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TO: School District Technical Center Directors

FROM: Rod Duckworth 

DATE: June 21, 2016

SUBJECT: Legislation Impacting Active Duty and Veteran Members of the Armed Forces

House Bill 799 (Chapter 2016-136, Laws of Florida) was passed during the 2016 legislative session and becomes effective July 1, 2016. The bill amends s. 1009.26, F. S., by creating an out-of-state fee waiver for any active duty member of the United States Armed Forces residing or stationed outside of the state at the time of enrollment at a state university, Florida College System institution, career center, or charter technical career center. The bill requires the Board of Governors (BOG) or State Board of Education (SBE) to report the number and value of all fee waivers granted and authorizes the BOG and SBE to adopt regulations and rules to administer this fee waiver. The department recently amended the Adult Fee Status data element (#101325) for school districts to report the number of eligible students for whom fees have been waived based upon the legislation passed for active duty and veteran members of the armed forces. This information is collected in surveys F, W, S, G and X. A supplemental survey will be sent to school districts at the end of the fiscal year requesting information on the financial value of the fee waivers that were awarded, based upon local tuition and fee requirements.

House Bill 1157 (Chapter 2016-142, Laws of Florida) was also passed during the 2016 legislative session and becomes effective July 1, 2016. The bill modifies an existing tuition waiver qualification requirement for eligible recipients of a Purple Heart, or superior combat decoration. The bill expands the tuition waiver to include any eligible recipient of a Purple Heart, or superior combat decoration, enrolled in an eligible postsecondary institution who currently is a Florida resident, or was a Florida resident at the time of the military action that resulted in the awarding of the Purple Heart or other superior combat decoration.

A copy of both pieces of legislation is attached for your reference. Please distribute this to any other personnel as appropriate. Should you have questions concerning either piece of legislation, please contact Amy Albee-Levine at Amy.Albee@fldoe.org or at 850-245-0949. Additionally, please visit <http://www.fldoe.org/about-us/governmental-relations/index.shtml> for comprehensive information concerning K-20 impactful legislation passed during the 2016 legislation session including an archive of the Department's legislative webcast, an overview chart and the 2016 Legislative Review Book.

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Attachments

CHAPTER 2016-136

House Bill No. 799

An act relating to out-of-state fee waivers for active duty service members; amending s. 1009.26, F.S.; providing that active duty members of the Armed Forces of the United States residing or stationed outside of this state may receive out-of-state fee waivers; requiring that tuition and fees charged to such students be below a specified amount; requiring an annual report of all out-of-state fee waivers for such individuals; providing for regulations and rules to administer such provisions; providing an effective date.

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

Section 1. Subsection (14) is added to section 1009.26, Florida Statutes, to read:

1009.26 Fee waivers.—

(14)(a) A state university, Florida College System institution, career center operated by a school district under s. 1001.44, or charter technical career center shall waive out-of-state fees for a person who is an active duty member of the Armed Forces of the United States residing or stationed outside of this state.

(b) Tuition and fees charged to a student who qualifies for the out-of-state fee waiver under this subsection may not exceed the tuition and fees charged to a resident student.

(c) Each state university, Florida College System institution, career center operated by a school district under s. 1001.44, and charter technical career center shall report to the Board of Governors and the State Board of Education, respectively, the number and value of all fee waivers granted annually under this subsection.

(d) The Board of Governors and the State Board of Education shall respectively adopt regulations and rules to administer this subsection.

Section 2. This act shall take effect July 1, 2016.

Approved by the Governor March 25, 2016.

Filed in Office Secretary of State March 25, 2016.

CHAPTER 2016-142

Committee Substitute for House Bill No. 1157

An act relating to postsecondary education for veterans; amending s. 1004.096, F.S.; directing the Department of Education to award certain postsecondary course credit to veterans; amending s. 1007.27, F.S.; directing the Department of Education to award postsecondary course credit for specified examinations and tests; amending s. 1009.26, F.S.; revising the residency requirement for certain tuition waivers for recipients of specified military decorations; conforming provisions; amending s. 1012.56, F.S.; providing that specified programs and test scores meet certain educator certification requirements; providing an effective date.

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

Section 1. Section 1004.096, Florida Statutes, is amended to read:

1004.096 College credit for military training and education courses.— The Board of Governors shall adopt regulations and the State Board of Education shall adopt rules that enable eligible servicemembers or veterans members of the United States Armed Forces to earn academic college credit at public postsecondary educational institutions for college-level training and education acquired in the military. The regulations and rules shall include procedures for credential evaluation and the award of academic college credit, including, but not limited to, equivalency and alignment of military coursework with appropriate college courses, course descriptions, type and amount of college credit that may be awarded, and transfer of credit.

Section 2. Subsection (2) of section 1007.27, Florida Statutes, is amended to read:

1007.27 Articulated acceleration mechanisms.—

(2) The Department of Education shall annually identify and publish the minimum scores, maximum credit, and course or courses for which credit is to be awarded for each College Level Examination Program (CLEP) subject examination, College Board Advanced Placement Program examination, Advanced International Certificate of Education examination, and International Baccalaureate examination, Excelsior College subject examination, Defense Activity for Non-Traditional Education Support (DANTES) subject standardized test, and Defense Language Proficiency Test (DLPT). The department shall use student performance data in subsequent postsecondary courses to determine the appropriate examination scores and courses for which credit is to be granted. Minimum scores may vary by subject area based on available performance data. In addition, the department shall

identify such courses in the general education core curriculum of each state university and Florida College System institution.

Section 3. Paragraphs (b) and (c) of subsection (8) of section 1009.26, Florida Statutes, are amended to read:

1009.26 Fee waivers.—

(8) A state university, a Florida College System institution, a career center operated by a school district under s. 1001.44, or a charter technical career center shall waive tuition for undergraduate college credit programs and career certificate programs for each recipient of a Purple Heart or another combat decoration superior in precedence who:

(b) Is currently, or ~~and~~ was at the time of the military action that resulted in the awarding of the Purple Heart or other combat decoration superior in precedence, a resident of this state; and

(c) ~~Submits to the state university, the Florida College System institution, or the career center operated by a school district under s. 1001.44, or the charter technical career center~~ the DD-214 form issued at the time of separation from service as documentation that the student has received a Purple Heart or another combat decoration superior in precedence. If the DD-214 is not available, other documentation may be acceptable if recognized by the United States Department of Defense or the United States Department of Veterans Affairs as documenting the award.

Such a waiver for a Purple Heart recipient or recipient of another combat decoration superior in precedence shall be applicable for 110 percent of the number of required credit hours of the degree or certificate program for which the student is enrolled.

Section 4. Paragraphs (e) and (f) of subsection (5) of section 1012.56, Florida Statutes, are amended and paragraphs (g) and (h) are added to that subsection, to read:

1012.56 Educator certification requirements.—

(5) MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of demonstrating mastery of subject area knowledge are:

(e) Documentation of a valid professional standard teaching certificate issued by another state; ~~or~~

(f) Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the State Board of Education;

(g) Documentation of successful completion of a United States Defense Language Institute Foreign Language Center program; or

(h) Documentation of a passing score on the Defense Language Proficiency Test (DLPT).

School districts are encouraged to provide mechanisms for middle grades teachers holding only a K-6 teaching certificate to obtain a subject area coverage for middle grades through postsecondary coursework or district add-on certification.

Section 5. This act shall take effect July 1, 2016.

Approved by the Governor March 25, 2016.

Filed in Office Secretary of State March 25, 2016.