as specified in the subpoena.

Section 2. This act shall take effect July 1, 2023.

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	__	(Y/N)
ADOPTED AS AMENDED	__	(Y/N)
ADOPTED W/O OBJECTION	__	(Y/N)
FAILED TO ADOPT	__	(Y/N)
WITHDRAWN	__	(Y/N)
OTHER	_____	

Committee/Subcommittee hearing bill: Postsecondary Education & Workforce Subcommittee

Representative Silvers offered the following:

Amendment (with title amendment)

Remove lines 16-42 and insert:

(5) OFFICE OF INSPECTOR GENERAL.—An Office of Inspector General shall be organized using existing resources and funds to promote accountability, efficiency, and effectiveness and to detect fraud and abuse within state universities.

(a) If the Board of Governors determines that a state university board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement, the office must ~~shall~~ conduct, coordinate, or request investigations into substantiated allegations made by any person relating to waste,

fraud, or financial mismanagement within a state university. The office shall have access to all information and personnel necessary to perform its duties and shall have all of its current powers, duties, and responsibilities authorized in s. 20.055.

(b) In exercising its authority under this section, the office may do any of the following:

1. Issue and serve subpoenas and subpoenas duces tecum, for the Board of Governors or universities under the jurisdiction of the State University System, to compel the appearance of witnesses and the production of documents, reports, answers, records, accounts, and other data in any medium.

2. Require or authorize a person to file a written statement, under oath if required, as to all the facts and circumstances concerning the matter to be audited, examined, or investigated.

(c) In the event of noncompliance with a subpoena issued under paragraph (b), the office may petition the

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T I T L E A M E N D M E N T

Remove lines 4-9 and insert:

amending s. 20.155, F.S.; granting the Office of the Inspector General of the Board of Governors additional

authority to take certain actions in carrying out its duties; providing an effective date.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 845 Collegiate Purple Star Campuses
SPONSOR(S): Dunkley and others
TIED BILLS: **IDEN./SIM. BILLS:** SB 732

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Postsecondary Education & Workforce Subcommittee		McDaniel	Kiner
2) Local Administration, Federal Affairs & Special Districts Subcommittee			
3) Education & Employment Committee			

SUMMARY ANALYSIS

Students from military families face academic and mental health challenges as they transition to new schools as a result of a parent's change in duty station. In 2021, the Florida Legislature established the Purple Star School of Distinction Program to recognize K-12 schools that support the unique needs of military families, assist military-connected students in navigating critical challenges, and provide resources for military-connected students. In 2022, the Florida Department of Education recognized 122 inaugural Purple Star Schools of Distinction.

The bill establishes the Collegiate Purple Star Campuses Program, modeled after the K-12 Purple Star School of Distinction Program. This program will identify participating Florida College System (FCS), state university system (SUS) institutions, or career centers that support military-connected collegiate students.

At a minimum, the program must require a participating FCS, SUS, or career center to: designate a staff member as a military liaison; maintain a web page on the FCS or SUS website which includes resources for military students and their families; maintain a student-led transition program that assists military students in transitioning to the FCS or SUS system; offer professional development training opportunities for staff members on issues relating to military students; and provide priority course registration for military students.

The State Board of Education (SBE) and Board of Governors (BOG) may establish additional criteria to identify FCS, SUS, and career centers that demonstrate a commitment to or provide critical transition supports for military-connected families.

The bill requires the SBE to adopt rules, and the BOG to adopt regulations, to implement the program.

The bill has no fiscal impact to the state. *See* Fiscal Comments.

The bill has an effective date of July 1, 2023.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Military Personnel and Families

There are over 3.5 million United States military personnel located worldwide.[1] A total of 1.3 million active duty[2] service members are assigned throughout all 50 states and the District of Columbia. More than half of the military members stationed stateside reside in California, Virginia, Texas, North Carolina, Georgia, and Florida.[3]

A total of 1,162,591 select reserve component members[4] are assigned throughout the 50 states and the District of Columbia. More than one-half of the reserve members are located in six states: California, Virginia, Texas, North Carolina, Georgia, and Florida.[5] Florida is home to 20 military installations and employs 860,221 military personnel.[6]

Approximately 38 percent of all active duty service members nationwide have children.[7] Of the 136,600 Active Duty children over 14 years of age, 72.5 percent are between 15 and 18 years, and 27.5 percent are between 19 and 22 years.[8]

Interstate Compact on Educational Opportunity for Military Children

Florida joined the Interstate Compact on Educational Opportunity for Military Children (Interstate Compact) in 2008.[9] Currently, all 50 states are members of the Interstate Compact.[10] The purpose of the Interstate Compact is to remove barriers to educational success imposed on students from military families due to frequent moves and deployment of their parents.[11] To accomplish this purpose, current law provides for:

- Prioritizing students from military families in the controlled open enrollment process;[12]
- Providing an exception to restrictions on participation in extracurricular activities for students from military families;[13]
- Establishing memoranda of understanding between school districts and military installations;[14]

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[1] Department of Defense, *2022 Demographics, Profile of the Military Community* (2022), at *iii*, *available at* https://download.militaryonesource.mil/12038/MOS/Reports/2021-demographics-report.pdf.
[2] 10 U.S.C. s. 101. The term "active duty" means full time duty in the active military service and includes full-time training, annual training duty, and attendance. *Id*.
[3] Department of Defense, *2022 Demographics, Profile of the Military Community* (2022), at *iv*, *available at* https://download.militaryonesource.mil/12038/MOS/Reports/2021-demographics-report.pdf.
[4] The reserve components of the armed forces include the Army National Guard, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard, Air Force Reserve, and the Coast Guard Reserve. 10 U.S.C., § 10101.
[5] Department of Defense, *2022 Demographics, Profile of the Military Community* (2022), at 35, *available at* https://download.militaryonesource.mil/12038/MOS/Reports/2019-demographics-report.pdf
[6] Enterprise Florida, *Florida's Military Profile* (2022), at 1, *available at* https://www.enterpriseflorida.com/wp-content/uploads/Floridas-Military-Installations-Map.pdf.
[7] Department of Defense, *2022 Demographics, Profile of the Military Community* (2022), at *v*, *available at* https://download.militaryonesource.mil/12038/MOS/Reports/2019-demographics-report.pdf.
[8] *Id* at 146.
[9] Ch. 2008-225, Laws of Fla.
[10] Military Interstate Children's Compact Commission, *Interactive Map,* https://mic3.net/interactive-map/ (last visited Mar. 6, 2023).
[11] Military Interstate Children's Compact Commission, *Background*, https://mic3.net/background/ (last visited Mar. 6, 2023).
[12] Section 1002.31, F.S.
[13] Section 1006.15(3)(h) and (9)(b), F.S.
[14] Section 1003.05(2), F.S.

- Providing for students from military families who are otherwise eligible for special academic programs at any school in the district school to receive first preference for admission;[15] and
- Pending a transfer to a military installation within the school district, considering students from military families as residents of that county for purposes of enrollment.[16]

Other Educational Benefits

In addition to benefits from the Interstate Compact, Florida also provides other educational benefits to military families, including:

- In-state tuition rates and fee waivers.
- Priority course registration for veterans receiving GI Bill benefits.
- Required college credit for military training and education courses.
- Course withdrawal due to military service, without penalty.
- National Guard Educational Dollars for Duty Program.
- Military Interstate Children's Compact Commission.
- Accepting military permanent change of station orders that relocate a military family to any military installation within the state as proof of Florida residency.
- Accepting exit or end-of-course exams required for graduation from a sending state.
- Providing preferential treatment to dependent children of active duty military personnel who moved as a result of military orders in a school's controlled open enrollment process.[17]

Purple Star Campus Program

In 2021, the Florida Legislature established the Florida Purple Star Campus Program.[18] The purpose of the Purple Star School of Distinction is to recognize K-12 schools that support the unique needs of military families, help military-connected students navigate critical challenges, and provide resources for military-connected students when transitioning to a new school environment.[19] Under the program, schools will be recognized as Purple Star Campuses if they meet the following requirements:[20]

- designate a staff member as a military liaison;
- maintain a webpage on the school's website which includes resources for military students and families;
- maintain a student-led transition program to assist military students in transitioning into the school;
- offer professional development training opportunities for staff members on issues relating to military students; and
- reserve at least five percent of open enrollment seats for military-connected students.

In addition, each school must complete at least three of the following activities to support military families:[21]

- The school hosts at least one of the following annual military recognition events: Month of the Military Child, Month of the Military Family, Purple-Up! For Military Kids!, Veteran's Day, Memorial Day.
- The district school board where the school is located, or governing board in the case of a charter or private school, issues a resolution publicizing support for military students and families.

[15] Section 1003.05(3), F.S. For the purposes of this section, special academic programs include magnet schools, advanced studies programs, advanced placement, dual enrollment, Advanced International Certificate Educations, and International Baccalaureate.
[16] Section 1003.05(4), F.S.
[17] Enterprise Florida, *Advantage Florida Military Benefits Guide (*2022-23), *available at* https://www.enterpriseflorida.com/wp-content/uploads/Advantage-Florida-Military-Benefits-Guide.pdf.
[18] The Florida Department of Education, *Purple Star School of Distinction Designation*, https://www.fldoe.org/schools/family-community/activities-programs/parental-involvement/purple-star.stml (last visited Mar. 6, 2023).
[19] *Id*.
[20] Section 1005.051(2)(a)1.-5., F.S.
[21] Rule 6A-1.0999(3)(f)1.-6., F.A.C.

- The school partners with one or more military school liaison officer(s) to provide opportunities for active-duty parents to volunteer at the school.
- The school maintains a public display recognizing service members, veterans, or military students and families.
- The school participants in a service project that connects the school with the military community, such as adopt-a-school, sending letters or care packages to deployed troops, or Yellow Ribbon events.
- The school offers the Junior Reserve Officers' Training Corps program.

In 2022, the Florida Department of Education recognized 122 inaugural Purple Star Schools of Distinction.[22]

Collegiate Purple Star Designation

In 2017, Ohio's PreK-12 school system led the nation by creating the "Purple Star" designation for schools that support military families, and in 2022, Ohio was the first state to expand the program to support military families at the college level by establishing the "Collegiate Purple Star" designation.[23]

The Ohio program includes in its student population service members, veterans, their spouses, and dependents.[24]

Criteria for being chosen as a Purple Star college or university include:[25]
- having a dedicated military or veteran point of contact or office on campus;
- establishing priority registration for veterans and servicemembers;
- surveying student veterans and servicemembers, along with spouses and dependents, about needs and challenges; and
- allowing for the establishment of student-led groups and organizations for veterans and servicemembers.

Effect of Proposed Changes

The bill creates the Collegiate Purple Star Campus Program to support military-connected collegiate students. The term "military student" is defined as a student enrolled in a Florida College System (FCS) institution, state university system (SUS), or career center who is a dependent of a current or former member of the United States military serving on active duty in the Army, Navy, Air Force, Space Force, Marine Corps, or Coast Guard; a reserve component of any branch of government; or the Florida National Guard.

The bill requires the State Board of Education (SBE) to adopt rules, and the Board of Governors (BOG) to adopt regulations, to implement the program.

At a minimum, the program requires a participating FCS, SUS, or career center to: designate a staff member as a military liaison; maintain a web page on the FCS or SUS website which includes resources for military students and their families; maintain a student-led transition program that assists military students in transitioning to the FCS or SUS system; offer professional development training opportunities for staff members on issues relating to military students; and provide priority course registration for military students.

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[22] The Florida Department of Education, Purple Star School of Distinction Designation, https://www.fldoe.org/schools/family-community/activities-programs/parental-involvement/purple-star.stml (last visited Mar. 6, 2023).
[23] Ohio Department of Higher Education, *ODHE Unveils New Collegiate Purple Star Designation*, https://highered.ohio.gov/about/news-events/all-news/odhe-unveils-new-collegiate-purple-star-designation (last visited February 23, 2023).
[24] Ohio Department of Higher Education, *Directive 2022-004, RE: Proposal to Designate Aspiring Military Friendly Institutions as a "Collegiate Purple Star" Institution in Ohio* (Mar. 23, 2022), *available at* https://highered.ohio.gov/static/files/Directive_2022-004_PurpleStar.pdf, at 2.
[25] *Id.*

The SBE and BOG may establish additional criteria to identify FCS, SUS, and career centers that demonstrate a commitment to or provide critical transition supports for military-connected families.

B. SECTION DIRECTORY:

Section 1. Creating s. 1004.071, F.S., defining the term “military student”; requiring the State Board of Education to adopt rules and the Board of Governors to adopt regulations to establish the Collegiate Purple Star Campuses program; specifying program criteria for participating Florida College System institutions, state universities, and career centers.

Section 2. Provides an effective date.

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:

None.

D. FISCAL COMMENTS:

The bill has no fiscal impact to the state. Any expenses incurred by program-participating institutions can be absorbed within their existing resources.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

   None.

2. Other:

   None.

B. RULE-MAKING AUTHORITY:

The bill requires the State Board of Education to adopt rules to implement the Collegiate Purple Star Campuses Program. The bill requires the Board of Governors to adopt regulations to implement the program.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

Not applicable.

A bill to be entitled

An act relating to Collegiate Purple Star Campuses; creating s. 1004.071, F.S.; defining the term "military student"; requiring the State Board of Education to adopt rules and the Board of Governors to adopt regulations to establish the Collegiate Purple Star Campuses program; specifying program criteria for participating Florida College System institutions, state universities, and career centers; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1004.071, Florida Statutes, is created to read:

1004.071 Collegiate Purple Star Campuses.—

(1) As used in this section, the term "military student" means a student who is:

(a) Enrolled in a Florida College System institution, state university, or career center.

(b) A dependent of a current member of the United States military serving on active duty in, or a dependent of a former member of, the Army, Navy, Air Force, Space Force, Marine Corps, or Coast Guard; a reserve component of any branch of the United States military; or the Florida National Guard.

CODING: Words stricken are deletions; words underlined are additions.

(2)(a) The State Board of Education shall adopt rules, and the Board of Governors shall adopt regulations, to establish the Collegiate Purple Star Campuses program. At a minimum, the program must require a participating Florida College System institution, state university, or career center to:

1. Designate a staff member as a military liaison.

2. Maintain a web page on the Florida College System institution or state university's website which includes resources for military students and their families.

3. Maintain a student-led transition program that assists military students in transitioning to the Florida College System institution or state university.

4. Offer professional development training opportunities for staff members on issues relating to military students.

5. Provide priority course registration for military students.

(b) The State Board of Education and the Board of Governors may establish additional criteria to identify Florida College System institutions and career centers, or state universities, respectively, that demonstrate a commitment to or provide critical transition supports for military-connected families, such as hosting an annual military recognition event, partnering with a school liaison officer from a military installation, supporting projects that connect the Florida College System institution, state university, or career center

with the military community, and providing outreach for military parents and their children.

Section 2. This act shall take effect July 1, 2023.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	__	(Y/N)
ADOPTED AS AMENDED	__	(Y/N)
ADOPTED W/O OBJECTION	__	(Y/N)
FAILED TO ADOPT	__	(Y/N)
WITHDRAWN	__	(Y/N)
OTHER	_____	

Committee/Subcommittee hearing bill: Postsecondary Education & Workforce Subcommittee

Representative Dunkley offered the following:

Amendment

Remove lines 21-37 and insert:

(b) An active duty member or veteran of the Army, Navy, Air Force, Space Force, Marine Corps, or Coast Guard; a reserve component of any branch of the United States military; or the Florida National Guard; and his or her spouse and dependents.

(2)(a) The State Board of Education shall adopt rules, and the Board of Governors shall adopt regulations, to establish the Collegiate Purple Star Campuses program. At a minimum, the program must require a participating Florida College System institution, state university, or career center to:

1. Designate a staff member as a military liaison.

2. Maintain a web page on the institution's website which includes resources for military students and their families.

3. Maintain a student-led transition program that assists military students in transitioning to the institution.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCS for HB 1247 William L. Boyd, IV, Effective Access to Student Education Grants
SPONSOR(S): Postsecondary Education & Workforce Subcommittee
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Postsecondary Education & Workforce Subcommittee		Kiner	Kiner

SUMMARY ANALYSIS

The Effective Access to Student Education Grant Program (EASE) is a tuition assistance program serving Florida resident, full-time, undergraduate students at eligible, independent nonprofit colleges or universities. Currently, 34 institutions participate in the EASE program.

In Fiscal Year 2022-2023, the Legislature appropriated $75.4 million to provide 37,705 qualified students with an average award amount of $2,000.

To promote transparency and informed consumer choice, current law requires all institutions receiving EASE funding for their students to annually report to the Department of Education (DOE) institutional performance against the following five statutory metrics: access rate; affordability rate; graduation rate; retention rate; and postgraduate employment or continuing education rate. These metrics measure institutions by the percentage of Pell-eligible students they serve; the net cost per year after accounting for federal, state, and institutional aid; the percentage of students that graduate in six years; the percentage of students that return for a second year after their first; and the percentage of students that obtain employment or continue their education after graduation. Each eligible institution must also post its performance on the metrics prominently on its website.

To incentivize institutions to improve outcomes for grant recipient students, the bill proposes to tie institutional eligibility for participation in the EASE program to performance against the metrics. Under the bill, an institution must meet or exceed the minimum benchmark on any three out of the five metrics to be eligible for its students to receive funding. The base per student award amount will be determined by the General Appropriations Act. Students attending an eligible institution may be eligible to receive an additional, plus-up award of $500 if, and only if, their institution meets or exceeds the bill's workforce graduation rate, which measures degree production in an in-demand field.

To enable the Legislature to incorporate a metric related to graduate employment in field of study, the bill revises the institutional and DOE reporting requirements to require collection of data on the percentage of grant recipient graduates who obtain employment in their field of study within 120 days after graduation. This data will likely be collected through a survey instrument.

The bill clarifies transparency requirements and adds a disclosure requirement. Each institution must provide each resident student with data on its performance on the metrics, the net cost to complete the student's degree, and expected earnings 1, 5, and 10 years after graduation based on the chosen major. The institution's president or chief administrative officer must certify the institution is in compliance with the reporting, disclosure, and transparency requirements in order for the institution to be eligible for EASE funds.

The fiscal impact is indeterminate. *See* Fiscal Comments.

The bill is effective July 1, 2023.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Effective Access to Student Education (EASE) Tuition Assistance Program

Present Situation

The Effective Access to Student Education Grant Program (EASE) is a tuition assistance program administered by the Department of Education (DOE)[1] with the following parameters:

- Student eligibility requirements:[2]
  - Must be enrolled as a full-time undergraduate student at an eligible college or university in a program of study leading to a baccalaureate degree.
  - Must not be enrolled in a program of study leading to a degree in theology or divinity.
  - Must be making satisfactory academic progress as defined by the State Board of Education.
  - Must not have completed more than 110 percent of the degree program enrolled in.
- Institutional eligibility requirements:[3]
  - Must be an independent nonprofit college or university.
  - Must be located in and chartered by the state of Florida.
  - Must be accredited by the Commission on Colleges of the Southern Association of Colleges and Schools.
  - Must grant baccalaureate degrees.
  - Must not be a state university or Florida College System institution; and
  - Must have a secular purpose, so long as the receipt of state aid by students at the institution would not have the primary effect of advancing or impeding religion or result in an excessive entanglement between the state and any religious group.

Funding for EASE is appropriated in the General Appropriations Act (GAA).[4] Award amounts may be prorated based on the number of students eligible to receive the award. As specified in the Fiscal Year (FY) 2022-2023 GAA, the Legislature appropriated funds to support 37,705 qualified Florida residents with an award of $2,000,[5] at 34 EASE-eligible institutions. The total appropriation for FY 2022-23 was $75.4 million.

All institutions that receive EASE funding are required to submit an annual accountability report to the DOE with the most recently available information on Florida resident students and include, at a minimum, the following performance metrics, by institution:[6]

- Access rate based upon percentage of Pell-eligible students;
- Affordability rate based upon average student loan debt; federal, state, and institutional financial assistance; and average tuition and fees;
- Graduation rate;
- Retention rate; and
- Postgraduate employment or continuing education rate.

DOE must recommend minimum performance standards that EASE institutions must meet to remain eligible to receive grant funds.[7] By October 1 of each year, DOE must submit a report to the chair of the House Appropriations Committee, the chair of the Senate Appropriations Committee, and the

[1] S. 1009.89(2), F.S.
[2] S. 1009.89(4), F.S.
[3] S. 1009.89(3), F.S.
[4] S. 1009.89(5), F.S.
[5] *See* Specific Appropriation 58, ch. 2022-156, L.O.F.
[6] S. 1009.89(5)(c), F.S.
[7] *Id*.

Governor's Office of Policy and Budget on the performance of eligible institutions and the institutions that have not met the minimum performance standards recommended by the department.[8]

During the October 2022 reporting period, the DOE recommended the following performance standards:

Year	Fiscal Year	Percentage Change	Access Rate	Affordability Rate	Graduation Rate	Retention Rate	Postgraduate Employment/ Continuing Education Rate
5	2026-27	100%	53%	$6,343	53%	68%	49%
4	2025-26	80%	42%	$7,612	42%	54%	39%
3	2024-25	60%	32%	$8,880	32%	41%	29%
2	2023-24	40%	21%	$10,149	21%	27%	20%
1	2022-23	20%	11%	$11,417	11%	14%	10%

Also by October 1 each year, each institution that is eligible for an EASE Grant must prominently post on its website its performance on the metrics, as reported to DOE.[9]

Effect of Proposed Changes

To incentivize institutions to improve outcomes for grant recipient students, the bill proposes to tie institutional eligibility for participation in the EASE program to performance against the metrics. Under the bill, an institution must meet or exceed the minimum benchmark on any three out of the five metrics to be eligible for its students to receive funding. To accomplish this, the bill establishes a tiered structure for award amounts. If an institution meets no more than 2 out of 5 benchmarks, they will be placed in Tier 3; if an institution meets or exceeds at least 3 out of 5 benchmarks, they will be placed in Tier 2; if an institution meets the requirements of a Tier 2 institution and also meets or exceeds a workforce graduation rate of 56 percent, it will be placed in Tier 1. The workforce graduation rate measures degree production in in-demand fields. Pursuant to the bill, in-demand fields are those that are included on Department of Economic Opportunity or Labor Market Estimating Conference statewide or regional demand lists. Such programs include programs in healthcare, education, and STEM.

The award amount for Tier 2 will be as specified in the GAA. The award amount for Tier 1 will be $500 higher than the Tier 2 award. The award amount for Tier 3 will be $0.

For fiscal year 2023-2024, the benchmarks and minimum standards for each benchmark are as follows[10]:

Metric	Benchmark (2023-24)
Access Rate	32%
Affordability Rate	$7,263
Graduation Rate	45%
Retention Rate	65%
Postgraduate Employment/Continuing Ed Rate	64%

To ensure continuous improvement of the state's independent colleges and universities, the bill requires the DOE continue to recommend minimum benchmarks that increase annually and strategies for improvement.

[8] S. 1009.89(5)(d), F.S.
[9] S. 1009.89(5)(c), F.S.
[10] *EASE Accountability Report 2022*, accessible here: https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3192&Session=2023&DocumentType=Meeting+Packets&FileName=hea+1-25-23.pdf. *See* presentation pages 10-14 (PDF pages 13-16).

To enable the Legislature to incorporate a metric related to graduate employment in field of study, the bill revises the institutional and Department of Education reporting requirements to require collection of data on the percentage of grant recipient graduates who obtain employment in their field of study within 120 days after graduation. This data will likely be collected through a survey instrument.

The bill requires each institution to provide each resident student with data on its performance on the metrics, the net cost to complete the student's degree, and expected earning 1, 5, and 10 years after graduation based on the chosen major. The institution's president or chief administrative officer must certify the institution is in compliance with the reporting, disclosure, and transparency requirements in order for the institution to be eligible for EASE funds.

B. SECTION DIRECTORY:

Section 1. Amends s. 1009.89, F.S.; revising legislative findings; providing that tuition assistance through the program shall be based on specified performance metrics and tiers; revising eligibility criteria for institutions and persons to participate in the program; revising the requirements for a specified report institutions must annually submit; providing for annual minimum performance benchmarks and standards; providing requirements for such benchmarks and standards; requiring the legislature to annually adopt benchmarks and standards for specified purposes and evaluate institutions based on such benchmarks for tier placement; providing funding requirements for such institutions based on such tiers.

Section 2. Provides an effective date of July 1, 2023.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

   None.

2. Expenditures:

   See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

   None.

2. Expenditures:

   None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

See Fiscal Comments.

D. FISCAL COMMENTS:

The fiscal impact is indeterminate. The creation of a tiered award amount structure for the EASE program will have varying impacts on institutions and students based upon institutional relative performance.

Totals	Institutions
Tier 1 – Tier 2 + $500	15

Tier 2 – As specified in GAA	12
Tier 3 - $0	7

The bill specifies the award amount for Tier 2 will be as specified in the GAA. The fiscal impact may be determined after publication of the FY 2023-2024 GAA.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None. The 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

Not applicable.

A bill to be entitled

An act relating to the William L. Boyd, IV, Effective Access to Student Education grants; amending s. 1009.89, F.S.; revising legislative findings; providing that tuition assistance through the program shall be based on specified performance metrics and tiers; revising eligibility criteria for institutions and persons to participate in the program; revising the requirements for a specified report institutions must annually submit; providing for annual minimum performance benchmarks and standards; providing requirements for such benchmarks and standards; requiring the legislature to annually adopt benchmarks and standards for specified purposes and evaluate institutions based on such benchmarks for tier placement; providing funding requirements for such institutions based on such tiers; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1009.89, Florida Statutes, is amended to read:

1009.89 The William L. Boyd, IV, Effective Access to Student Education grants.—

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

(1) The Legislature finds and declares that independent nonprofit colleges and universities eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Grant Program are an integral part of the higher education system in this state and that a significant number of state residents choose this form of higher education. The Legislature further finds that a strong and viable system of high-performing independent nonprofit colleges and universities reduces the tax burden on the citizens of the state. Because the William L. Boyd, IV, Effective Access to Student Education Grant Program is not related to a student's financial need or other criteria upon which financial aid programs are based, but is instead based on specified performance metrics for each eligible institution, it is the intent of the Legislature that the William L. Boyd, IV, Effective Access to Student Education Grant Program not be considered a financial aid program but rather a tuition assistance program for its citizens. Such tuition assistance shall be tiered based on each eligible institution's performance metrics.

(2) The William L. Boyd, IV, Effective Access to Student Education Grant Program shall be administered by the Department of Education. The State Board of Education shall adopt rules for the administration of the program.

(3) An institution is eligible to participate in the ~~department shall issue through the program a~~ William L. Boyd,

IV, Effective Access to Student Education grant program if the institution is ~~to any full-time degree-seeking undergraduate student registered at~~ an independent nonprofit college or university ~~which is~~ located in and chartered by the state; ~~which~~ is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools; ~~which~~ grants baccalaureate degrees; ~~which~~ is not a state university or Florida College System institution; is in compliance with the reporting, disclosure, and transparency requirements of this section and other general law; and ~~which~~ has a secular purpose, so long as the receipt of state aid by students at the institution would not have the primary effect of advancing or impeding religion or result in an excessive entanglement between the state and any religious sect.

(4) A person is eligible to receive such William L. Boyd, IV, Effective Access to Student Education grant if:

(a) He or she meets the general requirements, including residency, for student eligibility as provided in s. 1009.40, except as otherwise provided in this section.

(b)1. He or she is enrolled as a full-time undergraduate student at an eligible college or university that is ranked Tier 1 or Tier 2 under paragraph (6)(a) in a program of study leading to a baccalaureate degree.

2. He or she is not enrolled in a program of study leading to a degree in theology or divinity.

3. He or she is making satisfactory academic progress as defined by the State Board of Education.

4. He or she has not completed more than 110 percent of the degree program in which he or she is enrolled.

(5)(a) Funding for the William L. Boyd, IV, Effective Access to Student Education Grant Program for eligible institutions shall be as provided in the General Appropriations Act. The William L. Boyd, IV, Effective Access to Student Education grant may be paid on a prorated basis in advance of the registration period. The department shall make such payments to the college or university in which the student is enrolled for credit to the student's account for payment of tuition and fees. Institutions shall certify to the department the amount of funds disbursed to each student and shall remit to the department any undisbursed advances or refunds within 60 days of the end of regular registration. A student is not eligible to receive the award for more than 9 semesters or 14 quarters, except as otherwise provided in s. 1009.40(3).

(b) If the combined amount of the William L. Boyd, IV, Effective Access to Student Education grant issued pursuant to this act and all other scholarships and grants for tuition or fees exceeds the amount charged to the student for tuition and fees, the department shall reduce the William L. Boyd, IV, Effective Access to Student Education grant issued pursuant to this act by an amount equal to such excess.

(c) By September 1 of each year, institutions ~~receiving funding as provided in the General Appropriations Act~~ must submit an Effective Access to Student Education Grant Program Accountability Report to the Department of Education, in a format prescribed by the department. The institution's president or chief administrative officer shall certify in the report, that the institution is in compliance with the reporting, disclosure, and transparency requirements of this section and other general law and that the institution has provided each resident student with data on its performance on the metrics listed in this paragraph, the student's net cost to complete his or her degree, and, for students that have declared a major, the declared major's expected earnings outcomes 1, 5, and 10 years after graduation. The report must also use the most recently available information on Florida resident students and include, at a minimum, the following performance metrics, by institution:

1. Access rate based upon percentage of Pell Grant-eligible students.

2. Affordability rate based upon average student loan debt; federal, state, and institutional financial assistance; and average tuition and fees.

3. Graduation rate.

4. Retention rate.

5. Postgraduate employment or continuing education rate.

6. Workforce graduation rate based upon the percentage of

grant recipient graduates in high-demand programs that are included on the Department of Economic Opportunity or Labor Market Estimating Conference lists for statewide or regional demand as a percentage of total grant recipient graduates.

7. Workforce employment rate based on the percentage of grant recipient graduates who obtain employment in their field of study within 120 days after graduation as a percentage of total graduates employed within 120 days after graduation.

~~The department shall recommend minimum performance standards that institutions must meet to remain eligible to receive grants pursuant to this section.~~ Each ~~eligible~~ institution shall post prominently on its website, by October 1 of each year, its performance on these metrics, as reported to the department.

(d) By October 1 of each year, the department shall submit a report to the chair of the House Appropriations Committee, the chair of the Senate Appropriations Committee, and the Governor's Office of Policy and Budget on the performance of each eligible institution. The report must also recommend annual minimum performance benchmarks for the performance metrics in paragraph (c) and strategies to ensure continuous improvement of eligible institutions and the program. The minimum performance benchmarks included in the report must increase annually.

(e) For fiscal year 2023-2024, the benchmarks and minimum standards for each benchmark are as follows:

1. An access rate of 32 percent.

2. An affordability rate of $7,263.

3. A graduation rate of 45 percent.

4. A retention rate of 65 percent.

5. A postgraduate employment or continuing education rate of 64 percent.

(f) Beginning with the 2024-2025 General Appropriations Act and thereafter, the Legislature must also consider each institution's workforce employment rate when determining institutional eligibility ~~institutions and the institutions that have not met the minimum performance standards recommended by the department~~.

(6)(a) Each year, the Legislature shall adopt benchmarks and minimum standards specified in the General Appropriations Act and shall evaluate each institution's performance based on such benchmarks and place each institution in one of three tiers for the purpose of determining award amounts. The tiers are established as follows:

1. Tier 1: an institution that meets the requirements of a Tier 2 institution and also meets or exceeds a workforce graduation rate of 56 percent.

2. Tier 2: an institution that meets or exceeds at least 3 out of 5 benchmarks.

3. Tier 3: an institution that meets no more than 2 out of 5 benchmarks.

(b) The per student award amounts for each tier shall be as follows:

1. Tier 1: $500 more than the Tier 2 per student award amount.

2. Tier 2: As specified in the General Appropriations Act.

3. Tier 3: $0.

(7) ~~(6)~~ If the number of eligible students exceeds the total authorized in the General Appropriations Act, an institution may use its own resources to assure that each eligible student receives the full benefit of the grant amount authorized.

(8) ~~(7)~~ The State Board of Education shall adopt rules to implement this section.

Section 2. This act shall take effect July 1, 2023.

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 1603 Okeechobee County
SPONSOR(S): Tuck
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local Administration, Federal Affairs & Special Districts Subcommittee	17 Y, 0 N	Roy	Darden
2) Postsecondary Education & Workforce Subcommittee		Kiner	Kiner
3) State Affairs Committee			

SUMMARY ANALYSIS

The State of Florida owns lands for many purposes including preservation, conservation, recreation, water management, historic preservation, and administration of government. Most of these lands are held by the Board of Trustees of the Internal Improvement Trust Fund (Board), consisting of the Governor and Cabinet. The Board may acquire, sell, transfer, and administer state lands in the manner consistent with state law.

Indian River State College (IRSC) is a member of the Florida College System serving Indian River, Martin, Okeechobee, and St. Lucie Counties. IRSC operates five campuses and serves approximately 30,000 students.

The Arthur G. Dozier School for Boys (AGDS) was a reform school operated by the state in Marianna from 1900 to 2011. A second campus was opened on Okeechobee in 1955. After an inspection of the Marianna campus in 2009 revealed unmarked graves on the property, a number of historical and recent allegations were brought forward against both locations, of which some are presently being investigated. An investigation was commenced and concluded by the Okeechobee County Sheriff's Office, who complied a report following historical research, investigations of current claims and investigations of the area. As of December 2022, no similar graves to the ones discovered at the Marianna location have been discovered at the Okeechobee location.

The bill directs the Board of Trustees of the Internal Improvement Trust Fund to convey in fee simple to the Board of Trustees of Indian River State College property in Okeechobee County consisting of approximately 205.52 acres. The parcel is a portion of the property that previously housed the Florida School for Boys at Okeechobee. The bill requires the Board of Trustees of the Internal Improvement Trust Fund to convey the property within sixty days of the bill taking effect.

The bill requires a cultural resource assessment survey to be commenced within 90 days after Indian River State College takes legal title to the property. The assessment must be conducted in accordance with the National Historic Preservation Act of 1966 and Florida Historical Resources Act and the scope of the work and reports produced must meet the requirements of the Archaeological Historical Report Standards and Guidelines in the Florida Administrative Code. The final report must be provided to the Speaker of the House of Representatives and the President of the Senate.

The bill is effective on July 1, 2023, or upon becoming a law, whichever occurs earlier.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

State Lands

The State of Florida owns lands for many purposes including preservation, conservation, recreation, water management, historic preservation, and administration of government. These lands include:

- All swamp and overflowed lands held by the state or which may inure to the state;
- All lands owned by the state by right of its sovereignty;[1]
- All internal improvement lands proper;
- All tidal lands;
- All lands covered by shallow waters of the ocean or gulf, or bays or lagoons thereof, and all lands owned by the state covered by fresh water;
- All parks, reservations, or lands or bottoms set aside in the name of the state, excluding lands held for transportation facilities and transportation corridors and canal rights-of-way; and
- All lands which have accrued, or which may accrue, to the state.[2]

State lands are held in trust for the use and benefit of the people of Florida by the Board of Trustees of the Internal Improvement Trust Fund.[3] The board consists of the Governor, Attorney General, Chief Financial Officer, and Commissioner of Agriculture.[4] This body may acquire, sell, transfer, and administer state lands in the manner consistent with state law.[5]

The Department of Environmental Protection, through its Division of State Lands, generally performs all staff duties and functions related to the acquisition, administration, and disposition of state lands, although certain staff duties related to state lands may be performed by water management districts, the Department of Agriculture and Consumer Services, and the Fish and Wildlife Conservation Commission.[6] College and university facilities owned by the state total over 163 million square feet of space statewide.[7]

Indian River State College

Originally established as Indian River Junior College in 1959, Indian River State College (IRSC) moved to its present primary campus on Virginia Avenue in Fort Pierce in 1963.[8] IRSC merged with Lincoln Junior College in 1965 to create one institution serving students in Indian River, Martin, Okeechobee and St. Lucie Counties. In the years since, the institution has undergone two name changes, first to Indian River Community College in 1970 and then to IRSC in 2008 to reflect its status as a baccalaureate degree granting institution. IRSC currently enrolls approximately 30,000 students and

[1] These are "sovereignty submerged lands," which include but are not limited to, tidal lands, islands, sand bars, shallow banks, and lands waterward of the ordinary or mean high water line, beneath navigable fresh water or beneath tidally-influenced waters, to which the State of Florida acquired title on March 3, 1845, by virtue of statehood, and which have not been heretofore conveyed or alienated. R. 18-21.003(67), F.A.C.
[2] S. 253.03(1), F.S.
[3] S. 253.001, F.S.
[4] S. 253.02(1), F.S.
[5] *Id*.
[6] S. 253.002(1), F.S.
[7] Dept. of Environmental Protection, *State of Florida Lands and Facilities Inventory Search*, https://prodenv.dep.state.fl.us/DslPi/splash?Create=new (last visited Mar. 10, 2023) (Data can be found by running a search of "State Facilities" and selecting all Florida College System (FCS) and Statute University System (SUS) institutions in the "Agency" field).
[8] Indian River State College, *History*, https://irsc.edu/about/history.html (last visited Mar. 10, 2023).

has received national recognition as a community college of excellence.[9] IRSC currently operates five campuses:

- Massey Campus in Ft. Pierce;
- Chastain Campus in Stuart;
- Dixon Hendry Campus in Okeechobee;
- Mueller Campus in Vero Beach; and
- Pruitt Campus in Port St. Lucie.[10]

Florida School for Boys at Okeechobee

The Arthur G. Dozier School for Boys (AGDS) was a reform school operated by the state in Marianna from 1900 to 2011. A second campus was opened in Okeechobee in 1955.[11] After an inspection of the Marianna campus in 2009 revealed unmarked graves on the property, a number of historical and recent allegations were brought forward regarding that location, of which some are presently still being investigated.[12] Both facilities were closed permanently in 2011.[13]

An investigation of the Okeechobee location examined similar claims of potential unmarked graves at that location.[14] The investigation consisted of historical research; interviews with previous attendees of the school, their families, and other involved persons; searches of suspected areas by cadaver dogs and law enforcement; and confirmation of death for missing persons associated with the location. The Okeechobee County Sheriff's Office has performed the investigation and audit of claims made against the facility, and presented a report that accounts for former occupants of the reform school who have been reported deceased.[15] As of December 2022, no similar graves have been discovered at the Okeechobee location and all missing persons associated with the school have been accounted for.[16]

National Historic Preservation Act of 1966 (NHPA)

The NHPA was passed to acknowledge the importance of protecting our nation's heritage from development.[17] The NHPA requires any federal agency with jurisdiction over a proposed federal or federally-assisted project to consider the effect of the property on any historic property before expending funds or issuing any license.[18]

The NHPA requires the Governor of each state to appoint a state historic preservation officer (SHPO) to administer its historical preservation programs.[19] The SHPO is responsible for directing and conduct a comprehensive statewide survey of historical property in coordination with federal and state agencies, local governments, and private organizations.[20] The NHPA also requires the SHPO to:

- Identity and nominate eligible property to the National Register and otherwise administer application for listing historical property on the Register;
- Prepare and implement comprehensive statewide historical preservation plans;
- Administer the state programs of federal assistance for historic preservation within the state;
- Advise and assist federal and state agencies in carrying out historical preservation responsibilities;

[9] Aspen Institute, *2019 Aspen Prize for Community College Excellence Awarded to Florida's Indian River State College and Miami Dade College*, https://www.aspeninstitute.org/news/press-release/2019-aspen-prize-for-community-college-excellence/ (last visited Mar. 10, 2023).
[10] Indian River State College, *Campuses*, https://irsc.edu/about/campuses.html (last visited Mar. 10, 2023).
[11] Florida Dept. of Law Enforcement, Office of Executive Investigations. *Arthur G. Dozier School for Boys Abuse Investigation. Case No. EI-04-0005*. Jan. 29, 2010, (Last visited Mar. 11, 2023.)
[12] United States Department of Justice, Civil Rights Division. *Investigation of the Arthur G. Dozier School for Boys and the Jackson Juvenile Offender Center, Marianna, Florida*. Dec. 1 2011 (Last accessed March 11, 2023).
[13] *Id*.
[14] Okeechobee County Sheriff's Office, Report No. 14S08996, *History of the Florida School for Boys at Okeechobee*.
[15] *Id*.
[16] *See id* at 135.
[17] National Conference of State Historic Preservation Officers, *National Historic Preservation Act of 1966*, https://ncshpo.org/resources/national-historic-preservation-act-of-1966/ (last visited Mar. 10, 2023)
[18] 54 U.S.C s. 306108
[19] 54 U.S.C s. 302301
[20] 54 U.S.C s. 302303

- Cooperate with other federal and state agencies, local governments, and private organizations and individuals to ensure that historic property is taken into consideration at all levels of planning and development;
- Provide public information, education, and training and technical assistance in historic preservation;
- Cooperate with local governments in the development of local historic preservation programs;
- Consult with appropriate Federal agencies in accordance with this division on Federal undertakings and the content and sufficiency of any plans developed to protect, manage, or reduce harm to the property; and
- Advise and assist in the evaluation of proposals for rehabilitation projects that qualify for Federal assistance.[21]

Florida Historical Resources Act (Act)

Florida law states the rich and unique heritage of historic properties in this state, representing more than 10,000 years of human presence, is an important legacy to be valued and conserved for present and future generations. [22] The destruction of these nonrenewable historical resources will engender a significant loss to the state's quality of life, economy, and cultural environment.

Similar to requirements for federal agencies under the NHPA, the Act requires each state agency that has direct or indirect jurisdiction over a proposed state or state-assisted project, to, in accordance with state policy, consider the effect of the undertaking on any historic property that is included in, or eligible for inclusion in, the National Register of Historic Places before expending any state funds on the project. The agency is required to provide the Division of Historical Resources of the Department of State (Division) a reasonable opportunity to comment on such an undertaking.[23]

The Division may designate an archaeological site as a "state archaeological landmark" if it finds the location is of significance to the scientific study or public representation of the state's historical, prehistoric, or aboriginal past.[24] In addition, the Division may publicly designate an interrelated grouping of significant archaeological sites as a "state archaeological landmark zone." However, no site or grouping of sites may be designated without the express written consent of the private owner. Upon designation of an archaeological site, the owners and occupants of each designated state archaeological landmark or landmark zone must be given written notification of such designation by the Division. Once designated, no person may conduct field investigation activities without first securing a permit from the Division.[25]

Archaeological and Historical Report Standards and Guidelines

The Archaeological and Historical Report Standards and Guidelines (Guidelines) specifies criteria by which the Division will review reports of cultural resource activities on:

- Federally assisted, licensed or permitted projects;
- Projects on state owned or controlled property or state assisted, licensed, or permitted projects; and
- Local projects for which the Division has review authority.[26]

The reports of the results of archaeological fieldwork and historical fieldwork activities must contain sufficient detail for the Division to review for completeness and sufficiency. For projects of limited scope, topics that are not applicable may be omitted when a justification for this decision is provided.[27]

Effect of Proposed Changes

[21] 54 U.S.C ss. 302303(b)(2)-(10)
[22] S. 267.061(1)(a), F.S.
[23] S. 267.061(2)(a), F.S.
[24] S. 267.11, F.S.
[25] *Id*.
[26] Fla. Admin. Code 1A-46.001(1)
[27] Fla. Admin. Code 1A-46.001(3)

The bill directs the Board of Trustees of the Internal Improvement Trust Fund to convey in fee simple to the Board of Trustees of Indian River State College property in Okeechobee County consisting of approximately 205.52 acres. The parcel is a portion of the property that previously housed the Florida School for Boys at Okeechobee. The bill requires the Board of Trustees of the Internal Improvement Trust Fund to convey the property within sixty days of the bill taking effect.

The bill requires a cultural resource assessment survey to be commenced within 90 days after Indian River State College takes legal title to the property. The assessment must be conducted in accordance with the National Historic Preservation Act of 1966 and Florida Historical Resources Act. The scope of the work and reports must meet the requirements of the Archaeological Historical Report Standards and Guidelines in the Florida Administrative code.

B. SECTION DIRECTORY:

Section 1: Requires the Board of Trustees of the Internal Improvement Trust Fund to convey property in fee simple to the Board of Trustees of Indian River State College, and provides a description of the property.

Section 2: Provides a timeframe the Internal Improvement Trust Fund must convey the land to Indian River College.

Section 3: Provides a timeframe for a cultural resource assessment survey must be commenced beginning from when Indian River State College takes legal title to the property.

Section 4: Provides an effective date of July 1, 2023 or upon becoming law, whichever occurs earlier.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes [x] No []

IF YES, WHEN? January 18, 2023

WHERE? Lake Okeechobee News, a weekly newspaper of general circulation published in Okeechobee County, Florida.

B. REFERENDUM(S) REQUIRED? Yes [] No [x]

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes [x] No []

D. ECONOMIC IMPACT STATEMENT FILED? Yes [x] No []

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

The bill does not provide rulemaking authority or require executive branch rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

None.

A bill to be entitled

An act relating to Okeechobee County; transferring real property from the Board of Trustees of the Internal Improvement Fund to the Board of Trustees of Indian River State College; requiring a certain survey and report; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. The Board of Trustees of the Internal Improvement Trust Fund shall convey to the Board of Trustees of Indian River State College, in fee simple, and for all uses as permitted by law, the following described real property located in Okeechobee County and more particularly described as follows:

A parcel of land in Okeechobee County, Florida situated in Sections 27 and 34 of Township 36 South, Range 35 East and being a portion of those lands described in Official Records Book 150, Page 361 of the Public Records of Okeechobee County, being more particularly described as:

That portion of the south one-half of said Section 27 lying east of State Highway No. 15 (formerly No. 29) and northwesterly of Williamson Ditch, a strip of land

CODING: Words stricken are deletions; words underlined are additions.

200' in width for outfall and drainage as described in Official Records Book 10, Pages 297 and 409 of the Public Records of Okeechobee County, FL.

Together with that portion of said Section 34 lying east of State Highway No. 15 (formerly 29) and northwesterly of Williamson Ditch, a strip of land 200' in width for outfall and drainage as described in Official Records Book 10, Pages 297 and 409, also lying northeast of Taylor Creek permanent easement as described in Official Records Book 56, Page 547 of the Public Records of Okeechobee County, FL. and northwest of a permanent easement for Taylor Creek Channel as described in Official Records Book 56, Page 551 of the Public Records of Okeechobee County, FL.

Containing 205.52 acres more or less.

Section 2. The Board of Trustees of the Internal Improvement Trust Fund shall convey the above-described land to the Board of Trustees of Indian River State College within 60 days after the effective date of this act.

Section 3. Within 90 days after Indian River State College takes legal title to the above-referenced land, a cultural resource assessment survey shall be commenced. This assessment

shall be conducted in accordance with Section 106 of the National Historic Preservation Act of 1966, Public Law 89-655, as amended, as implemented by 36 C.F.R. 800, Protection of Historic Properties, and chapter 267, Florida Statutes. The scope of work and report shall meet the requirements of Chapter 1A-46, Archaeological and Historical Report Standards and Guidelines, Florida Administrative Code. The final report shall be provided to the Speaker of the House of Representatives and President of the Senate.

Section 4. This act shall take effect on July 1, 2023, or upon becoming a law, whichever occurs earlier.