

Department of Education Division of Career and Adult Education
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 6A-10.0246

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is “yes,” see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is “yes,” a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth

Yes ☐ No ☒

Private-sector job creation or employment

Yes ☐ No ☒

Private-sector investment

Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets)

Yes ☐ No ☒

Productivity

Yes ☐ No ☒

Innovation

Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: The proposed rule merely sets standard admission requirements for certain postsecondary career and technical education (CTE) programs operated by school districts and charter technical colleges. The rule does not regulate or affect small businesses. Any attempt to determine potential economic impacts or effects on private sector employment would be entirely speculative as it is unknown what effect the proposed rule will have on enrollment in the covered programs.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

39 school districts and 1 charter technical career center offering accredited postsecondary CTE programs listed in Rule 6A-10.0246(a)-(d). In the 2025-26 school year, there were 71,323 students enrolled in postsecondary CTE programs (including dual enrollment students). It is unknown how many of those students were new applicants vs. continuing students.

(2) A general description of the types of individuals likely to be affected by the rule.

School districts and charter school technical career centers may institute changes to admissions processes; however the effect of any changes is expected to be minimal and to be absorbed within existing staffing plans and budgets.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☐ None. The rule will only affect the agency.
- ☒ Minimal. Provide a brief explanation. While the rule is new, many of the requirements restate federal or state laws that postsecondary CTE programs already

have to comply with, such as accommodating religious beliefs, accommodating students with disabilities, and applying admissions policies to all students in a nondiscriminatory manner. Although there may be staff time required for initial training and ongoing implementation of the requirement to ensure students are U.S. citizens or are lawfully present in the U.S. prior to enrollment, the effect is expected to be minimal and to be absorbed within existing staffing plans and budgets.

☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

☐ None.

☐ Minimal. Provide a brief explanation.

☒ Other. Provide an explanation for estimate and methodology used. It is possible that requiring students to provide documentation that they are U.S. citizens or are lawfully present in the U.S. prior to enrollment could cause a reduction in enrolled students, which would necessarily reduce the overall tuition and fees collected. However, this would be balanced against a reduction in overall costs to serve students. The Department does not have reliable data concerning how many postsecondary CTE students are not U.S. citizens and are not lawfully present in the U.S. Therefore, any attempts to determine the potential impact or whether there may or may not be a decrease in enrollment is entirely speculative.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

☐ None. The rule will only affect the agency.

☒ Minimal. Provide a brief explanation. There may be staff time required for initial training and review of citizenship or lawful presence documentation, but the effect is expected to be minimal and to be absorbed within existing staffing plans, workloads, and budgets. School districts and charter technical career centers offering postsecondary CTE programs already have existing administrative structures within their institutions, including admissions or registration staff and related procedures.

Records required to be stored are minimal and are able to be maintained in existing records management systems.

☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) “Small business” is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

☒ No adverse impact on small business.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(2) A “Small City” is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A “small county” is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

☒ No impact on small cities or small counties.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

Discussion and Analysis of Market Impacts: The rule regulates school districts and charter technical career centers offering postsecondary CTE programs and sets forth certain criteria for admission into those programs. The proposed rule is not expected to impact the market.

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

☒ No regulatory alternatives were submitted.

☐ A regulatory alternative was received from

☐ Adopted in its entirety.

☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

FEA and UFF submitted three preliminary lower cost regulatory alternatives, however FEA and UFF do not have standing to submit such proposals and failed to follow the statutory requirements for submitting such proposals. Without waiving any arguments as to standing or statutory deficiencies of such preliminary proposals, the Departments makes the following comments:

1. The proposed rule ensures that taxpayer-funded postsecondary workforce education is provided for the benefit of U.S. citizens and those lawfully present in the U.S., provides a clear and consistent framework for admission requirements for postsecondary CTE programs operated by school districts and charter technical colleges, and aligns postsecondary workforce admissions with admissions requirements across Florida's postsecondary education system.
2. Relying on attestation with targeted verification limited to programs or circumstances where a specific law requires it as a condition of enrollment, funding, licensure, or certification is not feasible because it does not achieve the objectives noted above and it is unknown which programs, if any, would require such verification.
3. Admissions processes for the covered programs are already made at the local level. The Department does not have an existing admissions office structure and

records storage set up for individual student files of this nature which means that centralization of admissions decisions would lead to higher regulatory costs.