

2022 Florida Legislative Session Recap:

Creating a Talent Strong Florida with additional workforce education measures, affordability, and nursing program expansion



April 2022*

***as of 4/11/2022**

Introduction

The 2022 regular legislative session adjourned sine die on March 14th, just a few days after the scheduled end date of March 11th. Lawmakers had to extend in order to vote on a record-breaking \$112.1 billion budget, supporting a variety of new and continued initiatives. Additional state dollars for teacher raises, a 5.38% wage increase for state employees, and increased per-pupil funding are just some of the highlights of this historic budget.

In total, 3,685 bills were filed this session and 275 passed. Of the 275, major policy changes include further progress in unifying workforce education initiatives, substantial modification of the standardized testing system, and the creation of a new nursing program to address a critical workforce need.

This session recap provides an overview of the notable legislation, outlined in further detail below, that stands to impact Florida's postsecondary students and build a [Talent Strong Florida](#), including:

- **CS/HB 45 – Educational Opportunities for Disabled Veterans**
- **CS/SB 722 – Education for Student Inmates**
- **SB 2524 – Education**
- **SB 7044 – Postsecondary Education**
- **CS/HB 3 – Law Enforcement**
- **CS/CS/SB 514 – Substitution of Work Experience for Postsecondary Educational Requirements**
- **CS/SB 896 – Educator Certification Pathways for Veterans**
- **CS/HB 461 – Florida Bright Futures Scholarship Program Student Service Requirements**

As of the date of this recap's release, the budget and (unless otherwise indicated) all legislation is awaiting Governor DeSantis' signature.

Legislation Impacting Postsecondary Education

CS/HB 45 – Educational Opportunities for Disabled Veterans

Bill Sponsors: House Postsecondary Education and Lifelong Learning Subcommittee, Representative Daisy Morales (D – Orlando), and Representative Christopher Benjamin (D – Miami Gardens)

Committee substitute for House Bill 45 defines what a disabled veteran is for the purpose of identifying who qualifies for this educational program. Under this statute, a disabled veteran has been confirmed to have a 100% service-connected permanent disability as determined by the United States Department of Veterans Affairs. Starting with the 2022-2023 school year, a disabled veteran who enrolls in an approved educational program at a State University System (SUS) school, a Florida College System (FCS) institution, or a career center will be eligible for a tuition and fee waiver for expenses not covered by federal benefits. All SUS, FCS, and career center institutions are responsible for reporting the number and value of all waivers to the Board of Governors (BOG) and the State Board of Education (SBE). This takes effect on July 1, 2022.

CS/SB 722 – Education for Student Inmates

Bill Sponsors: Senate Criminal Justice Committee and Senator Keith Perry (R – Gainesville)

Committee substitute for Senate Bill 722 provides additional educational opportunities for certain inmates in the correctional system. Under this bill, beginning July 1, 2022, the Department of Corrections (DOC) can now partner with an FCS institution to provide educational services to eligible inmates with 24 months or less time remaining on their sentence.

SB 2524 – Education

Bill Sponsors: Senate Appropriations Committee

Senate Bill 2524 is an expansive education bill, containing the policy provisions behind various budget items for both K-12 and higher education. Higher education and workforce items will be highlighted below.

Linking Industry to Nursing Education (LINE) Fund

Recognizing that Florida is experiencing a nursing workforce shortage, the bill provides a matching grant intended to foster collaboration between healthcare providers and nursing education programs. The funds can be utilized to recruit high-quality faculty, cover student scholarships, increase the capacity of existing nursing education programs, and purchase new equipment to grow the number of nursing graduates who will enter Florida's workforce. The grant for SUS institutions will be administered by the BOG and FCS, while technical centers and private non-profit universities will be administered through the DOE.

Subject to appropriation by the Legislature, the state will match \$1 for each \$1 contributed to an institution by a healthcare provider. Institutions, in partnership with an eligible healthcare provider, must submit a proposal to the BOG or DOE in order to be considered for funding. As funds are used, the state will track the ROI of the program by requiring that each participating institution report on multiple metrics, including the number of additional nursing students enrolled and scholarships awarded. The BOG and State Board of Education (SBE) are responsible for creating an application as well as adopting rules to review proposals and administer funds.

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

In partnership with the LINE Fund, the PIPELINE Fund has been created to award high-performing nursing education programs in the state. Institutions will receive funds based on the number of nursing program graduates and the first-time pass rate of the NCLEX. The intention is to reward the institutions that have an NCLEX first-time pass rate that is above the national average.

Center for Nursing and the Florida Talent Development Council

Under this section, the bill aligns the roles of the Center for Nursing with the Florida Talent Development Council (TDC). This allows for collaboration on the various nursing education program initiatives mentioned above. The Center for Nursing will take over the role of producing the workforce gap analysis, while TDC will be responsible for providing the outcomes of nursing students enrolled in institutions participating in the LINE and PIPELINE Funds. The TDC must also report on the outcomes of nursing graduates that received student loan forgiveness repayments. The specific metrics that must be included are: number of graduates who received the repayment, amount repaid, the graduate's employer, and levels of nursing licensure for the previous four years.

Student Open Access Resources Repository

In order to expand open access resources for students in Florida's postsecondary education system, the bill creates the Student Open Access Resources Repository. Originally part of CS/HB 5201, the repository will be a statewide internet-based, searchable database of available open education resources (OERs) created by FCS and SUS faculty. OERs must be legally available, released under an intellectual property license, and may include full courses, textbooks, exams, and software.

FCS and SUS chancellors are tasked with collaborating in order to create a process for developing and vetting quality OERs in partnership with faculty, librarians, and other instructional personnel. The Florida Postsecondary Academic Library Network will serve as the lead agency on this initiative. The Network is responsible for hosting the digital assets, as well as ensuring compliance with federal and state laws and providing training for professional development as it relates to this program.

In addition to creating the repository, the bill also creates the Student Open Access Resource Grant Program, in order to provide incentive funding for institutions and their staff for OER expansion. An FCS or SUS institution may apply to the Network to receive grant funding, subject to appropriation by the Legislature. Institutions that receive funds must openly license and share any OERs that have been developed or adapted using grant dollars and post them in the repository. Lastly, these institutions must visibly include on their website which courses use OERs, at least 45 days before the first day of class, to make students aware of courses with zero-cost options for textbooks. The bill provides reporting guidelines that each participating institution must abide by, including the number and value of grants awarded.

Fee Waivers

Similar to the language originally found in SB 1122 and CS/HB 991, this adds two new programs of strategic emphasis to the “Buy One, Get One” fee waiver implemented last year. Beginning with the 2022-2023 school year, students will now be eligible for a fee waiver if they enroll in a program of strategic emphasis from the critical workforce gap analysis, as identified by the BOG.

Dual Enrollment Scholarship Program

As mentioned in the session update published in [February](#), a portion of the bill clarifies language from 2021 (CS/CS/SB 52) that expanded dual enrollment opportunities to private school students. With this change, private school students will be eligible to take dual enrollment courses in the fall or spring, at no cost to them. The Department of Education (DOE) must reimburse the postsecondary institutions for tuition and related costs of materials no more than 30 days after participating institutions have reported their term enrollment.

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

At the beginning of the budget process during session, the EASE grant faced proposed changes to the allocation of funds. Further discussed in the budget section of this recap, the proposed metrics changes are not part of the final budget that was passed. However, policymakers have added another requirement for institutions to follow that receive these funds. Performance metrics (which should be reported to the DOE), must now be posted on each institution’s website by October 1 of each year. These metrics include the access rate of Pell-eligible students, affordability, graduation and retention rate, and postgraduate employment rate.

This bill takes effect on July 1, 2022.

SB 7044 – Postsecondary Education

Bill Sponsors: Senate Education Committee and Senator Manny Diaz (R – Hialeah Gardens)

Another large education bill, Senate Bill 7044 focuses on textbook affordability and tuition transparency for students.

Textbook and Instructional Materials Affordability and Transparency

In order to provide additional transparency to students on the cost of postsecondary education, Senate Bill 7044 requires that a list of both required and recommended textbooks be posted at least 45 days before the first day of class. The list must also remain posted and accessible for 5 years, as well as be searchable by: course title, number, and subject, instructor name, title of textbook, and the textbook author. In addition to textbook transparency, the section also requires syllabus information for each general education course be publicly posted, by an instructor, including the objectives and goals of the course, and how performance will be measured.

FCS and SUS Institution Student Fees

SB 7044 also focuses on transparency for student tuition and fees. All tuition and fee costs, as well as any changes, must be prominently featured on the postsecondary institution's website in a manner that is easily obtainable. Should an institution decide to raise or change any charges, they must also provide this information to all students in the form of an email and highlight the need for these changes. To align with the SUS, a supermajority vote of the district board of trustees is now required to increase FCS fees.

Statewide Course Numbering System

This section has been amended to include provisions that would provide additional clarity for transfer between FCS and SUS institutions.

The bill requires that institutions that are processing a student's transfer credits must first apply them to general education degree requirements. These transfer credits include those earned through dual enrollment or other accelerated courses. The SBE is tasked with adopting rules that will authorize them to collect course information and conduct regularly scheduled faculty committee reviews.

Changes to the Accreditation Process

By September 1, 2022, the BOG and SBE must identify new accrediting agencies to serve Florida's public postsecondary institutions. These agencies must be recognized by the US Department of Education and the same agency may not be used in consecutive cycles. Each postsecondary institution is responsible for using an agency identified by the BOG or SBE, subsequent to their next reaffirmation or fifth-year review year. The section also includes a course of action; any institution that is negatively impacted by an agency's retaliatory action has the right to bring a cause of action against the accrediting agency. This section of the bill is set to expire on December 31, 2032.

This bill will take effect on July 1, 2022.

Other Relevant Bills

CS/HB 3 – Law Enforcement

Bill Sponsors: Senate Appropriations Committee, Representative Tom Leek (R – Daytona Beach), and Representative Charles Brannan III (R – Lake City)

Committee substitute for House Bill 3 is a comprehensive Speaker priority bill that includes various changes to law enforcement operations in Florida. Relative to education, the bill will allow law enforcement officers to earn college credit for their training and creates the Florida Law Enforcement Academy Scholarship.

College Credit for Law Enforcement Training

Under this bill, the BOG and SBE are tasked with creating a process that will allow current or former law enforcement officers to earn postsecondary education credits for education and college-level training during their service. The Articulation Coordinating Committee (ACC) is responsible for creating a workgroup of 14 members, outlined in statute, to develop a process to determine the credit hours that may be awarded based on experience. The workgroup must present this to the BOG and SBE by March 1, 2023, for approval.

After the BOG and SBE approve the workgroup's recommendations, the ACC has one year to approve a prioritized list of course equivalencies and the minimum credit or clock hours that may be awarded.

Florida Law Enforcement Academy Scholarship Program

Committee substitute for House Bill 3 creates the Florida Law Enforcement Academy Scholarship Program in order to recruit law enforcement officers by providing financial aid to those who enroll in a commission-approved basic training program. Under this section, "commission" is defined as the Criminal Justice Standards and Training Commission, which is housed under the Department of Law Enforcement (DLE). The DOE is responsible for collaborating with the DLE in order to administer funds, subject to appropriation. The scholarship is to be awarded on a first-come, first-serve basis. Trainees who receive the award may use it to cover tuition costs and fees. They also may use up to \$1,000 to cover textbooks, insurance, ammunition, and other applicable costs.

This bill was signed by Governor DeSantis on April 1 and takes effect on July 1, 2022.

CS/CS/SB 514 – Substitution of Work Experience for Postsecondary Educational Requirements

Bill Sponsors: Senate Community Affairs Committee, Senate Governmental Oversight and Accountability Committee, and Senator Danny Burgess (R – Zephyrhills)

In an effort to expand workforce opportunities for more Floridians, CS/CS/SB 514 allows government agencies, including special districts, to substitute related work experience for postsecondary education requirements. Work experience may not be a substitution for any required license, certification, or registration that the open position requires. An agency electing

to do this must include that this substitution is allowed in all job postings and advertisements. This takes effect on July 1, 2022.

CS/SB 896 – Educator Certification Pathways for Veterans

Bill Sponsors: Senator Danny Burgess (R – Zephyrhills)

In an effort to address the current teacher shortage, the committee substitute for Senate Bill 896 allows veterans to obtain a temporary teaching certificate from the Department of Education (DOE) if they meet all requirements. Eligible veterans must have at least 48 months of active-duty military service with an honorable discharge or medical leave, complete the relevant subject area content requirements, and have completed 60 college credits with a minimum 2.5 GPA from an accredited postsecondary institution.

These individuals will be assigned to a teacher mentor for a minimum of two academic years. Teacher mentors must have a valid professional certificate, have taught in the K-12 system for a minimum of three years, and earned a rating of “effective” or “highly effective” on their previous year’s performance evaluation. Temporary certificates issued under this measure can only be issued once, are valid for five academic years, and are not eligible for renewal. However, should an individual wish to continue teaching, DOE is required to provide a list of methods that can be completed to receive a professional teaching certificate. CS/SB 896 takes effect on July 1, 2022.

CS/HB 461 – Florida Bright Futures Scholarship Program Student Service Requirements

Bill Sponsors: House Postsecondary Education and Lifelong Learning Subcommittee, Representative Lauren Melo (R – Naples), and Representative Susan Valdes (D – Tampa)

Committee substitute for House Bill 461 expands the ways that high school students can fill the volunteer service requirement for the Florida Bright Futures Scholarship Program. Before this bill, students needed to complete volunteer hours (100, 75, or 30) based on the award level. With the passage of this bill, pending the Governor’s signature, students may substitute the volunteer experience for paid work experience. Starting with the 2022-2023 school year, 100 work hours may be substituted for volunteer hours. This legislation takes effect upon signing.

Budget

The Florida Legislature approved a record \$112.1 billion budget, the largest in state history. In addition to the funding for education that is highlighted below, this budget also includes increased pay for state employees, a month-long cut to the state gas tax in October, and additional funding for teacher pay increases. Governor DeSantis has until July 1, the start of the new fiscal year, to sign the budget. In recent press conferences, the Governor has alluded to using his veto power on certain budget items.

The State University System will receive a total of \$3.53 billion in operating funds. Highlights include:

- No tuition increases
- \$560 million for state university performance-based funding incentives
- \$31.3 million for incentives for Programs of Strategic Emphasis (Buy One, Get One Free)
- \$5.4 million for Student Open Access Resources (SOAR)

The Florida College System will receive \$1.535 billion in operating funds. Highlights include:

- No tuition increases
- \$25 million in operational funds
- \$14 million for students earning industry certifications in high-skill, high-demand areas at Florida colleges
- \$30 million for student success incentive funds
- \$20 million for the Open-Door Grant Program
- \$5.4 million for Student Open Access Resources (SOAR)


Financial aid programs in the state received strong support, while policymakers continue to look at the state and student return on investment of these funds. Highlights include:

- *EASE Tuition Assistance Grant:* The EASE grant provides tuition assistance to Florida resident students attending eligible independent, non-profit schools. Earlier this session, proposals were made to cut funding to the EASE grant based on a tiered system (covered in detail in FCAN's [session update](#)). After budget discussion occurred, this formula was not included in the final budget. However, the award amount was reduced from approximately \$2,800 to \$2,000. Institutions receiving EASE grant funding must also post the metrics that they report to the DOE on their website (including access, retention, graduation, job placement, and affordability). This year, EASE is funded at \$75.4 million, providing \$2,000 for 37,705 students.
- *Bright Futures:* The Bright Futures Scholarship Program is funded at \$620.9 million. Although Governor DeSantis recommended restoring the \$300 textbook stipend in his budget proposal for FY 22-23, legislators stood by their decision from last year and did not fund the stipend.
- *Benacquisto Scholarship Program:* This program has been funded at \$36.4 million.
- *Law Enforcement Academy Scholarship:* \$5 million

Workforce education received a total of \$583 million. Highlights include:

- \$6.5 million for students earning industry certifications in high-skill, high-demand areas at career technical centers
- \$15 million for the Pathways to Career Opportunities Grant Program to establish or expand pre-apprenticeship and apprenticeship programs for high school and college students
- \$15 million for the Open-Door Grant Program

Other notable items in this session's budget include:

- \$18 million for Dual Enrollment Scholarships
 - \$32 million in operating funds for Florida's Historically Black Colleges and Universities
 - \$31.7 million for the Florida Postsecondary Academic Library Network
 - \$100 million for the Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education (PIPELINE) Fund
 - \$25 million for the Linking Industry to Nursing Education (LINE) Fund
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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/.

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