

# 2022 Florida Legislative Session Update:

Workforce education, educational pathways for veterans, and textbook affordability on the agenda



**February 2022\***

\*as of 2/10/2022

## Introduction

The 2022 regular legislative session ends on March 11th, when many legislators will return to their districts and focus on this year's election. Even with the comprehensive changes to workforce education last year, House and Senate leaders continue to focus on building a [Talent Strong Florida](#) through targeted higher education and workforce programs.

Proposals in this session update also outline the Legislature's efforts to address Florida's workforce shortage by providing tuition waivers to out-of-state students and creating a matching grant program to expand nursing education programs.

Aside from workforce expansion efforts, both chambers have been tasked with redistricting efforts, drawing State Senate and House and Congressional maps, an event that happens after the administration of the census every 10 years.

Since FCAN released its session preview last month, the Legislature has considered various bills that stand to impact students via postsecondary education and workforce training in the Sunshine State, which are outlined in further detail below:

- **CS/SB 1060 and CS/HB 461 – Florida Bright Futures Scholarship Program Student Service Requirements**
- **SB 1122 and CS/HB 991 – Workforce Education Postsecondary Student Fees**
- **SB 7044 and HB 7051 – Postsecondary Education**
- **CS/HB 5201 – Higher Education**
- **SB 400 and CS/HB 229 – Guidance Services for Academic and Career Planning**
- **CS/SB 514 and CS/HB 317 – Substitution of Work Experience for Postsecondary Educational Requirements**
- **CS/SB 554 and CS/HB 45 – Educational Opportunities for Disabled Veterans**
- **CS/SB 896 and CS/HB 573 – Educator Certification Pathways for Veterans**
- **CS/SB 1034 and HB 6067 – William L. Boyd, IV, Effective Access to Student Education Grant Program**
- **SB 1284 and CS/HB 823 – Florida Postsecondary Student Assistance Grant Program**
- **CS/SB 1404 and HB 941 – Certified School Counselors**
- **SB 2524 – Education**
- **CS/HB 3 – Law Enforcement Officer, Benefits, Recruitment, and Training**

## Legislation Impacting Postsecondary Education

### CS/SB 1060 and CS/HB 461 – Florida Bright Futures Scholarship Program Student Service Requirements

**Bill Sponsors:** Senate Education Committee and Senator Travis Hutson (R – St. Augustine); House Postsecondary Education and Lifelong Learning Subcommittee and Representative Lauren Melo (R – Naples)

Committee substitute for Senate Bill 1060 changes the volunteer service hour component of the Florida Bright Futures Scholarship Program. Currently, to receive the Florida Academic Scholars award (Tier 1) and the Florida Medallion Scholars award (Tier 2), students must complete 100 and 75 hours of volunteer service, respectively. These bills would allow students, starting with those graduating in the 2022-2023 school year, to use paid work experience as a substitute for the volunteer component. The Senate version maintains that students can complete 300 hours of work to substitute for the volunteer experience. The House version varies slightly, allowing students to substitute 100 work hours for the volunteer component.

CS/SB 1060 unanimously passed its first committee stop in the Senate Education Committee. It is still pending a hearing in the Senate Commerce and Tourism Committee and the Senate Rules Committee. The House version of the bill has passed two out of the three committees of reference and is waiting to be heard in the House Education and Employment Committee.

### SB 1122 and CS/HB 991 – Workforce Education Postsecondary Student Fees

**Bill Sponsors:** Senator George Gainer (R – Panama City); House Secondary Education and Career Development Subcommittee and Representative Jason Shoaf (R – Blountstown)

In an effort to address Florida's workforce shortage, Senator Gainer and Representative Shoaf have respectively filed Senate Bill 1122 and House Bill 991 to provide out-of-state fee waivers to students in certain Florida College System and school district technical center workforce programs. The bills outline that the purpose is to recruit students into Florida programs that are necessary to address the current and future unmet workforce needs. Committee substitute for House Bill 991 provides additional clarity by adding that the workforce needs should be those identified by the Labor Market Estimating Conference or the Credentials Review Committee – both created under [House Bill 1507](#) which was passed and signed into law in 2021. The House version also states that Florida resident students should be prioritized for program enrollment over out-of-state students and that an annual report on student employment outcomes be provided to the State Board of Education (SBE).

SB 1122 has passed the Senate Education Committee, its first committee of reference. It still needs to be heard in the Senate Appropriations Subcommittee on Education and the full Senate

Appropriations Committee before moving to the Senate floor for a vote. CS/HB 991 has passed its first two committees of reference and is waiting for its third reading in the House Education and Employment Committee.

## **SB 7044 and HB 7051 – Postsecondary Education**

**Bill Sponsors:** Senate Education Committee; House Postsecondary Education and Lifelong Learning Subcommittee and Representative Amber Mariano (R – Hudson)

Senate Bill 7044 and House Bill 7051 are both committee-proposed bills that focus on multiple areas including increasing textbook affordability, the institutional accrediting process, and providing additional information to students on tuition.

### ***Textbook and Instructional Materials Affordability and Transparency***

In addition to the current requirements on the posting of textbooks and instructional materials affordability, the bills require that each FCS institution and state university keep the information posted for a minimum of 5 school years, and be searchable by the course subject, course title, instructor name, title, and author. The required and recommended materials must also be easily downloadable by current and future students.

If a course falls under the general education core course option (s. 1007.25), the syllabus must also be posted. Information on the course syllabus must include the course curriculum, goals, objectives, and student expectations of the course, as well as how performance will be measured.

### ***Statewide Course Numbering System***

This section updates the statewide course numbering system to provide additional clarity between postsecondary institutions in Florida. Under this proposal, the numbering system must be electronically maintained and regularly updated to include course numbers, titles, credits awarded, and other identifying information per academic year. This information must also be included during the registration process for each student at a state university and all FCS institutions.

This section clarifies that for students who transfer between public institutions, general education course credit must first be applied for the satisfaction of general education before elective credit. These transfer credits include dual enrollment and other accelerated course credits. The SBE is responsible for adopting rules for the collection of course information and conducting faculty committee reviews and recommendations.

### ***Postsecondary Education Institution Accreditation***

Both proposals include changes to an institution's accrediting system, a change that garnered debate during bill presentations. An institution may not be accredited by the same agency in consecutive accreditation cycles. Following reaffirmation or a 5-year review by the agency, the institution must collaborate to identify other agencies (recognized by the database and maintained by the U.S. Department of Education) to perform the accreditation process. This section of the bill is set to expire on December 31, 2032.

### ***FCS and SUS Student Fees***

All tuition and fees, as well as any changes to them, must be clearly posted on each FCS and SUS institution's website where it is easily accessible. Each institution is responsible for notifying students how these fees are expended and outlining the necessity for the increase, if applicable. The bill also explicitly states that this information must be sent to all students in an email.

Any action on increasing fees, except tuition, must be approved by a supermajority vote from the board of trustees for each FCS institution. For fee increases in the SUS, it must be approved by at least nine members of the board of trustees and 12 members of the BOG (Board of Governors).

SB 7044 was reported favorably as a committee bill out of the Senate Education Committee. HB 7051 was reported favorably as a committee bill out of the House Postsecondary Education and Lifelong Learning Subcommittee. It awaits a reading in the House Education and Employment Committee.

### **CS/HB 5201 – Higher Education**

**Bill Sponsors:** House Higher Education Appropriations Subcommittee and Representative Rene Plasencia (R – Orlando)

Committee substitute for House Bill 5201 is the higher education conforming bill for the House's General Appropriations Act (HB 5001). This bill creates additional changes to the Florida Postsecondary Academic Library Network ([CS/HB 847](#), 2021), EASE grant, and creates a specific nursing program through hospital collaboration to address the workforce shortage in this sector.

#### ***Florida Student Open Access Resources***

In order to increase the amount of open access resources available to postsecondary students statewide, CS/HB 5201 creates the Student Open Access Resources Repository. This is a statewide internet database of open educational resources (OERs), including course materials, modules, faculty-created content, streaming videos, and other materials used to support educational access created by faculty from Florida's FCS and SUS institutions.

Chancellors of the SUS and FCS are tasked with collaborating in order to develop and support the adaptation of OERs by working with faculty, librarians, and instructional designers within the institutions. The Florida Postsecondary Academic Library Network is responsible for serving as the lead agency.

The grant program (subject to yearly appropriation by the Legislature) will provide funding to the postsecondary institutions, including faculty and staff, to create and expand OER access. All the resources available on the repository must be based on the statewide course numbering system with a priority on general education and high enrollment courses. To advance textbook affordability, each institution will be required to post courses that use OER's on their course registration system.

#### ***The William L. Boyd, IV, Effective Access to Student Education Grant (EASE)***

CS/HB 5201 creates performance criteria that independent colleges and universities of Florida (ICUF) must meet in order to receive funding for the EASE grant. Under the proposal, ICUF institutions will receive tiered funding based off of how many of the following benchmarks the institution meets: an access rate of 53%, an affordability rate of \$6,343, a graduation rate of 53%, a retention rate of 68%, and a postgraduate employment *or* continuing education rate of 51%.

Each institution will be evaluated on how many benchmarks are met in order to determine tier placement and funding. Tier 1 meets all 5 benchmarks, Tier 2 meets 4, Tier 3 meets 3, and so on with Tier 5 being lowest with 1 or 0 benchmarks met. The award amount of Tier 1 is to be specified in the General Appropriations Act (which is currently \$4,000 in the House proposal). Tier 2 may not be more than 90% of the Tier 1 award, Tier 3 may not be more than 75% of the Tier 1 amount, and tier 4 may not be more than 50% of the Tier 1 amount. Tier 5 does not receive any funding.

### ***Linking Industry to Nursing Education (LINE) Fund***

In order to address the critical nursing shortage in Florida, CS/HB 5201 creates the LINE Fund to incentivize collaboration between nursing education programs and healthcare partners. The intention is to meet local, regional, and state workforce demand through recruitment, an increase of the available nursing education programs, and an increase in graduates. Institutions interested in participating must have a 70% completion rate for their certified nursing assistant (CNA) for the prior year and a pass rate of at least 70% on the National Council of State Boards of Nursing Licensing Examination (NCLEX).

The state will match \$1 for each \$1 contributed to an institution by a healthcare organization. The state will track the ROI of the program by requiring each institution participating in the LINE Fund to report on several metrics including the number of additional nursing students enrolled, scholarships awarded, and student outcomes.

### ***Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education (PIPELINE) Fund***

The PIPELINE Fund is created to reward high performance among Florida's postsecondary nursing education programs. Subject to available funds, each institution will receive an allocation based on the following metrics: the number of nursing education program graduates and the first-time pass rate of the NCLEX (above the national average).

### ***Florida Talent Development Council Responsibilities***

The bill aligns the roles of the Center for Nursing under the Talent Development Council to ensure collaboration on reporting of the nursing education programs and workforce outcomes. The Talent Development Council must also specify the outcomes of students who have received repayment forgiveness under the state's nursing student loan forgiveness program.

CS/HB was reported favorably with a committee substitute from the House Appropriations Committee.

## Other Relevant Bills

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### SB 400 and CS/HB 229 – Guidance Services for Academic and Career Planning

**Bill Sponsors:** Senator Randolph Bracy (D – Orlando); House Secondary Education and Career Development Subcommittee and Representative Kristen Arrington (D – Osceola)

Senate Bill 400 and committee substitute for House Bill 229 amend current statutory requirements on notification of academic and career planning for students. Under these bills, district school boards are tasked with providing “notification of acceleration, academic, and career planning options” to students in, or entering high school, at the beginning of each school year. The proposals would add career and professional academies, career-themed courses, the career and technical education pathway to a standard high school diploma, and work-based learning opportunities to the list. Work-based learning opportunities include internships, pre-apprenticeship, and apprenticeship programs.

Both versions of the proposal maintain that this information also is disseminated to parents in a culturally competent manner by providing it in a language understandable to all parties. School boards must also provide students with the contact information of a certified school counselor who can advise the students on the options available and assist when needed.

The Senate version is awaiting its second committee stop in the Senate Commerce and Tourism Committee and would also need to pass the Senate Rules Committee before heading to the Senate Floor for a vote. CS/HB 229 is waiting to be heard in its final stop in the House Education and Employment Committee.

### CS/SB 514 and CS/HB 317 – Substitution of Work Experience for Postsecondary Educational Requirements

**Bill Sponsors:** Senate Governmental Oversight and Accountability Committee and Senator Danny Burgess (R – Zephyrhills); House State Affairs Committee and Representative Nick DiCeglie (R – Largo)

Committee substitute for Senate Bill 514 and committee substitute for House Bill 317 allow for the state agencies to substitute of relevant work experience for postsecondary educational requirements. Starting on July 1, 2022, the head of an agency may consider substituting relevant work experience in place of postsecondary educational requirements for an open position if all other requirements are present. Work experience cannot be a substitute for a required license, certification, or registration needed for the position.

The Senate version unanimously passed its first two committees and is waiting for the final hearing in the Senate Rules Committee before a full Senate vote. The House version has been added to the Second Reading Calendar in the full House floor but has yet to be read.

## CS/SB 554 and CS/HB 45 – Educational Opportunities for Disabled Veterans

**Bill Sponsors:** Senate Military and Veterans Affairs, Space, and Domestic Security Committee and Senator Janet Cruz (D – Tampa); House Postsecondary Education and Lifelong Learning Subcommittee and Representative Daisy Morales (D – Orlando)

Committee substitute for Senate Bill 554 and committee substitute for House Bill 45 are identical and seek to provide financial assistance for disabled veterans seeking postsecondary education. The bills define the term “disabled veteran” which includes an individual determined to have a 100% service-related disability and receives disability retirement pay from any US Armed Services branch. Beginning with the 2022-2023 school year, these veterans can enroll in an approved education program at a state university, an FCS institution, a school district-operated career center or a charter technical career center and are eligible for a last dollar tuition and fee waiver.

CS/SB 554 has passed its first committee of reference in Senate Military and Veterans Affairs, Space and Domestic Security. It has two additional committee references and currently awaits to be heard in Senate Appropriations Subcommittee on Education. CS/HB 45 has passed three out of the four committees of reference. It is waiting to be heard in the House State Affairs Committee before heading to the full House floor for a vote.

## CS/SB 896 and CS/HB 573 – Educator Certification Pathways for Veterans

**Bill Sponsors:** Senate Education Committee and Senator Danny Burgess (R – Zephyrhills); House Secondary Education and Career Development Subcommittee and John Snyder (R – Palm City)

Another set of proposals aimed at addressing the workforce shortage and providing additional opportunities for veterans, these bills amend the current statute to allow certain veterans to receive a teaching certificate from the Department of Education (DOE). Under these bills, a temporary certificate may be issued for a subject area specialization to a veteran who: documents 48 months of active-duty military service with an honorable discharge or a medical separation; completes subject area contents requirements or demonstrates mastery of the subject area; and documents 60 completed college credits with a minimum 2.5 grade point average from an accredited postsecondary institution. The House version further outlines that individuals must also enroll in an approved teacher preparation program. The bills also require that those who receive a temporary certificate be assigned a teacher mentor for at least the first two years of employment. These temporary teaching certificates for veterans are valid for five school years, and are not renewable. However, under the current Florida statute, DOE is required to provide the individual a list of methods they can complete to receive a professional certificate once their temporary certificate expires.

CS/SB 896 has passed all three committees of reference and now waits to be heard in the entire Senate floor. CS/HB 573 has passed its first two committees of references and is waiting to be heard in its last stop in the House Education and Employment Committee.

## **CS/SB 1034 and HB 6067 – William L. Boyd, IV, Effective Access to Student Education Grant Program (EASE)**

**Bill Sponsors:** Senate Education Committee and Senator Joe Gruters (R – Sarasota); Representative Randy Fine (R – Palm Bay)

Both proposals are fairly similar in that they make changes to the Effective Access to Student Education Grant Program (EASE). The changes would allow students who attend certain for-profit independent colleges and universities to receive the grant. Currently, the EASE grant is only for students who attend independent nonprofit colleges and universities. The Senate version by Senator Gruters adds that the for-profit college or university must also have a level 6 accreditation from the Commission on Colleges of the Southern Association of College and Schools.

The Senate version passed its first committee of reference in the Senate Education Committee and is still waiting to be heard in both the Senate Appropriations Subcommittee on Education and the full Senate Appropriations Committee. The House version has moved further along as it waits to be heard in the House Education and Employment Committee, the last committee of reference.

## **SB 1284 and CS/HB 823 – Florida Postsecondary Student Assistance Grant Program**

**Bill Sponsors:** Senator Joe Gruters (R – Sarasota); House Postsecondary Education and Lifelong Learning Subcommittee and Representative Kaylee Tuck (R – Sebring)

Senate Bill 1284 and committee substitute for House Bill 823 expands current eligibility for students to receive the Florida Postsecondary Student Assistance Grant. In these proposals, full-time degree-seeking students who attend a virtual postsecondary institution would be eligible. The institution must be accredited by a member of the Council of Regional Accrediting Commissions and created by governors of several states. Representative Tuck's version adds an additional provision that the institution must also employ a Florida chancellor responsible for state and local workforce coordination efforts and financial aid reporting to DOE.

SB 1284 has only been heard in its first committee of reference, the Senate Education Committee. CS/HB 823 is waiting to be heard in the House Education and Employment Committee, its last committee stop.

## **CS/SB 1404 and HB 941 – Certified School Counselors**

**Bill Sponsors:** Senate Children, Families, and Elder Affairs Committee and Senator Shevrin Jones (D – Miami Gardens); Representative David Silvers (D – West Palm Beach)

Committee substitute for Senate Bill 1404 and House Bill 941 aim to address the professional strain guidance counselors are experiencing in Florida and refocus their professional responsibilities on the job. The bills start off by outlining that certified guidance counselors must abide by the American School Counselor Association's Ethical Standards for School Counselors and should be working to provide students with a "student-centered, data-informed, and outcome-oriented" program to set students up for success for postsecondary education (including trainings and career programs). This program must be designed using DOE's Florida's School Counseling Framework.

The proposals outline duties that a certified school counselor may perform. Counselors can provide academic planning, which includes information on all forms of postsecondary education (e.g., CTE, 2-year, or 4-year degree). They may also provide orientation and academic advising to new students and mental health support to students. Counselors may provide support to school administrators, instructional personnel, students, and their parents to provide a greater understanding of achievement tests. However, the bill mentions that counselors may not perform the clerical duties for corresponding paperwork, or serve as testing coordinators.

The Senate version's companion is HB 941 which is similar and only has minor differences in language. CS/SB 1404 passed its first two committees of reference and is waiting to be heard in the Senate Rules Committee. The House version has been referenced to four House committees but is still waiting its first committee hearing in the House Secondary Education and Career Development Subcommittee.

## **SB 2524 – Education**

**Bill Sponsors:** Senate Appropriations Committee

Senate Bill 2524 is a proposed committee bill by the Senate Appropriations Committee to address various areas of both PreK-12 and higher education in Florida.

### ***Dual Enrollment***

The bill clarifies language from ([CS/CS/SB 52](#), 2021) which expanded dual enrollment to private school students. It clarifies that a student attending a private school and taking dual enrollment courses during the school day shall have a specified amount of the course paid by the private school. The per credit charge cannot be more than the per credit charge the postsecondary institution offers. If a (private school) student takes a dual enrollment courses outside of the school day or during the summer, the private school is not required to pay. It also amends current statute to clarify that a postsecondary institution may not require payment for the cost of dual enrollment instructional materials that are eligible for reimbursement.

### ***Inclusive Transition and Employment Management Program***

SB 2524 creates the Inclusive Transition and Employment Management Program for young adults with disabilities. Those who are ages 16 to 28 are to be provided with transitional skills, education, and on-the-job experience to assist them in maintaining permanent employment.

SB 2524 was submitted as a committee bill and unanimously passed the Senate Appropriations Committee.

## **CS/HB 3 – Law Enforcement Officer, Benefits, Recruitment, and Training**

**Bill Sponsors:** House Appropriations Committee and Representative Tom Leek (R – Daytona Beach)

Committee substitute for House Bill 3 outlines one of the House Chamber’s priorities to increase law enforcement officer benefits, create a bonus payment program, and establish the Florida Law Enforcement Academy Scholarship program, among other items.

### ***Florida Law Enforcement Recruitment Bonus Payment Program***

The Florida Law Enforcement Recruitment Bonus Payment Program is created to increase recruitment of law enforcement officers for Florida. The program will administer a one-time bonus payment of \$5,000 to each new officer. New officers that receive a bonus payment must gain employment with a Florida criminal justice agency and maintain full-time employment for a minimum of two years. An individual is not required to take the basic skills exam and assessment to enter a law enforcement program if they are a veteran or if they hold an associate degree or higher. Under this bill, a student may request a scholarship from the Family Empowerment Scholarship Program if they are a dependent of a law enforcement officer.

### ***College Credit for Law Enforcement Training***

The BOG shall create rules that allow eligible current or former officers to receive postsecondary credit across all Florida institutions, similar to military education and training. The Articulation Coordinating Committee (ACC) must create a workgroup to convene by September 1, 2022 to develop a process for determining a minimum amount of postsecondary credit or career clock hours to be awarded for law enforcement experience. Credits or clock hours awarded must be applicable towards the student’s degree or certificate and additional credits or clock hours may be awarded if applicable.

### ***Florida Law Enforcement Academy Scholarship Program***

The Florida Law Enforcement Academy Scholarship Program is created to assist law enforcement officer recruitment and provide financial assistance to those who enrolled in a Criminal Justice Standards and Training Commission-approved basic training program. The scholarship is subject to yearly appropriation by the Legislature and is awarded on a first-come, first-serve basis.

In order to be eligible for the scholarship, individuals must be enrolled in a Commission-approved program and not be sponsored by an employing agency, already covering the program cost. The award may be used to cover the cost of tuition and up to \$1,000 of the following expenses: the exam fee, textbooks, required insurance, ammunition, and uniforms.

CS/HB 3 has passed all of its committee stops in the House and has been added to the Second Reading Calendar. There is not a Senate companion.

## Budget

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February 9th was officially the halfway point of the 2022 legislative session and both chambers have started building their respective budgets. With Governor DeSantis announcing a tremendous amount of dollars in Florida's reserves and trust funds, the Florida Senate and House both proposed budgets higher than the Governor's proposed \$99.7 billion. The Senate has released their budget plan (SB 2500) at \$108.5 billion with the House proposing a more modest \$105.3 billion (HB 5001).

While neither chamber's budget is finalized, both the Senate and the House provided an initial amount of higher education funding that is higher than their initial proposals in 2021. The Senate's higher education proposal totals nearly \$8.7 billion. Meanwhile, the House's higher education package totals \$8.9 billion.

The Senate's higher education budget provides \$265 million for performance-based funding, matching the House's proposal. However, the House funds the SUS at \$5.4 billion compared to the Senate's \$5.3 billion. Some of the monetary differences in SUS funding for both chambers is partly due to the Senate having not yet taken up the LINE and PIPELINE Fund proposals from the House, found in CS/HB 5201. Similarly, the absence of the LINE and PIPELINE Fund proposals also account for some of the differences in funding for Florida's public colleges. The House proposal funds Florida colleges at almost \$1.5 billion compared to the Senate's proposal of \$1.3 billion. The total amount of funding for the LINE and PIPELINE Funds total \$125 million of the entire House higher education budget.

The House and Senate also have not yet met eye-to-eye on funding for private colleges in Florida, mainly as it relates to the EASE grant. With House Higher Education Appropriations Subcommittee Chair Rene Plasencia (R – Orlando) proposing budget cuts to EASE, based on the tier program found in CS/HB 5201, the House reduces EASE funding by \$6.8 million and funds private colleges at \$146 million. The Senate has not considered cuts to EASE funding and provides funding for private colleges at \$198 million.

The Senate is funding workforce education at almost \$518 million and the House provides almost \$561 million for workforce education funding. The House proposal also includes \$5 million for the Pathways to Career Opportunities Grant Program and \$15 million for the Open Door Grant Program. In terms of student financial assistance, both the House and the Senate have not indicated they intend to cut the Florida Bright Futures Scholarship Program. Both the House and Senate are funding the program at almost \$621 million.



Florida College Access Network (FCAN) is Florida's first collaborative network committed to ensuring all Floridians have the opportunity to achieve an education beyond high school and a rewarding career. We envision a Florida working together where education is the pathway to economic mobility for all. As a nonpartisan organization, FCAN strives to expand knowledge of research, data, policies and practices that impact postsecondary access and attainment in Florida. This report is intended as an educational resource.

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For more research and data from FCAN, visit [www.floridacollegeaccess.org/research-and-data/](http://www.floridacollegeaccess.org/research-and-data/).

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