

Tab 2	SB 146 by Ring, Gaetz; (Similar to H 0123) Federal Student Loan Default Rates						
260942	A	S	RCS	AED, Ring	Delete L.130 - 187:	12/07 01:56 PM	

Tab 3	SB 350 by Montford (CO-INTRODUCERS) Hutson, Gaetz; (Compare to CS/H 0305) Online Procurement						
649124	D	S	RCS	AED, Montford	Delete everything after	12/07 01:56 PM	

Tab 4	SB 520 by Lee (CO-INTRODUCERS) Gaetz; (Identical to H 0793) Florida Bright Futures Scholarship Program						
143430	D	S	RCS	AED, Gaetz	Delete everything after	12/07 01:56 PM	

Tab 5	CS/SB 524 by HE, Gaetz; (Compare to H 7043) State University System Performance-based Incentives						
578672	D	S	RCS	AED, Gaetz	Delete everything after	12/07 01:56 PM	
729242	AA	S	RCS	AED, Legg	Delete L.331 - 384.	12/07 01:56 PM	

Tab 6	SB 576 by Flores; (Identical to H 0341) Public Educational Facilities						
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
APPROPRIATIONS SUBCOMMITTEE ON EDUCATION
Senator Gaetz, Chair
Senator Montford, Vice Chair

MEETING DATE: Thursday, December 3, 2015
TIME: 3:30—5:30 p.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Gaetz, Chair; Senator Montford, Vice Chair; Senators Bullard, Galvano, Legg, Ring, Simmons, and Stargel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Update: Florida College System Performance Funding		Discussed
2	SB 146 Ring / Gaetz (Similar H 123)	Federal Student Loan Default Rates; Requiring certain institutions to maintain a federal student loan cohort default rate below a specified percentage; revising the minimum standards the Commission for Independent Education must use to evaluate an institution for licensure to include the institution's federal student loan cohort default rate; requiring Florida College System institution performance funding for industry certifications to take into consideration an institution's federal student loan cohort default rate, etc. HE 10/20/2015 Temporarily Postponed HE 11/17/2015 Favorable AED 12/03/2015 Fav/CS AP	Fav/CS Yeas 8 Nays 0
3	SB 350 Montford (Compare CS/H 305)	Online Procurement; Revising the powers and duties of the district school board to authorize the adoption of rules regarding procurement practices; authorizing a district school board to use online procurement for certain services and purchases; authorizing each district school board, Florida College System board of trustees, and university board of trustees to make purchases through an online procurement system, etc. GO 11/02/2015 GO 11/17/2015 Favorable AED 12/03/2015 Fav/CS AP	Fav/CS Yeas 7 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Subcommittee on Education
 Thursday, December 3, 2015, 3:30—5:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 520 Lee (Identical H 793, Compare S 990)	Florida Bright Futures Scholarship Program; Providing that the initial award period and the renewal period for students who are unable to accept an initial award immediately after completion of high school due to a full-time religious or service obligation begin upon the completion of the religious or service obligation; requiring a student, as a prerequisite for the Florida Academic Scholars award, the Florida Medallion Scholars award, or the Florida Gold Seal Vocational Scholars award, to identify a social or civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area, etc. HE 11/17/2015 Favorable AED 12/03/2015 Fav/CS FP	Fav/CS Yeas 7 Nays 0
5	CS/SB 524 Higher Education / Gaetz	State University System Performance-based Incentives; Requiring performance-based metrics to include specified wage thresholds; requiring the Board of Governors to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet the state's threshold from eligibility for a share of the state's investment performance funding, etc. HE 11/17/2015 Fav/CS AED 12/03/2015 Fav/CS AP	Fav/CS Yeas 6 Nays 1
6	SB 576 Flores (Identical H 341)	Public Educational Facilities; Authorizing certain Florida College System institutions to construct dormitories for up to 400 students, etc. HE 11/17/2015 Favorable AED 12/03/2015 Favorable FP	Favorable Yeas 7 Nays 0
7	Florida Education Finance Program (FEFP) Local Dollars Discussion		Discussed
8	Presentation on Governor's Fiscal Year 2016-2017 Budget Recommendations: - Department of Education - Board of Governors - Office of Early Learning		Presented
Other Related Meeting Documents			



Education Funding and Performance Update

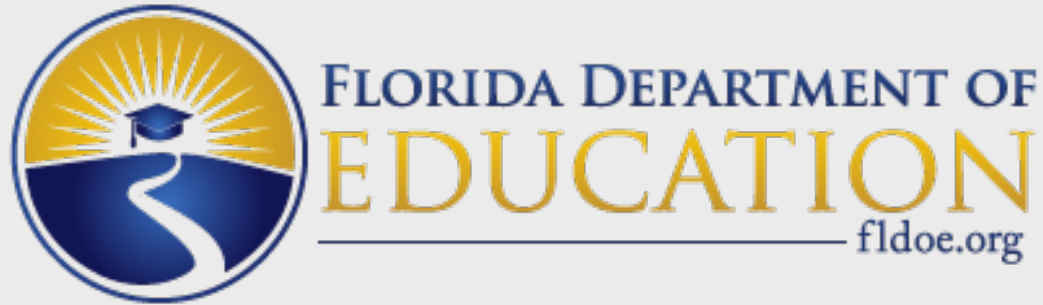
Senate Appropriations Subcommittee on Education

**December 3, 2015
Department of Education**



FLORIDA DEPARTMENT OF
EDUCATION
fldoe.org

www.FLDOE.org



Florida College System

Madeline Pumariega, Chancellor

Performance Based Incentive Funding

College Excellence Funds – Aspen Award

CAPE Incentive Funds

The Path to the Performance Funding Model

- May 2014: Proviso language
- July 1, 2014: Gathering at Valencia College with representatives from all 28 Florida College System institutions
- July 2014 – January 2015: Working with stakeholders to identify model components
- January 23, 2015: Commissioner’s recommendation
- Spring 2015: Measure refinement & model simulation
- June 19, 2015: Legislation passed
- July 23, 2015: State Board of Education adopts model
- July 28, 2015: Results provided to colleges
- August 2015: Working with colleges in Bronze category on the development of improvement plans
- September 2015: State Board of Education approves improvement plans

Measures

- Four measures were specified in proviso and statute
 - Job Placement and/or Continuing Education (post-graduation success)
 - Completion Rate (graduation)
 - Retention Rate (academic progress)
 - Earnings (career success)
- Measures were scored for both excellence and improvement
 - Excellence compares college data to prior-year(s) system average
 - Improvement compares college data to college's own prior-year(s)
 - College receives a score for higher value of excellence or improvement

2015-16

\$20 Million - Base Budget

- Proviso and statute delegate State Board of Education to establish threshold to earn restoration of base budget
- Colleges below threshold submit improvement plans for State Board of Education approval
- December and May reports from colleges demonstrating successful implementation of improvement plan actions cause restoration of withheld funds

2015-16

\$20 Million – New Funds

- Proviso and statute allow new funds for colleges above threshold
- Proviso and statute provide highest seven colleges with new funds from colleges below threshold

- Legislative Budget Request for 2016-17 includes \$20 million from base funds and continuation of \$20 million in performance funds

2015-16 Performance Funding Results

Category	Gold	Silver	Bronze
Funding Received	<ul style="list-style-type: none"> • Base funds • New funds • Bronze portion of new funds 	<ul style="list-style-type: none"> • Base funds • New funds 	<ul style="list-style-type: none"> • Base funds restored if improvement plan is approved and progress is made
Colleges	<ul style="list-style-type: none"> • Santa Fe College • Valencia College • Tallahassee Community College • Lake-Sumter State College • Gulf Coast State College • State College of Florida, Manatee-Sarasota • Florida SouthWestern State College 	<ul style="list-style-type: none"> • Chipola College • Broward College • Florida Gateway College • Seminole State College of Florida • Hillsborough Community College • Miami Dade College • Eastern Florida State College • Palm Beach State College • Polk State College • St. Johns River State College • Florida Keys Community College • South Florida State College • Florida State College at Jacksonville • North Florida Community College • St. Petersburg College • Indian River State College 	<ul style="list-style-type: none"> • Pasco-Hernando State College • College of Central Florida • Daytona State College • Northwest Florida State College • Pensacola State College



Florida College System

Performance Based Incentive Funding
College Excellence Funds – Aspen Award
CAPE Incentive Funds

Florida College System Success

Aspen Award

National Community College Excellence Award
that is awarded every two years.

- 2015 Winner: Santa Fe College
 Finalist: Indian River State College
- 2013 Finalist: Broward College
 Finalist: Santa Fe College
- 2011 Winner: Valencia College
 Finalist: Miami Dade College

Florida was one of only three states with multiple finalists. The award recognizes colleges for exceptional student outcomes in four areas: Student Learning, Certificate and Degree Completion, Employment and Earnings, and High Levels of Access and Success for Minority & Low-income Students.

Source: The Aspen Institute <http://www.aspeninstitute.org/policy-work/college-excellence/overview>

College	2015-16 Allocation
Broward College	\$400,000
Indian River State College	\$400,000
Miami Dade College	\$400,000
Santa Fe College	\$800,000
Valencia College	\$400,000
Total	\$2,400,000

Proviso language states “Funds in the amount of \$2,400,000 are provided in Specific Appropriation 122 to be allocated on an equal basis among Florida College System institutions qualifying as a finalist or higher in the biennial Aspen Institute’s Prize for Community College Excellence within the last five years.”

Florida College System Performance

Florida College System (FCS) institutions are consistently recognized nationally.

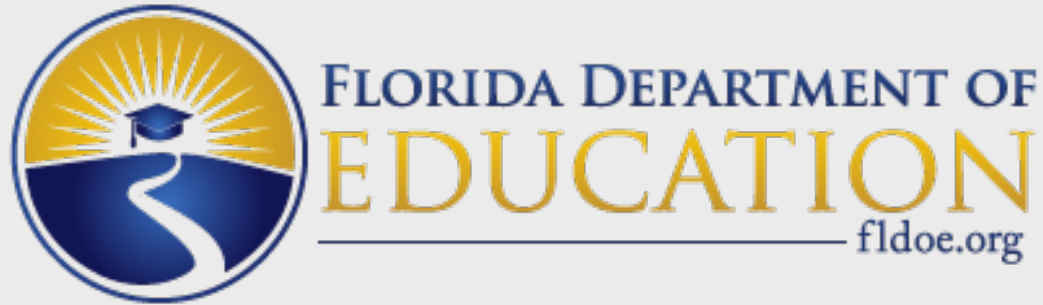
The FCS is delivering on our promise for Florida's future.

In 2013, five FCS institutions landed in the top 50 of *Washington Monthly's* list of best community colleges in the nation, a rating based on data in a number of areas including **collaborative learning, student effort, academic rigor, student-faculty interaction and support for learning**. These rankings highlight the mission of providing access to low-cost, quality education and job training for high-skill, high-wage jobs.

According to *Washington Monthly*, **North Florida Community College** ranked second among national community colleges. **Chipola College, Miami Dade College, Valencia College and South Florida State College** also made the list.

In 2014, *U.S. News and World Report* ranked **Indian River State College** as the **9th top public regional college in the Southern United States** in its 2015 rankings of Best Colleges, moving up from the 12th last year. Over 1,300 colleges and universities were ranked by *U.S. News and World Report* based on **16 measures of quality, including student/faculty ratio, class size, faculty credentials, and retention and graduation rates**.

US News and World Report named **Daytona State College #2 in online education**.

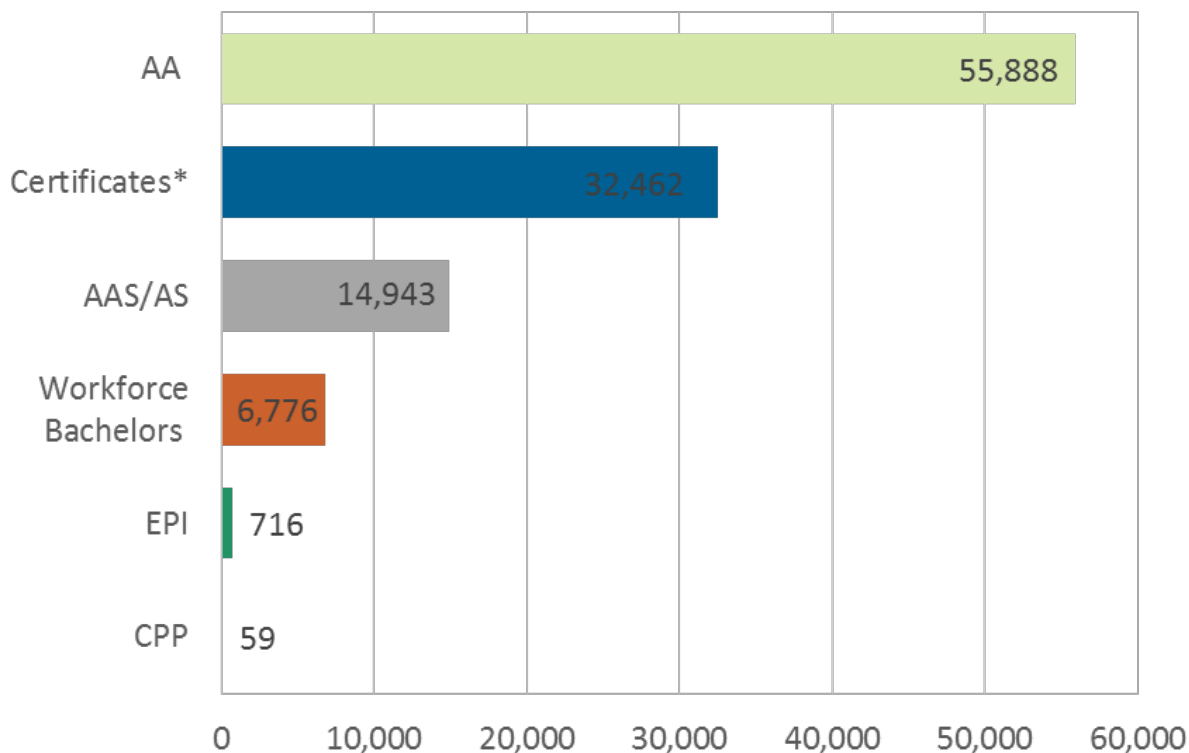


Florida College System

Performance Based Incentive Funding
College Excellence Funds – Aspen Award
CAPE Incentive Funds

Record Number of Graduates: Over 110,000 Awards Earned in 2014-15

Completions by Award Type



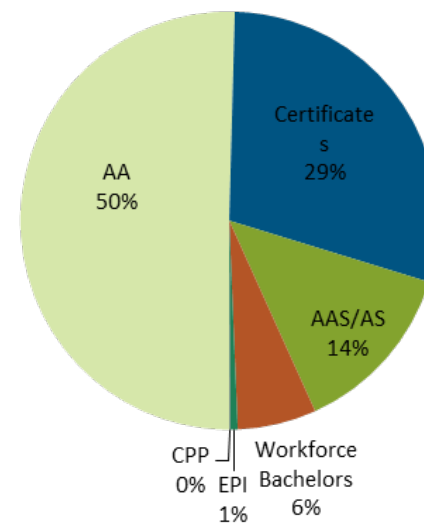
*Certificates include Career Technical Certificate, College Credit Certificate, Applied Technology Diploma, Advanced Technical Certificate, and Apprenticeship.

#1 in certificate rankings

Florida is the **number one certificate and associate degree producer** among southern states affiliated with the Southern Regional Education Board

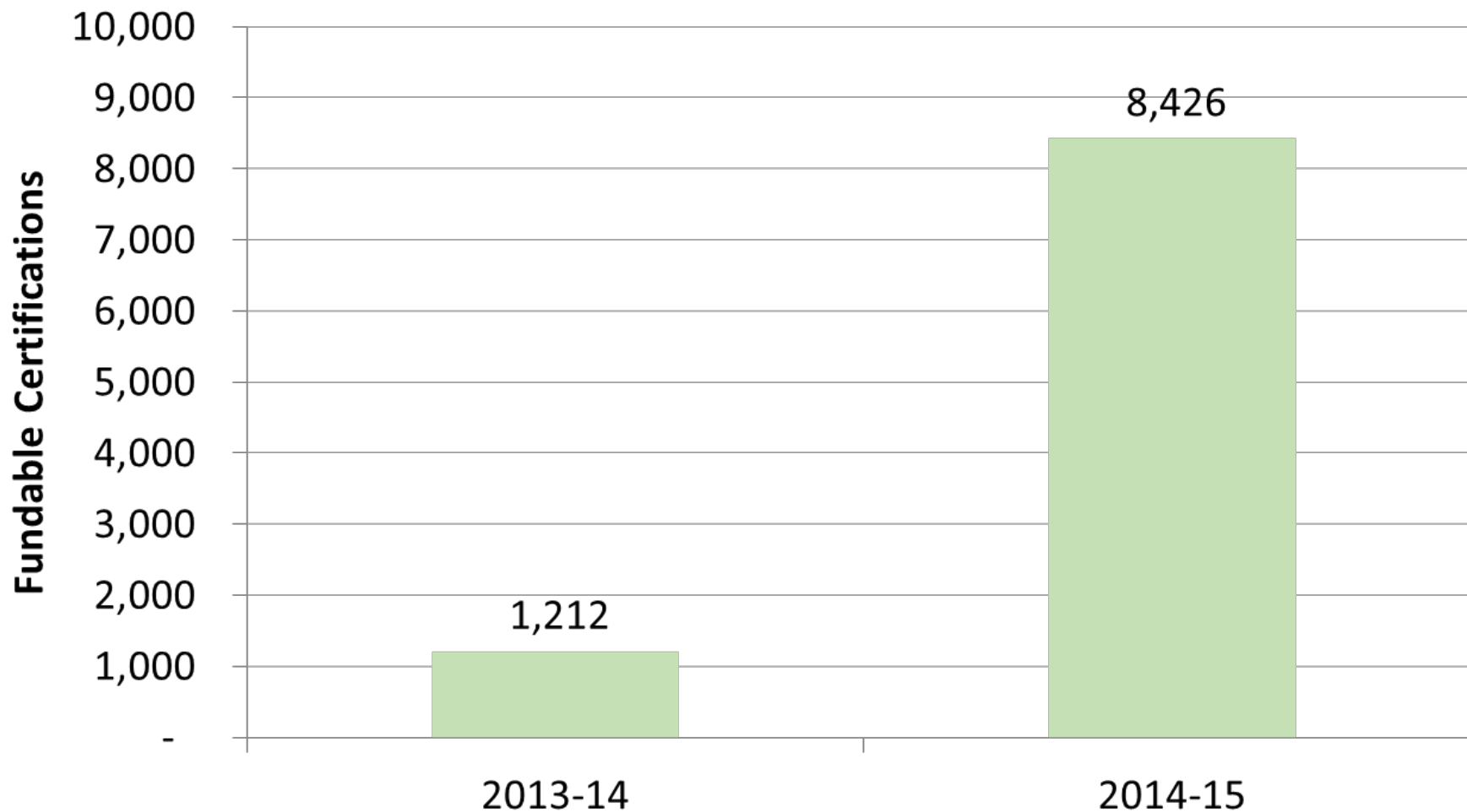
(SREB State Database Exchange, February 2014)

Percent of Total Awards



Source: PK-20 Education Reporting & Accessibility (PERA) and FCS Research & Analytics

Fundable Certifications Earned (2013-14 and 2014-15)



CAPE Postsecondary Allocation

	2013-14	2014-15	2015-16
Allocation	\$5,000,000	\$5,000,000	\$5,000,000
Number of certificates earned	1,212	8,426	TBD*
Funding per certificate earned	\$1,000	\$593.40	TBD*

Per statutory language, if the funds are insufficient to fully fund the calculated total award, such funds shall be prorated.

*- Data will be available at the end of the next school year.

Top 10 CAPE Postsecondary Industry Certifications Earned, 2014-15

Certifications	# Earned	Average Salary
National Licensed Registered Nurse (NCLEX-RN)	2,265	\$65,470
Law Enforcement Officer	1,459	\$56,980
Emergency Medical Technician (EMT)	836	\$31,020
Paramedic (EMT-P)	567	\$31,020
Correctional Officer	465	\$38,970
Fire Fighter II	347	\$36,300
National Licensed Practical Nurse (NCLEX-PN)	311	\$41,540
Registered Technologist (Radiography)	224	\$55,910
CompTIA A+	177	\$70,120
Certified Nursing Assistant (CNA)	138	\$22,880

Source: PK-20 Education Reporting & Accessibility and FCS Research & Analytics, www.FLDOE.org, and the BLS Occupational Outlook Handbook.



www.FLDOE.org



www.FLDOE.org

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Education

BILL: PCS/SB 146 (241948)

INTRODUCER: Appropriations Subcommittee on Education; Senators Ring and Gaetz

SUBJECT: Federal Student Loan Default Rates

DATE: December 7, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bailey	Klebacha	HE	Favorable
2.	Sikes	Elwell	AED	Recommend: FAV/CS
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/SB 146 utilizes federal student loan cohort default rates as an accountability measure for private postsecondary educational institutions. Specifically, the bill defines and applies federal student loan cohort default rates as a criteria affecting the licensure of certain private postsecondary educational institutions and tuition assistance award eligibility for the William L. Boyd, IV, Florida Resident Access Grant (FRAG) and the Access to Better Learning and Education (ABLE) Grant.

The bill has no impact on state funds. Currently, no institutions eligible to award FRAG or ABLE awards would be impacted by this bill. A very small number of proprietary schools may lose their license under the provisions of this bill.

The bill takes effect July 1, 2016.

II. Present Situation:

The United States Department of Education (ED) annually calculates the federal student loan cohort default rates. The ED releases the cohort default rates annually by September 30.¹

¹ U.S. Department of Education, Federal Student Aid, *Frequently Asked Questions*, <http://www.ifap.ed.gov/DefaultManagement/faq/FAQ.html> (last visited October 14, 2015).

Defaulted federal student loans cost taxpayers money.² Cohort default rate sanctions and benefits provide an incentive for schools to work with their borrowers to reduce default.³ Sanctions can prevent a school with a high percentage of defaulters from continuing to participate in the William D. Ford Federal Direct Loan (Direct Loan) Program and federal Pell Grant programs.⁴

Federal Student Loan Default Rates

Federal student loans are borrowed funds that must be repaid with interest.⁵ Failure to repay a loan can result in default.⁶ For most federal student loans, an individual will default if he or she does not make a payment in more than 270 days.⁷

On October 28, 2009, ED published the regulations enacted by the Higher Education Opportunity Act of 2009 that govern the calculation of cohort default rates.⁸ An institution's cohort default rate is calculated as a percentage of borrowers in the cohort who default before the end of the second fiscal year after the fiscal year in which the borrowers entered repayment.⁹ This extends the length of time in which a student can default from two to three years.¹⁰ "A 3-year cohort default rate is the percentage of a school's borrowers who enter repayment on certain Federal Family Education Loan (FFEL) Program or Direct Loan Program loans during a particular federal fiscal year, October 1 to September 30, and default or meet other specified conditions prior to the end of the second following fiscal year."¹¹

If an institution's three most recent cohort default rates are 30 percent or higher for the 3-year cohort default rate calculation, the institution will lose Direct Loan and federal Pell Grant program eligibility for the remainder of the fiscal year in which the school is notified of its sanction and for the following two fiscal years, unless the institution successfully adjusts or appeals the sanctions.¹² If an institution's cohort default rate is higher than 40 percent for the 3-year cohort default rate calculation, the institution will lose Direct Loan program eligibility for the remainder of the fiscal year in which the institution is notified of its sanction and the following two fiscal years, unless the institution successfully adjusts or appeals the sanction.¹³

² U.S. Department of Education, *Cohort Default Rate Guide (Sep. 2015)*, available at <http://ifap.ed.gov/DefaultManagement/guide/attachments/CDRMasterFile.pdf>, at 61 of 218.

³ *Id.*

⁴ *Id.*

⁵ U.S. Department of Education, Federal Student Aid, *Default Rates*, <https://studentaid.ed.gov/about/data-center/student/default> (last visited October 14, 2015); U.S. Department of Education, Federal Student Aid, *Cohort Default Rate Guide*, <http://ifap.ed.gov/DefaultManagement/CDRGuideMaster.html> (last visited October 14, 2015).

⁶ *Id.*

⁷ *Id.*

⁸ U.S. Department of Education, *Three-Year Official Cohort Default Rates for Schools*, <http://www2.ed.gov/offices/OSFAP/defaultmanagement/cdr.html> (last visited October 14, 2015).

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² U.S. Department of Education, *Cohort Default Rate Guide (Sep. 2015)*, available at <http://ifap.ed.gov/DefaultManagement/guide/attachments/CDRMasterFile.pdf>, at 63 of 218.

¹³ *Id.*

Operation of Private Postsecondary Educational Institutions

Private postsecondary educational institutions must be licensed to operate in Florida and meet specified fair consumer practices requirements.

Licensure of Institutions

The Commission for Independent Education (CIE or commission) is responsible for developing minimum standards to evaluate institutions for licensure.¹⁴ Current law requires that the standards must, at a minimum, include the institution's name, financial stability, purpose, administrative organization, admissions and recruitment, educational programs and curricula, retention, completion, career placement, faculty, learning resources, student personnel services, physical plant and facilities, publications, and disclosure statements about the status of the institution related to professional certification and licensure.¹⁵ A postsecondary educational institution must obtain licensure from the commission to operate in the state of Florida, unless such institution is not under the commission's jurisdiction or purview.¹⁶

Institutions that are exempt from licensure by the commission include, but are not limited to, Independent Colleges and Universities of Florida (ICUF) institutions that are eligible to participate in the FRAG program.¹⁷ Such colleges and universities must be not for profit, located and chartered in Florida, and accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (SACS) to grant baccalaureate degrees.¹⁸

Licensure by Means of Accreditation

A private postsecondary educational institution that meets the following criteria may apply for a license by means of accreditation from the commission:

- The institution has operated legally in this state for at least five consecutive years.
- The institution holds institutional accreditation by an accrediting agency evaluated and approved by the commission as having standards substantially equivalent to the commission's licensure standards.
- The institution has no unresolved complaints or actions in the past 12 months.
- The institution meets minimum requirements for financial responsibility as determined by the commission.
- The institution is a Florida corporation.

An institution that is granted a license by means of accreditation must comply with the standards and requirements in law.¹⁹

¹⁴ Section 1005.31(2), F.S.

¹⁵ *Id.*

¹⁶ Sections 1005.31(1)(a) and 1005.06(1), F.S.

¹⁷ Section 1005.06(1)(c), F.S.

¹⁸ *Id.*

¹⁹ Section 1005.32, F.S.

Fair Consumer Practices

A private postsecondary educational institution that is under the jurisdiction of the commission²⁰ or is exempt from the jurisdiction or purview of the commission must do the following:²¹

- Disclose to each prospective student specified information (e.g., a statement of the purpose of the institution, its educational programs and curricula, a description of its physical facilities, its status regarding licensure, and its fee schedule and policies). The institution must make the required written disclosures at least 1 week prior to enrollment or collection of any tuition from the prospective student.
- Use a reliable method to assess, before accepting a student into a program, the student's ability to successfully complete the course of study for which he or she has applied.
- Inform each student accurately about financial assistance and obligations for repayment of loans, describe any employment placement services provided and the limitations thereof, and refrain from misinforming the public about guaranteed placement, market availability, or salary amounts.
- Provide to prospective and enrolled students accurate program licensure information for practicing related occupations and professions in Florida.
- Ensure that all advertisements are accurate and not misleading.
- Publish and follow an equitable prorated refund policy for all students, and follow both the federal refund guidelines for students receiving federal financial assistance and the minimum refund guidelines established by commission rule.
- Follow state and federal requirements for annual reporting of crime statistics and physical plant safety, and make such reports available to the public.
- Publish and follow procedures for handling student complaints, disciplinary actions, and appeals.

Florida Resident Access Grant Program

The Legislature, through the William L. Boyd, IV, Florida Resident Access Grant (FRAG) Program, provides tuition assistance to undergraduate students enrolled in degree programs at eligible not-for-profit, SACS-accredited private colleges or universities that are located and chartered in Florida.²² Currently, there are 31 eligible private colleges and universities.²³ FRAG

²⁰ The Commission for Independent Education, established in the Department of Education, is responsible for exercising independently all powers, duties, and functions concerning independent postsecondary educational institutions in consumer protection, program improvement, and licensure of institutions under its purview. The commission is also responsible for authorizing the granting of diplomas and degrees by independent postsecondary educational institutions under its jurisdiction. Section 1005.21(1)-(2), F.S. Independent postsecondary educational institution means "any postsecondary educational institution that operates in this state or makes application to operate in this state, and is not provided, operated, and supported by the State of Florida, its political subdivisions, or the Federal Government." Section 1005.02(11), F.S.

²¹ Section 1005.04(1), F.S.

²² Section 1009.89(1) and (3), F.S.

²³ Independent Colleges and Universities of Florida, *About Us*, <http://www.icuf.org/newdevelopment/about-icuf/> (last visited October 14, 2015). FRAG-eligible institutions are Adventist University of Health Sciences, Ave Maria University, Barry University, Beacon College, Bethune-Cookman University, Eckerd College, Edward Waters College, Embry-Riddle Aeronautical University, Everglades University, Flagler College, Florida College, Florida Institute of Technology, Florida Memorial University, Florida Southern College, Hodges University, Jacksonville University, Keiser University, Lynn University, Nova Southeastern University, Palm Beach Atlantic University, Ringling College of Art and Design, Rollins College, Saint Leo University, Southeastern University, St. Thomas University, Stetson University, The Baptist College of Florida, University of Miami, University of Tampa, Warner University, and Webber International University. Florida

is administered as a decentralized program, which means that each participating institution determines application deadlines, student eligibility, and award amounts.²⁴ Eligibility criteria and maximum award amounts are specified in law.²⁵ For the 2015-2016 fiscal year, the Legislature appropriated \$115,269,000 to support 38,423 qualified Florida resident students at \$3,000 per student for tuition assistance.²⁶

Access to Better Learning and Education Grant Program

The Access to Better Learning and Education (ABLE) Grant Program provides tuition assistance to undergraduate students enrolled in degree programs at eligible private Florida postsecondary educational institutions.²⁷ ABLE is administered as a decentralized program, which means that each participating institution determines application deadlines, student eligibility, and award amounts.²⁸ Eligibility criteria and award maximums are specified in law.²⁹ For the 2015-2016 fiscal year, the Legislature appropriated \$5,673,000 to support 3,782 qualified Florida resident students at \$1,500 per student for tuition assistance.³⁰

Private postsecondary educational institutions must meet the following criteria to be qualified to provide ABLE awards to eligible students:³¹

- Be a for-profit college or university that is located in and chartered by the state and is accredited by SACS, or be a not-for-profit college or university that has been located in Florida for 10 years or more and is accredited by SACS, the Middle States Association of Colleges and Schools, the North Central Association of Colleges and Schools, or the New England Association of Colleges and Schools.
- Grant baccalaureate degrees.
- Have a secular purpose.

Currently, 16 postsecondary educational institutions meet the established criteria and are eligible to disburse ABLE awards.³²

Department of Education, *2015-16 Florida Resident Access Grant Program Eligible Institutions*, https://www.floridastudentfinancialaid.org/admin/SAWELIGPSI_ByProg.asp?ByProg=FRAG (last visited October 14, 2015).

²⁴ Florida Department of Education, *Annual Report to the Commissioner* (2013-14), available at <http://www.floridastudentfinancialaid.org/SSFAD/pdf/annualreportcurrent.pdf>, at 39 of 78.

²⁵ Section 1009.89(4)-(6), F.S.; Specific Appropriation 70, s. 2, ch. 2014-51, L.O.F.

²⁶ Specific Appropriation 65, s. 2, ch. 2015-232, L.O.F.

²⁷ Section 1009.891(3), F.S.; Florida Department of Education, *Annual Report to the Commissioner* (2013-14), available at <http://www.floridastudentfinancialaid.org/SSFAD/pdf/annualreportcurrent.pdf>, at 41 of 78.

²⁸ Florida Department of Education, *Annual Report to the Commissioner* (2013-14), available at <http://www.floridastudentfinancialaid.org/SSFAD/pdf/annualreportcurrent.pdf>, at 41 of 78.

²⁹ Section 1009.891(4)-(7), F.S.

³⁰ Specific Appropriation 62, s. 2, ch. 2015-232, L.O.F.

³¹ Section 1009.891(3), F.S.; Florida Department of Education, *Annual Report to the Commissioner* (2013-14), available at <http://www.floridastudentfinancialaid.org/SSFAD/pdf/annualreportcurrent.pdf>, at 41 of 78.

³² Florida Department of Education, *Annual Report to the Commissioner* (2013-14), available at <http://www.floridastudentfinancialaid.org/SSFAD/pdf/annualreportcurrent.pdf>, at 41 of 78. The 16 ABLE-eligible institutions are AI Miami International University of Art & Design, Carlos Albizu University, Columbia College, Florida National University, Herzing University, Johnson & Wales University, Johnson University, National Louis University, Polytechnic University of Puerto Rico, South University, Springfield College, Trinity International University, Union Institute & University, Universidad Del Este, Universidad Del Turabo, and Universidad Metropolitana. Florida Department

III. Effect of Proposed Changes:

The bill utilizes federal student loan cohort default rates as an accountability measure for private postsecondary educational institutions.

Specifically, the bill specifies that private postsecondary educational institutions:

- Must provide federal student loan default rate information as part of the fair consumer practices reporting requirements.
- Must maintain federal student loan cohort default rates below 30 percent for three consecutive years or at or below 40 percent for any given year. A private postsecondary educational institution that is eligible to receive the FRAG or the ABLE Grant for incoming students will be deemed ineligible to receive such funds until the institution's federal student loan cohort default rate falls below the threshold. Additionally, an institution, if licensed by the CIE, will lose its license to operate in Florida.

The bill requires the CIE to revoke the license and deny renewal of an annual license of an institution that is under the commission's jurisdiction, if that institution's federal student loan cohort default rate exceeds the percent threshold. An institution's ineligibility to receive FRAG or ABLE funds or maintain a license will be effective for the academic year after the disclosure of the federal student loan cohort default rate in the fall semester each year. The bill deems an institution ineligible for a minimum of one academic year until the institution's federal student loan cohort default rate falls below the threshold.

Additionally, the bill requires:

- The minimum standards developed by the commission to include federal student loan cohort default rates as calculated by the ED.
- The criteria for applying for licensure by means of accreditation to also include a condition that the institution's federal student loan cohort default rate, as calculated by the ED, does not exceed 30 percent for three consecutive years or 40 percent for any given year.

The bill takes effect July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Currently, no institutions eligible to award FRAG or ABLE awards would be impacted by PCS/SB 146. There are a very small number of private, proprietary postsecondary institutions which may have their license revoked as a result of provisions in the bill.

C. Government Sector Impact:

The bill has no fiscal impact.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1005.04, 1005.31, and 1005.32.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS by Appropriations Subcommittee on Education on December 3, 2015:

The committee substitute:

- Makes the federal student loan cohort default rate requirements for private postsecondary institution licensure consistent throughout the bill.
- Removes federal student loan cohort default rate as a factor in Florida College System and state university performance funding.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



260942

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/07/2015	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Ring) recommended the following:

Senate Amendment (with title amendment)

Delete lines 130 - 187

and insert:

(16) The commission shall deny a renewal of an annual license for an institution whose federal student loan cohort default rate exceeds the threshold established in s. 1005.04(1)(d).

Section 3. Present paragraph (e) of subsection (1) of section 1005.32, Florida Statutes, is redesignated as paragraph



260942

11 (f), and a new paragraph (e) is added to that subsection, to
12 read:

13 1005.32 Licensure by means of accreditation.—

14 (1) An independent postsecondary educational institution
15 that meets the following criteria may apply for a license by
16 means of accreditation from the commission:

17 (e) The institution's federal student loan cohort default
18 rate, as calculated by the United States Department of
19 Education, does not exceed the threshold established in s.
20 1005.04(1)(d).

21
22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 Delete lines 21 - 35

25 and insert:

26 cohort default rate exceeds a specified threshold;
27 amending s. 1005.32, F.S.; revising the minimum
28 criteria for an independent postsecondary educational
29 institution to apply for a license by accreditation to
30 include a maximum threshold for the institution's
31 federal student loan cohort default rate; providing an
32 effective date.

By Senator Ring

29-00059-16

2016146__

1 A bill to be entitled
 2 An act relating to federal student loan default rates;
 3 amending s. 1005.04, F.S.; requiring certain
 4 institutions to maintain a federal student loan cohort
 5 default rate below a specified percentage; providing
 6 that an institution is ineligible to receive certain
 7 grant payments or maintain a license, and remains
 8 ineligible, until the institution's federal student
 9 loan cohort default rate falls below a specified
 10 percentage; requiring the Commission for Independent
 11 Education to revoke the license of an institution
 12 whose federal student loan cohort default rate exceeds
 13 the threshold percentage; defining such an
 14 institution's period of ineligibility; amending s.
 15 1005.31, F.S.; revising the minimum standards the
 16 Commission for Independent Education must use to
 17 evaluate an institution for licensure to include the
 18 institution's federal student loan cohort default
 19 rate; requiring the commission to deny a renewal
 20 license for an institution whose federal student loan
 21 cohort default rate exceeds a specified percentage;
 22 amending s. 1005.32, F.S.; revising the minimum
 23 criteria for an independent postsecondary educational
 24 institution to apply for a license by accreditation to
 25 include a maximum percentage for the institution's
 26 federal student loan cohort default rate; amending s.
 27 1011.81, F.S.; requiring Florida College System
 28 institution performance funding for industry
 29 certifications to take into consideration an

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

29-00059-16

2016146__

30 institution's federal student loan cohort default
 31 rate; amending s. 1011.905, F.S.; requiring State
 32 University System institution performance funding
 33 calculations to take into consideration an
 34 institution's federal student loan cohort default
 35 rate; providing an effective date.
 36

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

38
 39 Section 1. Section 1005.04, Florida Statutes, is amended to
 40 read:

41 1005.04 Fair consumer practices; federal student loan
 42 default rates.-

43 (1) Every institution that is under the jurisdiction of the
 44 commission or is exempt from the jurisdiction or purview of the
 45 commission pursuant to s. 1005.06(1)(c) or (f) and that either
 46 directly or indirectly solicits for enrollment any student
 47 shall:

48 (a) Disclose to each prospective student a statement of the
 49 purpose of such institution, its educational programs and
 50 curricula, a description of its physical facilities, its status
 51 regarding licensure, its fee schedule and policies regarding
 52 retaining student fees if a student withdraws, and a statement
 53 regarding the transferability of credits to and from other
 54 institutions. The institution shall make the required
 55 disclosures in writing at least 1 week prior to enrollment or
 56 collection of any tuition from the prospective student. The
 57 required disclosures may be made in the institution's current
 58 catalog;

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59 (b) Use a reliable method to assess, before accepting a
60 student into a program, the student's ability to complete
61 successfully the course of study for which he or she has
62 applied;

63 (c) Inform each student accurately about financial
64 assistance and obligations for repayment of loans; describe any
65 employment placement services provided and the limitations
66 thereof; and refrain from promising or implying guaranteed
67 placement, market availability, or salary amounts;

68 (d) Maintain a federal student loan cohort default rate,
69 released during the fall of each academic year, below 30 percent
70 for 3 consecutive years or at or below 40 percent for any given
71 year. An institution eligible for a William L. Boyd, IV, Florida
72 Resident Access Grant pursuant to s. 1009.89 and an institution
73 eligible for an Access to Better Learning and Education Grant
74 pursuant to s. 1009.891 whose federal student loan cohort
75 default rate exceeds these rates shall be ineligible to receive
76 payments from such grants for incoming students until the
77 institution's federal student loan cohort default rate falls
78 below the threshold. The commission shall revoke the license of
79 an institution under its jurisdiction whose federal student loan
80 cohort default rate exceeds the threshold. The commission may
81 not reinstate an institution's license until the institution's
82 federal student loan cohort default rate falls below the
83 threshold. An institution's ineligibility to receive such funds
84 or maintain a license is effective for the academic year
85 following the fall disclosure of the federal student loan cohort
86 default rate. The institution will remain ineligible for a
87 minimum of 1 academic year until the institution's federal

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88 student loan cohort default rate falls below the threshold;

89 (e) Provide to prospective and enrolled students accurate
90 information regarding the relationship of its programs to state
91 licensure requirements for practicing related occupations and
92 professions in Florida;

93 ~~(f)~~ (e) Ensure that all advertisements are accurate and not
94 misleading;

95 ~~(g)~~ (f) Publish and follow an equitable prorated refund
96 policy for all students, and follow both the federal refund
97 guidelines for students receiving federal financial assistance
98 and the minimum refund guidelines set by commission rule;

99 ~~(h)~~ (g) Follow the requirements of state and federal laws
100 that require annual reporting with respect to crime statistics
101 and physical plant safety and make those reports available to
102 the public; and

103 ~~(i)~~ (h) Publish and follow procedures for handling student
104 complaints, disciplinary actions, and appeals.

105 (2) In addition, institutions that are required to be
106 licensed by the commission shall disclose to prospective
107 students that additional information regarding the institution
108 may be obtained by contacting the Commission for Independent
109 Education, ~~Department of Education, Tallahassee.~~

110 Section 2. Subsection (2) of section 1005.31, Florida
111 Statutes, is amended, and subsection (16) is added to that
112 section, to read:

113 1005.31 Licensure of institutions.—

114 (2) The commission shall develop minimum standards by which
115 to evaluate institutions for licensure. These standards must
116 include at least the institution's name, financial stability,

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117 purpose, administrative organization, admissions and
 118 recruitment, educational programs and curricula, retention,
 119 completion, career placement, federal student loan cohort
 120 default rate as calculated by the United States Department of
 121 Education, faculty, learning resources, student personnel
 122 services, physical plant and facilities, publications, and
 123 disclosure statements about the status of the institution with
 124 respect to professional certification and licensure. The
 125 commission may adopt rules to ensure that institutions licensed
 126 under this section meet these standards in ways that are
 127 appropriate to achieve the stated intent of this chapter,
 128 including provisions for nontraditional or distance education
 129 programs and delivery.

130 (16) The commission shall deny a renewal of an annual
 131 license for an institution whose federal student loan cohort
 132 default rate exceeds 30 percent.

133 Section 3. Present paragraph (e) of subsection (1) of
 134 section 1005.32, Florida Statutes, is redesignated as paragraph
 135 (f), and a new paragraph (e) is added to that subsection, to
 136 read:

137 1005.32 Licensure by means of accreditation.—

138 (1) An independent postsecondary educational institution
 139 that meets the following criteria may apply for a license by
 140 means of accreditation from the commission:

141 (e) The institution's federal student loan cohort default
 142 rate, as calculated by the United States Department of
 143 Education, does not exceed 30 percent.

144 Section 4. Subsection (2) of section 1011.81, Florida
 145 Statutes, is amended to read:

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29-00059-16

2016146__

146 1011.81 Florida College System Program Fund.—

147 (2) Performance funding for industry certifications for
 148 Florida College System institutions must take into consideration
 149 an institution's federal student loan cohort default rate and is
 150 contingent upon specific appropriation in the General
 151 Appropriations Act and shall be determined as follows:

152 (a) Occupational areas for which industry certifications
 153 may be earned, as established in the General Appropriations Act,
 154 are eligible for performance funding. Priority shall be given to
 155 the occupational areas emphasized in state, national, or
 156 corporate grants provided to Florida educational institutions.

157 (b) The Chancellor of the Florida College System shall
 158 identify the industry certifications eligible for funding on the
 159 CAPE Postsecondary Industry Certification Funding List approved
 160 by the State Board of Education pursuant to s. 1008.44, based on
 161 the occupational areas specified in the General Appropriations
 162 Act.

163 (c) Each Florida College System institution shall be
 164 provided \$1,000 for each industry certification earned by a
 165 student. The maximum amount of funding appropriated for
 166 performance funding pursuant to this subsection shall be limited
 167 to \$15 million annually. If funds are insufficient to fully fund
 168 the calculated total award, such funds shall be prorated.

169 Section 5. Paragraph (c) of subsection (1) of section
 170 1011.905, Florida Statutes, is amended to read:

171 1011.905 Performance funding for state universities.—

172 (1) State performance funds for the State University System
 173 shall be based on indicators of system and institutional
 174 attainment of performance expectations. For the 2012-2013

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29-00059-16

2016146__

175 through at least the 2016-2017 fiscal year, the Board of
176 Governors shall review and rank each state university that
177 applies for performance funding, as provided in the General
178 Appropriations Act, based on the following formula:

179 (c) Fifty percent of a state university's score shall be
180 based on:

181 1. Factors determined by the Board of Governors which
182 relate to increasing the probability that graduates who have
183 earned degrees in the programs described in paragraph (a) will
184 be employed in high-skill, high-wage, and high-demand
185 employment; ~~and-~~

186 2. An institution's federal student loan cohort default
187 rate.

188 Section 6. This act shall take effect July 1, 2016.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Education

BILL: PCS/SB 350 (814970)

INTRODUCER: Appropriations Subcommittee on Education and Senator Montford

SUBJECT: Online Procurement

DATE: December 7, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Peacock</u>	<u>McVaney</u>	<u>GO</u>	Favorable
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AED</u>	Recommend: FAV/CS
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/SB 350 authorizes district school boards, Florida College System institution boards of trustees and university boards of trustees to make purchases through an online procurement system, electronic auction service, or other efficient procurement tool.

The bill has an indeterminate fiscal impact. Online procurement may result in costs savings for district school boards, Florida College System institution boards of trustees and university boards of trustees; however, the extent of those potential cost savings is not known.

The bill is effective July 1, 2016.

II. Present Situation:

Chapter 287, F.S., regulates state agency¹ procurement of personal property and services.² Agencies may use a variety of procurement methods, depending on the cost and characteristics

¹ As defined in s. 287.012(1), F.S., "agency" means any of the various state officers, departments, boards, commissions, divisions, bureaus, and councils and any other unit of organization, however designated, of the executive branch of state government. "Agency" does not include the university and college boards of trustees or the state universities and colleges.

² Local governments are not subject to the provisions of ch. 287, F.S. Local governmental units may look to the chapter for guidance in the procurement of goods and services, but many have local policies or ordinances to address competitive solicitations.

of the needed good or service, the complexity of the procurement, and the number of available vendors. These include the following:

- "Single source contracts," which are used when an agency determines that only one vendor is available to provide a commodity or service at the time of purchase;
- "Invitations to bid (ITB)," which are used when an agency determines that standard services or goods will meet needs, wide competition is available, and the vendor's experience will not greatly influence the agency's results;
- "Requests for proposals (RFP)," which are used when the procurement requirements allow for consideration of various solutions and the agency believes more than two or three vendors exist who can provide the required goods or services; and
- "Invitations to negotiate (ITN)," which are used when negotiations are determined to be necessary to obtain the best value and involve a request for high complexity, customized, mission-critical services, by an agency dealing with a limited number of vendors.³

Contracts for commodities or contractual services in excess of \$35,000 must be procured utilizing a competitive solicitation process.⁴ However, specified contractual services and commodities are not subject to competitive-solicitation requirements.⁵

Chapters 120 and 287, F.S., establish a process by which a person may file an action protesting a decision or intended decision pertaining to contracts administered by the Department of Management Services (DMS), a water management district, or state agencies.⁶

Online Procurement of Commodities and Contractual Services

Pursuant to s. 287.057(22), F.S., the DMS is required to maintain a program for online procurement of commodities and contractual services in consultation with the Chief Financial Officer (Department of Financial Services) and the Agency for State Technology (AST). The DMS has authority to contract for equipment and services to develop and implement online procurement in consultation with the AST and in compliance with standards of AST.⁷ The DMS is required to adopt rules for the administration of the program for online procurement.⁸ The DMS may also impose and collect fees for use of the online procurement system.⁹

The DMS's online procurement program is MyFloridaMarketPlace (MFMP). MFMP is used by the Division of State Purchasing for formal solicitations (ITB, RFP, and ITN) and by state

³ See ss. 287.012(6) and 287.057, F.S.

⁴ Section 287.057(1), F.S., requires all projects that exceed the Category Two (\$35,000) threshold contained in s. 287.017, F.S., to be competitively bid. As defined in s. 287.012(6), F.S., "competitive solicitation" means the process of requesting and receiving two or more sealed bids, proposals, or replies submitted by responsive vendors in accordance with the terms of a competitive process, regardless of the method of procurement.

⁵ See s. 287.057(3)(e), F.S.

⁶ See ss. 287.042(2)(c) and 120.57(3), F.S.

⁷ Section 287.057(22)(a), F.S. Also, see s. 282.0051(4), F.S. (AST has responsibility to perform project oversight on all state agency information technology project costs of \$10 million or more that are funded in the General Appropriations Act or other law.)

⁸ Section 287.057(22)(b), F.S. See Rules 60A-1.030-1.033, F.A.C.

⁹ Section 287.057(22)(c), F.S.

agencies for informal quotes and electronic invoicing.¹⁰ MFMP has been in operation for more than ten years.¹¹

III. Effect of Proposed Changes:

The bill authorizes district school boards, Florida College System institution boards of trustees and university boards of trustees to make purchases through an online procurement system, an electronic auction service, or other efficient procurement tools.

The bill provides an effective date of July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The mandate restrictions do not apply because the bill does not require counties and municipalities to spend funds, reduce counties' or municipalities' ability to raise revenue, or reduce the percentage of a state tax shares with counties and municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill may have an indeterminate fiscal impact on the private sector.

C. Government Sector Impact:

The bill has an indeterminate fiscal impact on the government sector. Online procurement may result in costs savings for district school boards, Florida College System institutions and universities, but the extent of those potential cost savings is not known.

VI. Technical Deficiencies:

None.

¹⁰ Analysis from the DMS dated February 3, 2015, on file with the Committee on Governmental Oversight and Accountability.

¹¹ See http://www.dms.myflorida.com/business_operations/state_purchasing.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1010.04 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS by Appropriations Subcommittee on Education on December 3, 2015:

The committee substitute:

- Removes the definition of “online procurement” or “electronic procurement” created under s. 287.012, F.S.
- Removes the authorization for district school boards to adopt rules under s. 1001.42 (12)(i), F.S., to facilitate the efficient and effective procurement of materials, supplies, and services, including the use of online procurement as defined in the bill.
- Removes the reference to district school boards using online procurement, as defined in the bill, to facilitate the purchase of school buses and related equipment under s. 1006.27, F.S.

B. Amendments:

None.



649124

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/07/2015	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Montford) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Subsection (2) of section 1010.04, Florida Statutes, is amended to read:

1010.04 Purchasing.—

(2) Each district school board and Florida College System institution board of trustees shall adopt rules, and each university board of trustees shall adopt regulations, to be



649124

11 followed in making purchases. Purchases may be made through an
12 online procurement system, an electronic auction service, or
13 other efficient procurement tool.

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

15

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

17 And the title is amended as follows:

18 Delete everything before the enacting clause
19 and insert:

20

A bill to be entitled

21

An act relating to procurement procedures for
22 educational institutions; amending s. 1010.04, F.S.;
23 authorizing specified educational institutions to make
24 purchases through an online procurement system, an
25 electronic auction service, or other efficient
26 procurement tool; providing an effective date.

By Senator Montford

3-00261-16

2016350__

1 A bill to be entitled
 2 An act relating to online procurement; amending s.
 3 287.012, F.S.; defining the term "online procurement";
 4 amending s. 1001.42, F.S.; revising the powers and
 5 duties of the district school board to authorize the
 6 adoption of rules regarding procurement practices;
 7 amending s. 1006.27, F.S.; authorizing a district
 8 school board to use online procurement for certain
 9 services and purchases; amending s. 1010.04, F.S.;
 10 authorizing each district school board, Florida
 11 College System board of trustees, and university board
 12 of trustees to make purchases through an online
 13 procurement system; providing an effective date.

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

16
 17 Section 1. Present subsections (20) through (29) of section
 18 287.012, Florida Statutes, are redesignated as subsections (21)
 19 through (30), respectively, and a new subsection (20) is added
 20 to that section, to read:

21 287.012 Definitions.—As used in this part, the term:
 22 (20) "Online procurement" or "electronic procurement" means
 23 a competitive bid process that uses a vendor bid system, an
 24 electronic auction service, or other types of procurement that
 25 use a web-based system developed by a governmental entity or a
 26 third-party software, and that conforms to the procurement
 27 process specified in s. 287.057 or by rules adopted by the State
 28 Board of Education, school districts, or other state agencies.

29 Section 2. Paragraph (i) of subsection (12) of section

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3-00261-16

2016350__

30 1001.42, Florida Statutes, is amended to read:
 31 1001.42 Powers and duties of district school board.—The
 32 district school board, acting as a board, shall exercise all
 33 powers and perform all duties listed below:
 34 (12) FINANCE.—Take steps to assure students adequate
 35 educational facilities through the financial procedure
 36 authorized in chapters 1010 and 1011 and as prescribed below:
 37 (i) *Contracts for materials, supplies, and services.*—
 38 Contract for materials, supplies, and services needed for the
 39 district school system. No contract for supplying these needs
 40 shall be made with any member of the district school board, with
 41 the district school superintendent, or with any business
 42 organization in which any district school board member or the
 43 district school superintendent has any financial interest
 44 whatsoever. The district school board may adopt rules to
 45 facilitate the efficient and effective procurement of materials,
 46 supplies, and services, including the use of online procurement
 47 as defined in s. 287.012.
 48 Section 3. Subsection (1) of section 1006.27, Florida
 49 Statutes, is amended to read:
 50 1006.27 Pooling of school buses and related purchases by
 51 district school boards; transportation services contracts.—
 52 (1) The department shall assist district school boards in
 53 securing school buses, contractual needs, equipment, and
 54 supplies at as reasonable prices as possible by providing a plan
 55 under which district school boards may voluntarily pool their
 56 bids for such purchases. The department shall prepare bid forms
 57 and specifications, obtain quotations of prices and make such
 58 information available to district school boards in order to

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

3-00261-16

2016350__

59 facilitate this service and may use online procurement, as
60 defined in s. 287.012. District school boards from time to time,
61 as prescribed by State Board of Education rule, shall furnish
62 the department with information concerning the prices paid for
63 such items and the department shall furnish to district school
64 boards periodic information concerning the lowest prices at
65 which school buses, equipment, and related supplies are
66 available based upon comparable specifications.

67 Section 4. Subsection (2) of section 1010.04, Florida
68 Statutes, is amended to read:

69 1010.04 Purchasing.—

70 (2) Each district school board and Florida College System
71 institution board of trustees shall adopt rules, and each
72 university board of trustees shall adopt regulations, to be
73 followed in making purchases. Purchases may be made through an
74 online procurement system that includes electronic auction
75 services or through other efficient procurement tools.

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Education

BILL: PCS/SB 520 (426584)

INTRODUCER: Appropriations Subcommittee on Education; Senators Lee and Gaetz

SUBJECT: Florida Bright Futures Scholarship Program

DATE: December 7, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Graf	Klebacha	HE	Favorable
2.	Sikes	Elwell	AED	Recommend: FAV/CS
3.			FP	

I. Summary:

PCS/SB 520 modifies the permissible activities in which a student can participate to meet the service work requirements for Florida Bright Futures Scholarship Program awards, allows an eligible student to defer the award while participating in a full-time religious or service obligation, and repeals the higher SAT or ACT score requirement for home education students.

Specifically the bill:

- Modifies student community service requirements for Florida Bright Futures Scholarship Program awards by clarifying that community service work means volunteer service work;
- Expands the permissible activities in which the student can participate to meet the volunteer service work requirement to include civic or professional areas, and places parameters on such activities;
- Allows a student who is eligible for a Florida Bright Futures Scholarship award, but unable to accept the award immediately following high school graduation due to a full-time religious or service obligation lasting at least 18 months, to defer the 2-year initial award period and the 5-year renewal period until the student completes the religious or service obligation; and
- Repeals the higher SAT or ACT score required for a student in a home education program whose parent cannot document college-preparatory curriculum to be eligible for the Florida Medallion Scholars (FMS) award.
- Establishes new initial eligibility requirements and allowable uses for the Florida Gold Seal Vocational Scholars (FGSV) award.

During the 2015A Special Session, the Legislature adopted provisions similar to the Bright Futures Scholarship Program volunteer service provisions of PCS/SB 520 in ch. 2015-222, L.O.F., the implementing bill for the 2015-2016 General Appropriations Act (GAA). These provisions will expire on July 1, 2016, unless the Legislature acts to codify the policy beyond the 2015-2016 fiscal year. PCS/SB 520 protects the volunteer service provisions from repeal by enacting modified provisions and providing an effective date of July 1, 2016.

The fiscal impact of the number of students who could potentially benefit from the award deferment authorized in the bill is not known, but is expected to be nominal. The fiscal impact of repealing the higher test score requirement for a home education program student to earn an FMS award is estimated to be between \$100,000 and \$300,000 in recurring expenditures to the Educational Enhancement Trust Fund (EETF) due to more home education students qualifying for the FMS award. The fiscal impact of the FGSV eligibility and award changes is expected to be minimal beginning in the 2019-2020 fiscal year.

The bill takes effect July 1, 2016.

II. Present Situation:

Florida Bright Futures Scholarship Program

The Florida Bright Futures Scholarship Program (program) is a lottery-funded scholarship program to reward a Florida high school graduate who merits recognition for high academic achievement and who enrolls in a degree program, certificate program, or applied technology program at an eligible public or private postsecondary institution in Florida after graduating from high school.¹ The Department of Education (DOE) administers the program in accordance with rules and procedures adopted by the State Board of Education.²

The program consists of three types of awards:³

- Florida Academic Scholars (FAS);⁴
- Florida Medallion Scholars (FMS);⁵ and
- Florida Gold Seal Vocational Scholars (FGSV).⁶

Service Work Requirements

To be eligible for a scholarship award, a student must complete service hours during high school and by high school graduation.⁷ To fulfill the community service work requirements, students graduating in the 2011-2012 academic year, and thereafter, must complete community service work, identify a social problem of interest, develop a plan for personal involvement in addressing the problem, and reflect on such experience through papers or presentations.⁸ The number of community service work hours required differ among the three programs. For FAS, students

¹ Sections 1009.53(1) and 1009.531(2)(a)-(c), F.S., specify that a student graduating from high school prior to the 2010-2011 academic year is eligible to accept an initial award for 3 years following high school graduation and to accept a renewal award for 7 years following high school graduation. Each student graduating in the 2010-2011 and 2011-2012 academic school years is eligible to accept an initial award for 3 years following high school graduation and to accept a renewal award for 5 years following high school graduation. In the 2012-2013 academic school year, and thereafter, a student graduating from high school is able to accept an initial award for 2 years following high school and to accept a renewal award for 5 years following high school graduation.

² Section 1009.53(3), F.S.

³ Section 1009.53(2), F.S.

⁴ Section 1009.534, F.S.

⁵ Section 1009.535, F.S.

⁶ Section 1009.536, F.S.

⁷ Florida Department of Education, Office of Student Financial Assistance, *2015-2016 Bright Futures Student Handbook*, available at <http://www.floridastudentfinancialaid.org/SSFAD/PDF/BFHandbookChapter1.pdf>.

⁸ Section 1009.534(1), F.S.

must perform a minimum of 100 hours of community service work, FMS students must perform a minimum of 75 hours of community service work,⁹ and FGSV students must perform a minimum of 30 hours of community service work.¹⁰ The community service work must be approved by the district school board, the administrators of a nonpublic school, or the DOE for home education program students.¹¹

For the 2015-2016 fiscal year,¹² the GAA implementing bill expanded opportunities for a student to fulfill the community service work requirements by completing a program of volunteer service work.¹³

Specifically, the program of volunteer service work:

- Requires approval by the district school board, the administrators of a nonpublic school, or the DOE for home education program students;
- Requires the student to identify a social or civic issue or a professional area of interest;
- Requires the student to develop a plan for personal involvement in addressing the issue or learning about the professional area, as well as evaluating and reflecting on such experience through papers or presentations;
- Prohibits a student from receiving compensation or academic credit for the volunteer service work, except for credit earned through service-learning courses;¹⁴
- Requires the volunteer service hours to be documented in writing and signed by the student, the student's parent or guardian, and a representative of the organization where the student volunteered; and
- Authorizes volunteer service work to include, but not be limited to:
 - Internship with a business or government entity;
 - Work for a nonprofit community service organization; or
 - Activity on behalf of a candidate for public office.

The program of volunteer service work expires on July 1, 2016.

Student Eligibility Requirements

Currently, a student who graduates from high school having met the requirements of a Florida Bright Futures Scholarship award is eligible to accept:

- An initial award for a period of two years;¹⁵ and
- A renewal award for five years after graduating from high school.¹⁶

A student who enlists in the United States Armed Forces immediately after high school graduation can defer the 2-year eligibility period for initial award and 5-year renewal period of

⁹ Section 1009.535(1), F.S.

¹⁰ Section 1009.536(1)(e), F.S.

¹¹ *Supra* note 12.

¹² S. 11, chapter 2015-222, L.O.F.

¹³ Section 11, ch. 2015-222, L.O.F. Implementing Specific Appropriation 4, s. 1, ch. 2015-232, L.O.F.

¹⁴ Section 11, ch. 2015-222, L.O.F. Service-learning courses are adopted pursuant to s. 1003.497, F.S.

¹⁵ Section 1009.531(2)(c), F.S.

¹⁶ *Id.*

the award until the student separates from active duty.¹⁷ Also, for a student who receives the scholarship award but discontinues his or her education to enlist in the United States Armed Forces, the remainder of his or her 5-year renewal period commences upon the date of separation from active duty.¹⁸

To be eligible to receive a program award, students must meet the general eligibility criteria¹⁹ and specific academic and community service work requirements.²⁰ The FAS and FMS require certain SAT or ACT scores, depending on the academic year. For the 2013-2014 academic year and on, a student must earn a SAT score of 1290 or ACT score of 29 for the FAS, and a SAT score of 1170 or ACT score of 26 for the FMS. However, for the FMS, a student in a home education program whose parent cannot document a college-preparatory curriculum must earn a SAT score of 1220 or ACT score of 27 to be eligible.²¹ The FGSV requires a student to earn a minimum of a 3.0 weighted cumulative grade point average (GPA) on all subjects required for a standard high school diploma, excluding elective courses; complete at least three sequential courses in a career education program and earn a minimum of a 3.5 unweighted GPA in those courses; and demonstrate postsecondary education readiness by earning a passing score on the Florida Postsecondary Education Readiness Test.²²

III. Effect of Proposed Changes:

PCS/SB 520 modifies the permissible activities in which a student can participate in to meet the service work requirements for Florida Bright Futures Scholarship Program awards, allows an eligible student to defer the award while participating in a full-time religious or service obligation, repeals the requirement of higher SAT or ACT scores for home education students, and establishes new FGSV initial eligibility requirements and allowable uses of the award.

Service Work Requirements

The bill protects the volunteer service provisions from repeal by enacting modified provisions and providing an effective date of July 1, 2016.

Specifically, the bill:

- Codifies the substance of the program of volunteer service work beyond the 2015-2016 fiscal year;²³
- Clarifies that “community” service work means “volunteer” service work; and
- Modifies service requirements affecting student eligibility for the FAS, FMS, and FGSV awards.
- Establishes new FGSV initial eligibility requirements and the allowable uses of the award.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ Section 1009.531, F.S.

²⁰ Sections 1009.534(1), 1009.535(1), and 1009.536(1)(e), F.S.

²¹ Section 1009.531(6), F.S.

²² Section 1009.536 (1), F.S.

²³ S. 11, ch. 2015-222, L.O.F. This section expires July 1, 2016.

Student Eligibility Requirements

The bill modifies the student eligibility requirements for initial award of the Florida Bright Futures Scholarship. The bill allows a student who is eligible for a Florida Bright Futures Scholarship award, but unable to accept the award immediately following high school graduation due to a full-time religious or service obligation lasting at least 18 months, to defer the 2-year initial award period and the 5-year renewal period until the student completes the religious or service obligation.

For the student to be eligible for the deferment, the religious or service obligation sponsoring organization must meet the requirements for nonprofit status under s. 501(c)(3) of the Internal Revenue Code or be a federal government service organization, such as the Peace Corps and AmeriCorps programs. The sponsoring organization must document, in writing, and verify the student's religious obligation or service work on a standardized form prescribed by the DOE.

In effect, students that would otherwise forfeit a scholarship due to participation in a religious or service obligation may retain eligibility, similar to the flexibility currently granted to students who enlist in the United States Armed Forces.

General Eligibility Requirements

Additionally, the bill repeals the higher SAT or ACT score required for a student in a home education program whose parent cannot document college-preparatory curriculum to be eligible for the FMS award. Under the proposed legislation, a home education program student would be required to meet the same test score requirements as other high school students.

The bill repeals obsolete requirements for certain SAT and ACT scores for the FAS and FMS awards for past academic years.

During the 2015A Special Session, the Legislature adopted provisions similar to the Bright Futures Scholarship Program volunteer service provisions of PCS/SB 520 in ch. 2015-222, L.O.F., the implementing bill for the 2015-2016 GAA. These provisions will expire on July 1, 2016, unless the Legislature acts to codify the policy beyond the 2015-2016 fiscal year.

Florida Gold Seal Vocational Scholarship

The bill creates new initial eligibility requirements for students to qualify for the FGSV award. Beginning with 2016-2017 high school graduates, a student may earn a FGSV award through the current requirements, or by meeting the general eligibility and volunteer service work requirements and earning a minimum of five postsecondary credits through CAPE industry certifications which articulate for college credit. High school students graduating in the 2019-2020 academic year and thereafter will only be able to qualify for a FGSV award through the new initial eligibility requirements specified in the bill.

A student who earns a FGSV award by meeting the new requirements and who completes a technical degree education program as defined in s. 1004.02 (13), F.S., may also receive an award for:

- A maximum of 60 credit hours for a bachelor of science degree program in which there is a statewide associate in science to bachelor of science degree program articulation agreement; or
- A maximum of 60 credit hours for a bachelor of applied science degree program at a Florida College System institution.

The bill takes effect on July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Under the bill, more students may remain eligible for the Florida Bright Futures Scholarship Program award due to the religious or service obligation deferment option. The bill may encourage more students to participate in religious or service activities immediately after high school graduation because they can remain eligible for a Bright Futures Scholarship Program award.²⁴

In addition, more students participating in a home education program may be eligible for the FMS award due to the repeal of the higher SAT or ACT score requirements.²⁵

In the 2014-2015 fiscal year, the average FMS award was \$1,740.²⁶

The bill allows students who earn a FGSV award by meeting the new requirements and who complete a technical degree education program as defined in s. 1004.02 (13), F.S., to

²⁴ Florida Department of Education, *2016 Agency Legislative Bill Analysis for SB 520* (on file with the Committee on Higher Education).

²⁵ *Id.*

²⁶ *Id.*

receive additional funding for specific bachelor degree programs. In the 2014-2015 fiscal year, the average FGSV award was \$949.²⁷

C. Government Sector Impact:

Approximately 80 percent of students initially eligible for a Florida Bright Futures Scholarship award enroll in a Florida postsecondary institution and receiving funding.²⁸ The number of students who don't accept an award immediately after high school graduation, who could potentially benefit from the award deferment authorized in the bill is not known, but is expected to be nominal.

The fiscal impact of repealing the higher test score requirement for a home education program student to earn an FMS award is estimated to be between \$100,000 and \$300,000 in recurring expenditures to the Educational Enhancement Trust Fund due to more home education students qualifying for the FMS award.²⁹

For the 2013-2014 high school graduating class, there were 6,342 students who earned an initial FGSV award, of which only 882 (13.9 percent) actually received funding. For that same 2013-2014 high school graduating class, 3,146 students, approximately half of the initially eligible FGSV students, met the new requirement specified in the bill of earning a minimum of five postsecondary credits through CAPE industry certifications which articulate for college credit. However, it is unknown how many of these students would have received funding for a FGSV award or how many would meet the requirements and utilize the new funding eligibility for an additional 60 credit hours for specific bachelor degree programs. The fiscal impact of the FGSV eligibility and award changes is expected to be minimal beginning in the 2019-2020 fiscal year.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1009.531, 1009.532, 1009.534, 1009.535, and 1009.536.

²⁷ Staff analysis of Florida Department of Education, *2014-15 Florida Bright Futures – Florida Gold Seal Vocational Scholarship End-of-Year Report* (Sept. 2014), available at https://www.floridastudentfinancialaid.org/pdf/EOY_Reports/2014-15/BFGSV_2014_2015.pdf

²⁸ Staff analysis of Florida Department of Education, *Florida High School Graduates Eligible for and Receiving Bright Futures* (Sept. 2014), available at <http://www.floridastudentfinancialaid.org/SSFAD/PDF/BFstats/BFReportsB.pdf> (last visited March 27, 2015).

²⁹ Florida Department of Education, *2016 Agency Legislative Bill Analysis for SB 520* (on file with the Committee on Higher Education).

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS by Appropriations Subcommittee on Education on December 3, 2015:

The committee substitute:

- Maintains provisions regarding deferring the 2-year initial eligibility period and 5-year renewal eligibility period due to a full-time religious or service obligation.
- Maintains changes to volunteer service work requirements.
- Establishes new initial eligibility requirements and allowable uses for the Florida Gold Seal Vocational Scholars (FGSV) award.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/07/2015	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Gaetz) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (c) of subsection (2) and paragraphs
(a) and (b) of subsection (6) of section 1009.531, Florida
Statutes, are amended to read:

1009.531 Florida Bright Futures Scholarship Program;
student eligibility requirements for initial awards.—

(2)



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11 (c) A student graduating from high school in the 2012-2013
12 academic year and thereafter is eligible to accept an initial
13 award for 2 years following high school graduation and to accept
14 a renewal award for 5 years following high school graduation. A
15 student who applies for an award by high school graduation and
16 who meets all other eligibility requirements, but who does not
17 accept his or her award, may reapply during subsequent
18 application periods up to 2 years after high school graduation.
19 For a student who enlists in the United States Armed Forces
20 immediately after completion of high school, the 2-year
21 eligibility period for his or her initial award and the 5-year
22 renewal period shall begin upon the date of separation from
23 active duty. For a student who is receiving a Florida Bright
24 Futures Scholarship award and discontinues his or her education
25 to enlist in the United States Armed Forces, the remainder of
26 his or her 5-year renewal period shall commence upon the date of
27 separation from active duty. For a student who is unable to
28 accept an initial award immediately after completion of high
29 school due to a full-time religious or service obligation
30 lasting at least 18 months, the 2-year eligibility period for
31 his or her initial award and the 5-year renewal period begin
32 upon the completion of his or her religious or service
33 obligation. The organization sponsoring the full-time religious
34 or service obligation must meet the requirements for nonprofit
35 status under s. 501(c)(3) of the Internal Revenue Code or be a
36 federal government service organization, including, but not
37 limited to, the Peace Corps and AmeriCorps programs. The
38 obligation must be documented in writing and verified by the
39 entity for which the student completed the obligation on a



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40 standardized form prescribed by the department. If a course of
41 study is not completed after 5 academic years, an exception of 1
42 year to the renewal timeframe may be granted due to a verifiable
43 illness or other documented emergency pursuant to s.
44 1009.40(1)(b)4.

45 (6)(a) The State Board of Education shall publicize the
46 examination score required for a student to be eligible for a
47 Florida Academic Scholars award, pursuant to s. 1009.534(1)(a)
48 or (b), ~~as follows:~~

49 ~~1. For high school students graduating in the 2010-2011 and~~
50 ~~2011-2012 academic years, the student must earn an SAT score of~~
51 ~~1270 or a concordant ACT score of 28.~~

52 ~~2. For high school students graduating in the 2012-2013~~
53 ~~academic year, the student must earn an SAT score of 1280 which~~
54 ~~corresponds to the 88th SAT percentile rank or a concordant ACT~~
55 ~~score of 28.~~

56 ~~3. For High school students graduating in the 2013-2014~~
57 ~~academic year and thereafter, the student must earn an SAT score~~
58 ~~of 1290 which corresponds to the 89th SAT percentile rank or a~~
59 ~~concordant ACT score of 29.~~

60 (b) The State Board of Education shall publicize the
61 examination score required for a student to be eligible for a
62 Florida Medallion Scholars award, pursuant to s. 1009.535(1)(a)
63 or (b), ~~as follows:~~

64 ~~1. For high school students graduating in the 2010-2011~~
65 ~~academic year, the student must earn an SAT score of 970 or a~~
66 ~~concordant ACT score of 20 or the student in a home education~~
67 ~~program whose parent cannot document a college preparatory~~
68 ~~curriculum must earn an SAT score of 1070 or a concordant ACT~~



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69 ~~score of 23.~~

70 ~~2. For high school students graduating in the 2011-2012~~
71 ~~academic year, the student must earn an SAT score of 980 which~~
72 ~~corresponds to the 44th SAT percentile rank or a concordant ACT~~
73 ~~score of 21 or the student in a home education program whose~~
74 ~~parent cannot document a college-preparatory curriculum must~~
75 ~~earn an SAT score of 1070 or a concordant ACT score of 23.~~

76 ~~3. For high school students graduating in the 2012-2013~~
77 ~~academic year, the student must earn an SAT score of 1020 which~~
78 ~~corresponds to the 51st SAT percentile rank or a concordant ACT~~
79 ~~score of 22 or the student in a home education program whose~~
80 ~~parent cannot document a college-preparatory curriculum must~~
81 ~~earn an SAT score of 1070 or a concordant ACT score of 23.~~

82 ~~4. For High school students graduating in the 2013-2014~~
83 ~~academic year and thereafter, the student must earn an SAT score~~
84 ~~of 1170 which corresponds to the 75th SAT percentile rank or a~~
85 ~~concordant ACT score of 26 or the student in a home education~~
86 ~~program whose parent cannot document a college-preparatory~~
87 ~~curriculum must earn an SAT score of 1220 or a concordant ACT~~
88 ~~score of 27.~~

89 Section 2. Paragraph (d) is added to subsection (3) of
90 section 1009.532, Florida Statutes, to read:

91 1009.532 Florida Bright Futures Scholarship Program;
92 student eligibility requirements for renewal awards.-

93 (3)

94 (d) A student who is initially eligible in the 2017-2018
95 academic year and thereafter for a Florida Gold Seal Vocational
96 Scholars award under s. 1009.536(2) and who completes a
97 technical degree education program as defined in s. 1004.02(13)



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98 may also receive an award for:

99 1. A maximum of 60 credit hours for a bachelor of science
100 degree program for which there is a statewide associate in
101 science degree program to bachelor of science degree program
102 articulation agreement; or

103 2. A maximum of 60 credit hours for a bachelor of applied
104 science degree program at a Florida College System institution.

105 Section 3. Subsection (1) of section 1009.534, Florida
106 Statutes, is amended to read:

107 1009.534 Florida Academic Scholars award.—

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

112 (a) Has achieved a 3.5 weighted grade point average as
113 calculated pursuant to s. 1009.531, or its equivalent, in high
114 school courses that are designated by the State Board of
115 Education as college-preparatory academic courses; and has
116 attained at least the score required under ~~pursuant to~~ s.
117 1009.531(6) (a) on the combined verbal and quantitative parts of
118 the Scholastic Aptitude Test, the Scholastic Assessment Test, or
119 the recentered Scholastic Assessment Test of the College
120 Entrance Examination, or an equivalent score on the ACT
121 Assessment Program;

122 (b) Has attended a home education program according to s.
123 1002.41 during grades 11 and 12, or ~~or~~ has completed the
124 International Baccalaureate curriculum but failed to earn the
125 International Baccalaureate Diploma, or has completed the
126 Advanced International Certificate of Education curriculum but



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127 failed to earn the Advanced International Certificate of
128 Education Diploma, and has attained at least the score required
129 under ~~pursuant to~~ s. 1009.531(6) (a) on the combined verbal and
130 quantitative parts of the Scholastic Aptitude Test, the
131 Scholastic Assessment Test, or the recentered Scholastic
132 Assessment Test of the College Entrance Examination, or an
133 equivalent score on the ACT Assessment Program;

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

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

141 (e) Has been recognized by the National Hispanic
142 Recognition Program as a scholar recipient.

143

144 The ~~A~~ student must complete a program of volunteer ~~community~~
145 service work, as approved by the district school board, the
146 administrators of a nonpublic school, or the Department of
147 Education for home education program students, which must ~~shall~~
148 include a minimum of 75 hours of service work for high school
149 students graduating in the 2010-2011 academic year and 100 hours
150 of service work for high school students graduating in the 2011-
151 2012 academic year and thereafter. The student, ~~and~~ must
152 identify a social or civic issue or a professional area ~~problem~~
153 that interests him or her, develop a plan for his or her
154 personal involvement in addressing the issue or learning about
155 the area ~~problem~~, and, through papers or other presentations,



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156 evaluate and reflect upon his or her experience. Except for
157 credit earned through service-learning courses adopted pursuant
158 to s. 1003.497, the student may not receive remuneration or
159 academic credit for the volunteer service work performed. Such
160 work may include, but is not limited to, a business or
161 government internship, work for a nonprofit community service
162 organization, or activity on behalf of a candidate for public
163 office. The hours of volunteer service must be documented in
164 writing, and the document must be signed by the student, the
165 student's parent or guardian, and a representative of the
166 organization for which the student performed the volunteer
167 service work.

168 Section 4. Subsection (1) of section 1009.535, Florida
169 Statutes, is amended to read:

170 1009.535 Florida Medallion Scholars award.—

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

175 (a) Has achieved a weighted grade point average of 3.0 as
176 calculated pursuant to s. 1009.531, or the equivalent, in high
177 school courses that are designated by the State Board of
178 Education as college-preparatory academic courses; and has
179 attained at least the score required under ~~pursuant to~~ s.
180 1009.531(6) (b) on the combined verbal and quantitative parts of
181 the Scholastic Aptitude Test, the Scholastic Assessment Test, or
182 the recentered Scholastic Assessment Test of the College
183 Entrance Examination, or an equivalent score on the ACT
184 Assessment Program;



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

195 (c) Has attended a home education program according to s.
196 1002.41 during grades 11 and 12 and has attained at least the
197 score required under ~~pursuant to~~ s. 1009.531(6) (b) on the
198 combined verbal and quantitative parts of the Scholastic
199 Aptitude Test, the Scholastic Assessment Test, or the recentered
200 Scholastic Assessment Test of the College Entrance Examination,
201 or an equivalent score on the ACT Assessment Program, if the
202 student's parent cannot document a college-preparatory
203 curriculum as described in paragraph (a);

204 (d) Has been recognized by the merit or achievement program
205 of the National Merit Scholarship Corporation as a scholar or
206 finalist but has not completed the ~~a~~ program of volunteer
207 ~~community~~ service work required under ~~as provided in~~ s.
208 1009.534; or

209 (e) Has been recognized by the National Hispanic
210 Recognition Program as a scholar, but has not completed the ~~a~~
211 program of volunteer ~~community~~ service work required under ~~as~~
212 ~~provided in~~ s. 1009.534.

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214 A high school student graduating in the 2011-2012 academic year
215 and thereafter must complete at least 75 hours ~~a program~~ of
216 volunteer ~~community~~ service work approved by the district school
217 board, the administrators of a nonpublic school, or the
218 Department of Education for home education program students. The
219 student, ~~which shall include a minimum of 75 hours of service~~
220 ~~work,~~ and must identify a social or civic issue or a
221 professional area ~~problem~~ that interests him or her, develop a
222 plan for his or her personal involvement in addressing the issue
223 or learning about the area ~~problem~~, and, through papers or other
224 presentations, evaluate and reflect upon his or her experience.
225 Except for credit earned through service-learning courses
226 adopted pursuant to s. 1003.497, the student may not receive
227 remuneration or academic credit for volunteer service work
228 performed. Such work may include, but is not limited to, a
229 business or government internship, work for a nonprofit
230 community service organization, or activity on behalf of a
231 candidate for public office. The hours of volunteer service must
232 be documented in writing, and the document must be signed by the
233 student, the student's parent or guardian, and a representative
234 of the organization for which the student performed the
235 volunteer service work.

236 Section 5. Subsection (1) of section 1009.536, Florida
237 Statutes, is amended, present subsections (2), (3), and (4) of
238 that section are redesignated as subsections (3), (4), and (5),
239 respectively, a new subsection (2) is added to that section, and
240 paragraph (d) is added to present subsection (4) of that
241 section, to read:

242 1009.536 Florida Gold Seal Vocational Scholars award.—The



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243 Florida Gold Seal Vocational Scholars award is created within
244 the Florida Bright Futures Scholarship Program to recognize and
245 reward academic achievement and career preparation by high
246 school students who wish to continue their education.

247 (1) A student who entered grade 9 before or in the 2015-
248 2016 academic year is eligible for a Florida Gold Seal
249 Vocational Scholars award if he or she ~~the student~~ meets the
250 general eligibility requirements for the Florida Bright Futures
251 Scholarship Program and ~~the student~~:

252 (a) Completes the secondary school portion of a sequential
253 program of studies that requires at least three secondary school
254 career credits. On-the-job training may not be substituted for
255 any of the three required career credits.

256 (b) Demonstrates readiness for postsecondary education by
257 earning a passing score on the Florida College Entry Level
258 Placement Test or its equivalent as identified by the Department
259 of Education.

260 (c) Earns a minimum cumulative weighted grade point average
261 of 3.0, as calculated pursuant to s. 1009.531, on all subjects
262 required for a standard high school diploma, excluding elective
263 courses.

264 (d) Earns a minimum unweighted grade point average of 3.5
265 on a 4.0 scale for secondary career courses that comprise
266 ~~comprising~~ the career program.

267 (e) Beginning with high school students graduating in the
268 2011-2012 academic year and thereafter, completes at least 30
269 hours ~~a program~~ of volunteer ~~community~~ service work approved by
270 the district school board, the administrators of a nonpublic
271 school, or the Department of Education for home education



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272 program students. The student must identify, which shall include
273 a minimum of 30 hours of service work, and identifies a social
274 or civic issue or a professional area problem that interests him
275 or her, develop develops a plan for his or her personal
276 involvement in addressing the issue or learning about the area
277 problem, and, through papers or other presentations, evaluate
278 evaluates and reflect reflects upon his or her experience.
279 Except for credit earned through service-learning courses
280 adopted pursuant to s. 1003.497, the student may not receive
281 remuneration or academic credit for the volunteer service work
282 performed. Such work may include, but is not limited to, a
283 business or government internship, work for a nonprofit
284 community service organization, or activity on behalf of a
285 candidate for public office. The hours of volunteer service must
286 be documented in writing, and the document must be signed by the
287 student, the student's parent or guardian, and a representative
288 of the organization for which the student performed the
289 volunteer service work.

290 (2) A high school student graduating in the 2016-2017
291 academic year and thereafter is eligible for a Florida Gold Seal
292 Vocational Scholars award if the student meets the requirements
293 under subsection (1) or meets the general eligibility
294 requirements for the Florida Bright Futures Scholarship Program,
295 and the student:

296 (a) Earns a minimum of 5 postsecondary credit hours through
297 CAPE industry certifications approved pursuant to s. 1008.44
298 which articulate for college credit; and

299 (b) Completes at least 30 hours of volunteer service work
300 approved by the district school board, the administrators of a



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301 nonpublic school, or the Department of Education for home
302 education program students. The student must identify a social
303 or civic issue or a professional area that interests him or her,
304 develop a plan for his or her personal involvement in addressing
305 the issue or learning about the area, and, through papers or
306 other presentations, evaluate and reflect upon his or her
307 experience. Except for credit earned through service-learning
308 courses adopted pursuant to s. 1003.497, the student may not
309 receive remuneration or academic credit for the volunteer
310 service work performed. Such work may include, but is not
311 limited to, a business or government internship, work for a
312 nonprofit community service organization, or activity on behalf
313 of a candidate for public office. The hours of volunteer service
314 work must be documented in writing, and the document must be
315 signed by the student, the student's parent or guardian, and a
316 representative of the organization for which the student
317 performed the volunteer service work.

318
319 A high school student graduating in the 2019-2020 academic year
320 and thereafter is eligible for a Florida Gold Seal Vocational
321 Scholars award only if the student meets the requirements under
322 this subsection.

323 ~~(5)-(4)-~~

324 (d) A student who is initially eligible in the 2017-2018
325 academic year and thereafter for a Florida Gold Seal Vocational
326 Scholars award under subsection (2) and who completes a
327 technical degree education program as defined in s. 1004.02(13)
328 may also receive an award for:

329 1. A maximum of 60 credit hours for a bachelor of science



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330 degree program for which there is a statewide associate in
331 science degree program to bachelor of science degree program
332 articulation agreement; or

333 2. A maximum of 60 credit hours for a bachelor of applied
334 science degree program at a Florida College System institution.

335 Section 6. This act shall take effect July 1, 2016.

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

337 And the title is amended as follows:

338 Delete everything before the enacting clause
339 and insert:

340 A bill to be entitled
341 An act relating to the Florida Bright Futures
342 Scholarship Program; amending s. 1009.531, F.S.;
343 providing that the initial award period and the
344 renewal period for students who are unable to accept
345 an initial award immediately after completion of high
346 school due to a full-time religious or service
347 obligation begin upon the completion of the religious
348 or service obligation; specifying requirements for an
349 entity that is sponsoring the obligation; requiring
350 verification from the entity for which the student
351 completed such obligation; revising eligibility
352 requirements for the Florida Bright Futures
353 Scholarship Program; deleting obsolete provisions;
354 amending s. 1009.532, F.S.; providing that certain
355 students may receive an award for a specified number
356 of credits towards specified bachelor of science
357 degree programs or bachelor of applied science degree
358 programs; amending ss. 1009.534 and 1009.535, F.S.;



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359 requiring a student, as a prerequisite for the Florida
360 Academic Scholars award or the Florida Medallion
361 Scholars award, to identify a civic issue or a
362 professional area of interest and develop a plan for
363 his or her personal involvement in addressing the
364 issue or learning about the area; prohibiting the
365 student from receiving remuneration or academic credit
366 for the volunteer service work performed except in
367 certain circumstances; requiring the hours of
368 volunteer service work to be documented in writing and
369 signed by the student, the student's parent or
370 guardian, and a representative of the organization for
371 which the student performed the volunteer service
372 work; amending s. 1009.536, F.S.; requiring a student,
373 as a prerequisite for the Florida Gold Seal Vocational
374 Scholars award, to identify a civic issue or a
375 professional area of interest and develop a plan for
376 his or her personal involvement in addressing the
377 issue or learning about the area; prohibiting the
378 student from receiving remuneration or academic credit
379 for the volunteer service work performed except in
380 certain circumstances; requiring the hours of
381 volunteer service work to be documented in writing and
382 signed by the student, the student's parent or
383 guardian, and a representative of the organization for
384 which the student performed the volunteer service
385 work; requiring a high school student graduating in
386 the 2016-2017 academic year to meet certain
387 requirements to be eligible for a Florida Gold Seal



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388 Vocational Scholars award; providing that certain
389 students may receive an award for a specified number
390 of credits toward specified bachelor of science degree
391 programs or bachelor of applied science degree
392 programs; providing an effective date.

By Senator Lee

24-00478-16

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1 A bill to be entitled
 2 An act relating to the Florida Bright Futures
 3 Scholarship Program; amending s. 1009.531, F.S.;
 4 providing that the initial award period and the
 5 renewal period for students who are unable to accept
 6 an initial award immediately after completion of high
 7 school due to a full-time religious or service
 8 obligation begin upon the completion of the religious
 9 or service obligation; specifying requirements for an
 10 entity that is sponsoring the obligation; requiring
 11 verification from the entity for which the student
 12 completed such obligation; revising eligibility
 13 requirements for the Florida Bright Futures
 14 Scholarship Program; deleting obsolete provisions;
 15 amending ss. 1009.534, 1009.535, and 1009.536, F.S.;
 16 requiring a student, as a prerequisite for the Florida
 17 Academic Scholars award, the Florida Medallion
 18 Scholars award, or the Florida Gold Seal Vocational
 19 Scholars award, to identify a social or civic issue or
 20 a professional area of interest and develop a plan for
 21 his or her personal involvement in addressing the
 22 issue or learning about the area; prohibiting the
 23 student from receiving remuneration or academic credit
 24 for the volunteer service work performed except in
 25 certain circumstances; requiring the hours of
 26 volunteer service work to be documented in writing and
 27 signed by the student, the student's parent or
 28 guardian, and a representative of the organization for
 29 which the student performed the volunteer service

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30 work; providing an effective date.
 31
 32 Be It Enacted by the Legislature of the State of Florida:
 33
 34 Section 1. Paragraph (c) of subsection (2) and paragraphs
 35 (a) and (b) of subsection (6) of section 1009.531, Florida
 36 Statutes, are amended to read:
 37 1009.531 Florida Bright Futures Scholarship Program;
 38 student eligibility requirements for initial awards.-
 39 (2)
 40 (c) A student graduating from high school in the 2012-2013
 41 academic year and thereafter is eligible to accept an initial
 42 award for 2 years following high school graduation and to accept
 43 a renewal award for 5 years following high school graduation. A
 44 student who applies for an award by high school graduation and
 45 who meets all other eligibility requirements, but who does not
 46 accept his or her award, may reapply during subsequent
 47 application periods up to 2 years after high school graduation.
 48 For a student who enlists in the United States Armed Forces
 49 immediately after completion of high school, the 2-year
 50 eligibility period for his or her initial award and the 5-year
 51 renewal period shall begin upon the date of separation from
 52 active duty. For a student who is receiving a Florida Bright
 53 Futures Scholarship award and discontinues his or her education
 54 to enlist in the United States Armed Forces, the remainder of
 55 his or her 5-year renewal period shall commence upon the date of
 56 separation from active duty. For a student who is unable to
 57 accept an initial award immediately after completion of high
 58 school due to a full-time religious or service obligation

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59 lasting at least 18 months, the 2-year eligibility period for
 60 his or her initial award and the 5-year renewal period begin
 61 upon the completion of his or her religious or service
 62 obligation. The organization sponsoring the full-time religious
 63 or service obligation must meet the requirements for nonprofit
 64 status under s. 501(c)(3) of the Internal Revenue Code or be a
 65 federal government service organization, including, but not
 66 limited to, the Peace Corps and AmeriCorps programs. The
 67 obligation must be documented in writing and verified by the
 68 entity for which the student completed the obligation on a
 69 standardized form prescribed by the department. If a course of
 70 study is not completed after 5 academic years, an exception of 1
 71 year to the renewal timeframe may be granted due to a verifiable
 72 illness or other documented emergency pursuant to s.
 73 1009.40(1)(b)4.

74 (6) (a) The State Board of Education shall publicize the
 75 examination score required for a student to be eligible for a
 76 Florida Academic Scholars award, pursuant to s. 1009.534(1)(a)
 77 or (b), ~~as follows:~~

78 ~~1. For high school students graduating in the 2010-2011 and~~
 79 ~~2011-2012 academic years, the student must earn an SAT score of~~
 80 ~~1270 or a concordant ACT score of 28.~~

81 ~~2. For high school students graduating in the 2012-2013~~
 82 ~~academic year, the student must earn an SAT score of 1280 which~~
 83 ~~corresponds to the 88th SAT percentile rank or a concordant ACT~~
 84 ~~score of 28.~~

85 ~~3. For High school students graduating in the 2013-2014~~
 86 ~~academic year and thereafter, the student must earn an SAT score~~
 87 ~~of 1290 which corresponds to the 89th SAT percentile rank or a~~

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88 concordant ACT score of 29.

89 (b) The State Board of Education shall publicize the
 90 examination score required for a student to be eligible for a
 91 Florida Medallion Scholars award, pursuant to s. 1009.535(1)(a)
 92 or (b), ~~as follows:~~

93 ~~1. For high school students graduating in the 2010-2011~~
 94 ~~academic year, the student must earn an SAT score of 970 or a~~
 95 ~~concordant ACT score of 20 or the student in a home education~~
 96 ~~program whose parent cannot document a college preparatory~~
 97 ~~curriculum must earn an SAT score of 1070 or a concordant ACT~~
 98 ~~score of 23.~~

99 ~~2. For high school students graduating in the 2011-2012~~
 100 ~~academic year, the student must earn an SAT score of 980 which~~
 101 ~~corresponds to the 44th SAT percentile rank or a concordant ACT~~
 102 ~~score of 21 or the student in a home education program whose~~
 103 ~~parent cannot document a college preparatory curriculum must~~
 104 ~~earn an SAT score of 1070 or a concordant ACT score of 23.~~

105 ~~3. For high school students graduating in the 2012-2013~~
 106 ~~academic year, the student must earn an SAT score of 1020 which~~
 107 ~~corresponds to the 51st SAT percentile rank or a concordant ACT~~
 108 ~~score of 22 or the student in a home education program whose~~
 109 ~~parent cannot document a college preparatory curriculum must~~
 110 ~~earn an SAT score of 1070 or a concordant ACT score of 23.~~

111 ~~4. For High school students graduating in the 2013-2014~~
 112 ~~academic year and thereafter, the student must earn an SAT score~~
 113 ~~of 1170 which corresponds to the 75th SAT percentile rank or a~~
 114 ~~concordant ACT score of 26 or the student in a home education~~
 115 ~~program whose parent cannot document a college preparatory~~
 116 ~~curriculum must earn an SAT score of 1220 or a concordant ACT~~

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117 ~~score of 27.~~

118 Section 2. Subsection (1) of section 1009.534, Florida
119 Statutes, is amended to read:

120 1009.534 Florida Academic Scholars award.—

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

125 (a) Has achieved a 3.5 weighted grade point average as
126 calculated pursuant to s. 1009.531, or its equivalent, in high
127 school courses that are designated by the State Board of
128 Education as college-preparatory academic courses, and has
129 attained at least the score required under ~~pursuant to~~ s.
130 1009.531(6) (a) on the combined verbal and quantitative parts of
131 the Scholastic Aptitude Test, the Scholastic Assessment Test, or
132 the recentered Scholastic Assessment Test of the College
133 Entrance Examination, or an equivalent score on the ACT
134 Assessment Program;

135 (b) Has attended a home education program according to s.
136 1002.41 during grades 11 and 12, ~~or~~ has completed the
137 International Baccalaureate curriculum but failed to earn the
138 International Baccalaureate Diploma, or has completed the
139 Advanced International Certificate of Education curriculum but
140 failed to earn the Advanced International Certificate of
141 Education Diploma, and has attained at least the score required
142 under ~~pursuant to~~ s. 1009.531(6) (a) on the combined verbal and
143 quantitative parts of the Scholastic Aptitude Test, the
144 Scholastic Assessment Test, or the recentered Scholastic
145 Assessment Test of the College Entrance Examination, or an

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146 equivalent score on the ACT Assessment Program;

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

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

154 (e) Has been recognized by the National Hispanic
155 Recognition Program as a scholar recipient.

156

157 The A student must complete a program of volunteer community
158 service work, as approved by the district school board, the
159 administrators of a nonpublic school, or the Department of
160 Education for home education program students, which must shall
161 include a minimum of 75 hours of service work for high school
162 students graduating in the 2010-2011 academic year and 100 hours
163 of service work for high school students graduating in the 2011-
164 2012 academic year and thereafter. The student, and must
165 identify a social or civic issue or a professional area problem
166 that interests him or her, develop a plan for his or her
167 personal involvement in addressing the issue or learning about
168 the area problem, and, through papers or other presentations,
169 evaluate and reflect upon his or her experience. Except for
170 credit earned through service-learning courses adopted pursuant
171 to s. 1003.497, the student may not receive remuneration or
172 academic credit for the volunteer service work performed. Such
173 work may include, but is not limited to, a business or
174 government internship, work for a nonprofit community service

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175 organization, or activity on behalf of a candidate for public
 176 office. The hours of volunteer service must be documented in
 177 writing, and the document must be signed by the student, the
 178 student's parent or guardian, and a representative of the
 179 organization for which the student performed the volunteer
 180 service work.

181 Section 3. Subsection (1) of section 1009.535, Florida
 182 Statutes, is amended to read:

183 1009.535 Florida Medallion Scholars award.—

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

188 (a) Has achieved a weighted grade point average of 3.0 as
 189 calculated pursuant to s. 1009.531, or the equivalent, in high
 190 school courses that are designated by the State Board of
 191 Education as college-preparatory academic courses, and has
 192 attained at least the score required under ~~pursuant to~~ s.
 193 1009.531(6)(b) on the combined verbal and quantitative parts of
 194 the Scholastic Aptitude Test, the Scholastic Assessment Test, or
 195 the recentered Scholastic Assessment Test of the College
 196 Entrance Examination, or an equivalent score on the ACT
 197 Assessment Program;

198 (b) Has completed the International Baccalaureate
 199 curriculum but failed to earn the International Baccalaureate
 200 Diploma or has completed the Advanced International Certificate
 201 of Education curriculum but failed to earn the Advanced
 202 International Certificate of Education Diploma, and has attained
 203 at least the score required under ~~pursuant to~~ s. 1009.531(6)(b)

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204 on the combined verbal and quantitative parts of the Scholastic
 205 Aptitude Test, the Scholastic Assessment Test, or the recentered
 206 Scholastic Assessment Test of the College Entrance Examination,
 207 or an equivalent score on the ACT Assessment Program;

208 (c) Has attended a home education program according to s.
 209 1002.41 during grades 11 and 12 and has attained at least the
 210 score required under ~~pursuant to~~ s. 1009.531(6)(b) on the
 211 combined verbal and quantitative parts of the Scholastic
 212 Aptitude Test, the Scholastic Assessment Test, or the recentered
 213 Scholastic Assessment Test of the College Entrance Examination,
 214 or an equivalent score on the ACT Assessment Program, if the
 215 student's parent cannot document a college-preparatory
 216 curriculum as described in paragraph (a);

217 (d) Has been recognized by the merit or achievement program
 218 of the National Merit Scholarship Corporation as a scholar or
 219 finalist but has not completed the a program of volunteer
 220 ~~community~~ service work required under ~~as provided in~~ s.
 221 1009.534; or

222 (e) Has been recognized by the National Hispanic
 223 Recognition Program as a scholar, but has not completed the a
 224 ~~program of volunteer community~~ service work required under ~~as~~
 225 ~~provided in~~ s. 1009.534.

226
 227 A high school student graduating in the 2011-2012 academic year
 228 and thereafter must complete at least 75 hours ~~a program~~ of
 229 volunteer community service work approved by the district school
 230 board, the administrators of a nonpublic school, or the
 231 Department of Education for home education program students. The
 232 ~~student, which shall include a minimum of 75 hours of service~~

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233 ~~work, and~~ must identify a social or civic issue or a
 234 professional area ~~problem~~ that interests him or her, develop a
 235 plan for his or her personal involvement in addressing the issue
 236 or learning about the area ~~problem~~, and, through papers or other
 237 presentations, evaluate and reflect upon his or her experience.
 238 Except for credit earned through service-learning courses
 239 adopted pursuant to s. 1003.497, the student may not receive
 240 remuneration or academic credit for volunteer service work
 241 performed. Such work may include, but is not limited to, a
 242 business or government internship, work for a nonprofit
 243 community service organization, or activity on behalf of a
 244 candidate for public office. The hours of volunteer service must
 245 be documented in writing, and the document must be signed by the
 246 student, the student's parent or guardian, and a representative
 247 of the organization for which the student performed the
 248 volunteer service work.

249 Section 4. Subsection (1) of section 1009.536, Florida
 250 Statutes, is amended to read:

251 1009.536 Florida Gold Seal Vocational Scholars award.—The
 252 Florida Gold Seal Vocational Scholars award is created within
 253 the Florida Bright Futures Scholarship Program to recognize and
 254 reward academic achievement and career preparation by high
 255 school students who wish to continue their education.

256 (1) A student is eligible for a Florida Gold Seal
 257 Vocational Scholars award if he or she ~~the student~~ meets the
 258 general eligibility requirements for the Florida Bright Futures
 259 Scholarship Program and ~~the student~~:

260 (a) Completes the secondary school portion of a sequential
 261 program of studies that requires at least three secondary school

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262 career credits. On-the-job training may not be substituted for
 263 any of the three required career credits.

264 (b) Demonstrates readiness for postsecondary education by
 265 earning a passing score on the Florida College Entry Level
 266 Placement Test or its equivalent as identified by the Department
 267 of Education.

268 (c) Earns a minimum cumulative weighted grade point average
 269 of 3.0, as calculated pursuant to s. 1009.531, on all subjects
 270 required for a standard high school diploma, excluding elective
 271 courses.

272 (d) Earns a minimum unweighted grade point average of 3.5
 273 on a 4.0 scale for secondary career courses that comprise
 274 comprising the career program.

275 (e) Beginning with high school students graduating in the
 276 2011-2012 academic year and thereafter, completes at least 30
 277 hours a program of volunteer ~~community~~ service work approved by
 278 the district school board, the administrators of a nonpublic
 279 school, or the Department of Education for home education
 280 program students. The student must identify, which shall include
 281 a minimum of 30 hours of service work, and identifies a social
 282 or civic issue or a professional area ~~problem~~ that interests him
 283 or her, develop ~~develops~~ a plan for his or her personal
 284 involvement in addressing the issue or learning about the area
 285 ~~problem~~, and, through papers or other presentations, evaluate
 286 ~~evaluates~~ and reflect ~~reflects~~ upon his or her experience.
 287 Except for credit earned through service-learning courses
 288 adopted pursuant to s. 1003.497, the student may not receive
 289 remuneration or academic credit for the volunteer service work
 290 performed. Such work may include, but is not limited to, a

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291 business or government internship, work for a nonprofit
292 community service organization, or activity on behalf of a
293 candidate for public office. The hours of volunteer service must
294 be documented in writing, and the document must be signed by the
295 student, the student's parent or guardian, and a representative
296 of the organization for which the student performed the
297 volunteer service work.

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Education

BILL: PCS/CS/SB 524 (314320)

INTRODUCER: Appropriations Subcommittee on Education; Higher Education Committee; and Senator Gaetz

SUBJECT: State University System Performance-based Incentives

DATE: December 7, 2015 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Graf</u>	<u>Klebacha</u>	<u>HE</u>	<u>Fav/CS</u>
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AED</u>	<u>Recommend: FAV/CS</u>
3.	<u> </u>	<u> </u>	<u>AP</u>	<u> </u>

I. Summary:

PCS/CS/SB 524 incorporates into the Florida Statutes on July 1, 2016, and modifies public postsecondary education performance funding and educator liability insurance program provisions affected by the 2015-2016 General Appropriations Act (GAA) and Implementing Bill by:

- Requiring the Board of Governors (BOG) to adopt a regulation implementing the State University System (SUS) Performance-Based Incentive Program. The program must include wage thresholds that reflect the added value of a baccalaureate degree and minimum performance funding eligibility thresholds that, if not met, will make an institution ineligible for the state’s investment in performance funding.
- Requiring the State Board of Education (SBE or state board) to establish, by rule, performance-based metrics for the Florida College System (FCS) and minimum performance funding eligibility thresholds that, if any FCS institution does not meet, will make the institution ineligible for a share of the state’s investment in performance funding. Likewise, any FCS institution that fails to meet the threshold for the institutional investment shall have a portion of its institutional investment withheld.
- Eliminating the July 1, 2016, expiration date of the educator liability insurance program that provides a minimum of \$2 million in liability coverage for all full-time public school instructional personnel.

During the 2015A Special Session, the Legislature adopted the substance of PCS/CS/SB 524, related to the SUS Performance-Based Incentive, the FCS Performance-Based Incentive, and the educator liability insurance program, in ch. 2015-222, L.O.F., the implementing bill for the 2015-2016 General Appropriations Act (GAA). These provisions will expire on July 1, 2016, unless the Legislature acts to codify the policy beyond the 2015-2016 fiscal year. PCS/CS/SB 524 protects these policies from repeal by reenacting modified provisions and providing an effective date of July 1, 2016.

The bill also amends the preeminent state research universities program, to require the BOG to designate each state university that meets at least six of the 12 academic and research excellence standards identified in law as an “emerging preeminent state research university.” The bill modifies the academic and research excellence standards of the preeminent state research universities program and establishes funding parameters for universities designated as “preeminent” or “emerging preeminent.”

The bill has no impact on state funds. The amount of performance funding available to SUS and FCS institutions is determined annually in the GAA. In the 2015-2016 fiscal year, the Legislature appropriated \$150 million for the state’s investment in the SUS Performance-Based Incentive and \$20 million for the state’s investment in the FCS Performance-Based Incentive. Likewise, funding for the preeminent state research universities program, as well as the educator liability insurance program, are contingent upon funding in the GAA. In the 2015-2016 fiscal year, the Legislature appropriated \$10 million for the preeminent state research universities program and \$1.2 million for the educator liability insurance program.

The bill is effective July 1, 2016.

II. Present Situation:

Performance-Based Funding

The Legislature has established performance-based funding models in the recent years to evaluate the performance of Florida’s public educational institutions, such as state universities and FCS institutions, based on identified performance metrics.

State University System

In 2014, the Legislature required that performance funding be allocated based on the BOG’s Performance Funding Model approved on January 16, 2014.¹ The BOG’s Performance Funding Model contained 10 performance metrics that evaluate the state universities on the following:²

- Percent of bachelor’s degree graduates employed and/or continuing their education;
- Average wages of employed baccalaureate graduates;
- Cost per undergraduate degree;
- Six-year graduation rate (full-time and part-time first time in college (FTIC));
- Academic Progress Rate (second year retention with grade point average above 2.0);
- Bachelor’s degrees awarded in areas of strategic emphasis (including Science, Technology, Engineering, and Math (STEM) education);
- University access rate (percent of undergraduates with a Pell Grant);
- Graduate degrees awarded in areas of strategic emphasis (including STEM);

¹ Specific Appropriation 143, ch. 2014-51, L.O.F.

² Florida Board of Governors, *Meeting Minutes* (January 16, 2014), available at http://www.flbog.edu/documents_meetings/0187_0790_5874_10.2.2%20BOG%202014_01_16_Board_of_Governors_minutes.pdf; see also Florida Board of Governors, *Performance Funding Model Overview*, available at http://www.flbog.edu/about/budget/docs/performance_funding/Overview-Doc-Performance-Funding-10-Metric-Model-Condensed-Version-April2015.pdf.

- Two additional metrics, one chosen by each of the following:
 - Board of Governors and
 - University Board of Trustees

The performance of state universities are evaluated based on the benchmarks adopted by the BOG for achievement of excellence or improvement in these specified metrics. The 2014-2015 GAA appropriated \$200 million for State University Performance Based Incentives, which included \$100 million in new funding and \$100 million redistributed from a proportionate share of each state university's base funds.³ A state university that qualified for the new funding, also received its full base funding.⁴ A state university that failed to meet the minimum performance threshold established by the BOG had a portion of its base funding withheld and was required to submit a performance improvement plan (plan) to the BOG.⁵ The board was required to approve the plan and monitor the university's progress on implementing the performance measures specified in the plan.⁶ Full base funding for a state university was restored upon the board's approval of the plan and progress monitoring reports.⁷ Full base funding was not restored for a state university that fails to make satisfactory progress on meeting its performance improvement plan expectations.⁸

During the 2015A Special Session, the Legislature codified the SUS Performance-Based Incentive, which is based on indicators of institutional attainment of performance metrics adopted by the BOG.⁹ These performance metrics include graduation rates, retention rates, postgraduation education rates, degree production, affordability, postgraduation employment and salaries, access, and other metrics approved by the board in a noticed meeting.¹⁰ The Legislature instructed the BOG to adopt benchmarks to evaluate each state university's performance on the metrics to determine a state university's achievement of institutional excellence or need for improvement.¹¹ The 2015-2016 GAA appropriated \$400 million for the SUS Performance-Based Incentive, which included \$150 million for the state investment and \$250 million for the institutional investment.¹²

Florida College System

In the 2015-2016 Implementing Bill, the Legislature established the FCS Performance Based Incentive, which is based on indicators of institutional attainment of performance metrics adopted by the state board. These performance metrics include metrics that measure retention; program completion and graduation rates; job placement; and post-graduation employment, salaries, or further education. FCS institutions were evaluated for their performance, based on benchmarks adopted by the state board for achievement of excellence or improvement on the metrics. In the 2015-2016 GAA, the Legislature appropriated \$40 million for FCS performance,

³ Specific Appropriation 143, ch. 2014-51, L.O.F.

⁴ *Id.*

⁵ *Id.*

⁶ Specific Appropriation 143, ch. 2014-51, L.O.F.

⁷ *Id.*

⁸ *Id.*

⁹ Section 1001.92, F.S., *as created by* s. 14, ch. 2015-222, L.O.F.

¹⁰ *Id.*

¹¹ *Id.*

¹² Specific Appropriation 138, ch. 2015-232, L.O.F.

including \$20 million in new funding and \$20 million redistributed from a proportionate share of each institution's base funds.¹³

Educator Liability Insurance Program

The 2015-2016 Implementing Bill amended s. 1012.75, F.S., to require the Department of Education (department) to administer a liability insurance program to protect public school educators from liability for claims arising from incidents occurring while performing job responsibilities.¹⁴ The program must provide coverage amounting to \$2 million to all full-time instructional personnel.¹⁵ Part-time instructional personnel, administrative personnel, and student teachers participating in clinical field experience through a state-approved teacher preparation program may opt to receive liability coverage, at cost.¹⁶

The law required the department, by August 1, 2015, to notify eligible personnel of the pending procurement for liability coverage. In addition, the law required each school district, by September 1, 2015, to notify eligible personnel of the liability coverage using a postcard which included:

- The amount of the coverage;
- A general description of the nature of the coverage; and
- The contact information for coverage and claims questions.¹⁷

The law required each district school board to certify to the department, by September 15, 2015, that the district had provided the notification to the eligible personnel.¹⁸

The department must consult with the Department of Financial Services to select the “most economically prudent and cost-effective means of implementing the program through self-insurance, a risk management program, or competitive procurement.”¹⁹

These amendments to the educator liability insurance program will expire on July 1, 2016.

Preeminent State Research Universities

The preeminent state research university program is a collaborative partnership between the BOG and the Legislature to elevate the academic and research preeminence of Florida's highest performing state research universities.²⁰ A state research university that meets at least 11 of the 12 academic and research excellence standards specified in law is designated as a preeminent state research university.²¹

¹³ Section 15, ch. 2015-222, L.O.F.

¹⁴ See s. 1012.75(3), F.S., as amended by s. 10, ch. 2015-222, L.O.F.

¹⁵ Section 1012.75(3)(a), F.S.

¹⁶ *Id.*

¹⁷ Section 1012.75(3)(b), F.S.

¹⁸ *Id.*

¹⁹ Section 1012.75(3)(c), F.S.

²⁰ Section 1001.7065(1), F.S.

²¹ *Id.* at (3).

The academic and research excellence standards are:²²

- An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1800 or higher for fall semester incoming freshmen, as reported annually.
- A top-50 ranking on at least two well-known and highly respected national public university rankings, reflecting national preeminence, using most recent rankings.
- A freshman retention rate of 90 percent or higher for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System (IPEDS).
- A 6-year graduation rate of 70 percent or higher for full-time, first-time-in-college students, as reported annually to the IPEDS.
- Six or more faculty members at the state university who are members of a national academy, as reported by the Center for Measuring University Performance in the Top American Research Universities (TARU) annual report.
- Total annual research expenditures, including federal research expenditures, of \$200 million or more, as reported annually by the National Science Foundation (NSF).
- Total annual research expenditures in diversified nonmedical sciences of \$150 million or more, based on data reported annually by the NSF.
- A top-100 university national ranking for research expenditures in five or more science, technology, engineering, or mathematics fields of study, as reported annually by the NSF.
- One hundred or more total patents awarded by the United States Patent and Trademark Office for the most recent 3-year period.
- Four hundred or more doctoral degrees awarded annually, as reported in the BOG Annual Accountability Report.
- Two hundred or more postdoctoral appointees annually, as reported in the TARU annual report.
- An endowment of \$500 million or more, as reported in the BOG Annual Accountability Report.

A preeminent state research university receives \$5 million in recurring funds annually, subject to appropriation in the GAA.²³ Currently, only the Florida State University and University of Florida meet the standards for preeminent state research university designation and are Florida's only two preeminent state research universities.²⁴

III. Effect of Proposed Changes:

This bill re-enacts and amends the FCS Performance-Based Incentive and the SUS Performance-Based Incentive, re-enacts 2015A Special Session amendments to the educator liability insurance program, and amends the preeminent state research universities program.

²² *Id.* at (2).

²³ Section 1001.7065, F.S.

²⁴ Florida Board of Governors, Strategic Planning Committee, Agenda Item 7, *Preeminent State Research University Benchmark Plans* (November 20, 2013) available at http://www.flbog.edu/documents_meetings/0184_0752_5480_399%20SPC%20Packet.pdf.

Performance-Based Funding

State University System

The bill re-enacts and modifies the SUS Performance-Based Incentive to:

- Require the performance-based metrics to include wage thresholds that reflect the added value of a baccalaureate degree.
- Require the BOG to establish minimum performance funding eligibility thresholds for the state's investment and the institutional investment.
- Prohibit a state university that fails to meet the state's investment performance funding threshold from eligibility to receive a share of the state's investment performance funding.

Additionally, the bill requires the BOG to adopt a regulation to implement the SUS Performance-Based Incentive statutory provisions.

Florida College System

The bill re-enacts the FCS Performance-Based Incentive and requires the state board to adopt rules for its implementation. Specifically, the bill:

- Modifies the performance-based metrics to include metrics that measure: retention; program completion and graduation rates; postgraduation employment, salaries, and continuing education for workforce education and baccalaureate degree programs, with wage thresholds that reflect the added value of the certificate or degree; and outcome measures appropriate for associate degree recipients.
- Requires the state board to establish minimum performance funding eligibility thresholds for both the state's investment and the institutional investment.
- Specifies that any institution that does not meet the SBE's performance threshold for the state's investment is not eligible for a share of the state's investment in performance funding.
- Specifies that each institution's share of performance funding shall be calculated based on its relative performance on the established metrics, in conjunction with the institution's size and scope.
- Requires that any institution that fails to meet the SBE's performance threshold for the institutional investment shall have a portion of its institutional investment withheld and must submit an improvement plan to the state board which specifies activities and strategies for improving the institution's performance.
- Requires the SBE, by October 1 of each year, to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the previous fiscal year's performance funding allocation which must reflect the rankings and award distributions.

Educator Liability Insurance Program

The bill re-enacts amendments made to the educator liability insurance program during the 2015A Special Session by eliminating the July 1, 2016, statutory expiration date. The program requires the department and each school district to provide annual notification of the \$2 million insurance coverage to eligible personnel. District school boards must annually certify to the department that the notification has been provided. In addition, the bill requires a district school

board providing clinical field experience to students in teacher preparation programs to notify the student electronically or in writing of the availability of educator liability insurance. Postsecondary educational institutions and district school boards are prohibited from requiring a student in a teacher preparation program to purchase liability insurance as a condition of participation in any clinical field experience or related activity on the premises of an elementary or secondary school.

During the 2015A Special Session, the Legislature adopted the substance of PCS/CS/SB 524 related to the SUS Performance-Based Incentive, the FCS Performance-Based Incentive, and the educator liability insurance program in ch. 2015-222, L.O.F., the implementing bill for the 2015-2016 GAA. These provisions will expire on July 1, 2016, unless the Legislature acts to codify the policy beyond the 2015-2016 fiscal year. PCS/CS/SB 524 protects these policies from repeal by reenacting modified provisions and providing an effective date of July 1, 2016.

Preeminent State Research Universities

The bill modifies the academic and research excellence standards of the preeminent state research universities program by:

- Aligning the required average SAT score for incoming freshman with recent changes to the SAT examination scoring rubric;
- Specifying that the U.S. News and World Report rankings is one of the rankings that should be considered for the Top-50 Ranking requirement;
- Including the official membership directories maintained by each national academy (in addition to the Top American Research Universities (TARU) annual report) as a source for verification of recognition of faculty members in a national academy; and
- Including professional degrees awarded in medical and healthcare disciplines in the calculation of the number of doctoral degrees awarded annually.

Currently, each state university that meets at least 11 of the 12 academic and research excellence standards above is designated as a “preeminent state research university.” The bill requires the BOG to also designate each state university that meets at least six of the 12 academic and research excellence standards as an “emerging preeminent state research university.” However, the BOG may temporarily suspend or rescind the “preeminent” or “emerging preeminent” designation upon petition from a designated institution. The BOG may also revoke either designation of an institution with concurrence of the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The bill requires a state university that is designated as an “emerging preeminent state research university” to submit to the BOG a 5-year benchmark plan, with target rankings on key performance metrics for national excellence. Once approved by the BOG and upon the university meeting the benchmark goals annually, the BOG shall award the university its proportional share of any funds provided annually in the GAA to support the program.

The bill repeals the preeminent state research university enhancement initiative. This initiative authorizes additional funding for preeminent state research universities for the purpose of recruiting National Academy Members, providing a master’s degree in cloud virtualization, and instituting an enterprise in resident program, if funding was provided in the GAA. The bill also

repeals the preeminent state research university special course requirement authority. This authority allows preeminent state research universities to require incoming first time in college students to take a 9 to 12 credit set of unique courses specifically determined by the university.

Unless otherwise specified in the GAA, funding increases appropriated to support the program must be distributed equally to each designated “preeminent state research university” and each university designated as an “emerging preeminent state research university” shall receive an amount equal to one-half of the total increased amount awarded to each designated “preeminent state research university.”

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

PCS/CS/SB 524 has no impact on state funds. All programs in the bill are contingent upon funding in the GAA. In the 2015-2016 fiscal year, the Legislature appropriated \$150 million for the state’s investment in the SUS Performance-Based Incentive, \$20 million for the state’s investment in the FCS Performance-Based Incentive, \$10 million for the preeminent state research universities program, and \$1.2 million for the educator liability insurance program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1001.7065, 1001.92, 1012.39, and 1012.75.

This bill creates section 1001.66 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS/CS by Appropriations Subcommittee on Education on December 3, 2015:

The committee substitute:

- Maintains provisions regarding state university performance funding.
- Re-enacts and amends the FCS Performance-Based Incentive.
- Modifies criteria for the preeminent state research university designation.
- Establishes an “emerging preeminent state research university” designation and establishes eligibility criteria.
- Re-enacts 2015A Special Session amendments to the educator liability insurance program.

CS by Higher Education on November 17, 2015:

The committee substitute restores current law regarding limiting to one fiscal year, the ability of state universities to submit performance improvement plans to the Florida Board of Governors of the State University System of Florida to receive institutional investment performance funding.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/07/2015	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Gaetz) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1001.66, Florida Statutes, is created to
read:

1001.66 Florida College System Performance-Based
Incentive.—

(1) A Florida College System Performance-Based Incentive
shall be awarded to Florida College System institutions using



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11 performance-based metrics adopted by the State Board of
12 Education. The performance-based metrics must include retention
13 rates; program completion and graduation rates; postgraduation
14 employment, salaries, and continuing education for workforce
15 education and baccalaureate programs, with wage thresholds that
16 reflect the added value of the certificate or degree; and
17 outcome measures appropriate for associate of arts degree
18 recipients. The state board shall adopt benchmarks to evaluate
19 each institution's performance on the metrics to measure the
20 institution's achievement of institutional excellence or need
21 for improvement and minimum requirements for eligibility to
22 receive performance funding.

23 (2) Each fiscal year, the amount of funds available for
24 allocation to the Florida College System institutions based on
25 the performance-based funding model shall consist of the state's
26 investment in performance funding plus institutional investments
27 consisting of funds to be redistributed from the base funding of
28 the Florida College System Program Fund as determined in the
29 General Appropriations Act. The State Board of Education shall
30 establish minimum performance funding eligibility thresholds for
31 the state's investment and the institutional investments. An
32 institution that fails to meet the minimum state investment
33 performance funding eligibility threshold is ineligible for a
34 share of the state's investment in performance funding. The
35 institutional investment shall be restored for all institutions
36 eligible for the state's investment under the performance-based
37 funding model.

38 (3) (a) Each Florida College System institution's share of
39 the performance funding shall be calculated based on its



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40 relative performance on the established metrics in conjunction
41 with the institutional size and scope.

42 (b) A Florida College System institution that fails to meet
43 the State Board of Education's minimum institutional investment
44 performance funding eligibility threshold shall have a portion
45 of its institutional investment withheld by the state board and
46 must submit an improvement plan to the state board which
47 specifies the activities and strategies for improving the
48 institution's performance. The state board must review and
49 approve the improvement plan and, if the plan is approved, must
50 monitor the institution's progress in implementing the
51 activities and strategies specified in the improvement plan. The
52 institution shall submit monitoring reports to the state board
53 by December 31 and May 31 of each year in which an improvement
54 plan is in place. The ability of an institution to submit an
55 improvement plan to the state board is limited to 1 fiscal year.

56 (c) The Commissioner of Education shall withhold
57 disbursement of the institutional investment until the
58 monitoring report is approved by the State Board of Education. A
59 Florida College System institution determined by the state board
60 to be making satisfactory progress on implementing the
61 improvement plan shall receive no more than one-half of the
62 withheld institutional investment in January and the balance of
63 the withheld institutional investment in June. An institution
64 that fails to make satisfactory progress may not have its full
65 institutional investment restored. Any institutional investment
66 funds that are not restored shall be redistributed in accordance
67 with the state board's performance-based metrics.

68 (4) Distributions of performance funding, as provided in



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69 this section, shall be made to each of the Florida College
70 System institutions listed in the Florida Colleges category in
71 the General Appropriations Act.

72 (5) By October 1 of each year, the State Board of Education
73 shall submit to the Governor, the President of the Senate, and
74 the Speaker of the House of Representatives a report on the
75 previous fiscal year's performance funding allocation, which
76 must reflect the rankings and award distributions.

77 (6) The State Board of Education shall adopt rules to
78 administer this section.

79 Section 2. Subsection (1) of section 1001.7065, Florida
80 Statutes, is reenacted, and subsections (2), (3), and (5)
81 through (9) of that section are amended, to read:

82 1001.7065 Preeminent state research universities program.-

83 (1) STATE UNIVERSITY SYSTEM SHARED GOVERNANCE

84 COLLABORATION.—A collaborative partnership is established
85 between the Board of Governors and the Legislature to elevate
86 the academic and research preeminence of Florida's highest-
87 performing state research universities in accordance with this
88 section. The partnership stems from the State University System
89 Governance Agreement executed on March 24, 2010, wherein the
90 Board of Governors and leaders of the Legislature agreed to a
91 framework for the collaborative exercise of their joint
92 authority and shared responsibility for the State University
93 System. The governance agreement confirmed the commitment of the
94 Board of Governors and the Legislature to continue collaboration
95 on accountability measures, the use of data, and recommendations
96 derived from such data.

97 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—~~Effective~~



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98 ~~July 1, 2013,~~ The following academic and research excellence
99 standards are established for the preeminent state research
100 universities program:

101 (a) An average weighted grade point average of 4.0 or
102 higher on a 4.0 scale and an average SAT score of 1800 or higher
103 on a 2400-point scale or 1200 or higher on a 1600-point scale
104 for fall semester incoming freshmen, as reported annually.

105 (b) A top-50 ranking on at least two well-known and highly
106 respected national public university rankings, including, but
107 not limited to, the U.S. News and World Report rankings,
108 reflecting national preeminence, using most recent rankings.

109 (c) A freshman retention rate of 90 percent or higher for
110 full-time, first-time-in-college students, as reported annually
111 to the Integrated Postsecondary Education Data System (IPEDS).

112 (d) A 6-year graduation rate of 70 percent or higher for
113 full-time, first-time-in-college students, as reported annually
114 to the IPEDS.

115 (e) Six or more faculty members at the state university who
116 are members of a national academy, as reported by the Center for
117 Measuring University Performance in the Top American Research
118 Universities (TARU) annual report or the official membership
119 directories maintained by each national academy.

120 (f) Total annual research expenditures, including federal
121 research expenditures, of \$200 million or more, as reported
122 annually by the National Science Foundation (NSF).

123 (g) Total annual research expenditures in diversified
124 nonmedical sciences of \$150 million or more, based on data
125 reported annually by the NSF.

126 (h) A top-100 university national ranking for research



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127 expenditures in five or more science, technology, engineering,
128 or mathematics fields of study, as reported annually by the NSF.

129 (i) One hundred or more total patents awarded by the United
130 States Patent and Trademark Office for the most recent 3-year
131 period.

132 (j) Four hundred or more doctoral degrees awarded annually,
133 including professional doctoral degrees awarded in medical and
134 health care disciplines, as reported in the Board of Governors
135 Annual Accountability Report.

136 (k) Two hundred or more postdoctoral appointees annually,
137 as reported in the TARU annual report.

138 (l) An endowment of \$500 million or more, as reported in
139 the Board of Governors Annual Accountability Report.

140 (3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—

141 (a) The Board of Governors shall designate each state
142 ~~research~~ university that meets at least 11 of the 12 academic
143 and research excellence standards identified in subsection (2)
144 as a "preeminent state research university." ~~preeminent state~~
145 ~~research university.~~

146 (b) The Board of Governors shall designate each state
147 university that meets at least 6 of the 12 academic and research
148 excellence standards identified in subsection (2) as an
149 "emerging preeminent state research university."

150
151 The Board of Governors may, upon petition of a university
152 designated under this subsection, temporarily suspend or rescind
153 the designation, or may, with the concurrence of the Governor,
154 the President of the Senate, and the Speaker of the House of
155 Representatives, revoke the designation of a university under



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156 this subsection.

157 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM
158 UNIVERSITY SUPPORT.—

159 (a) A state ~~research~~ university that is designated as a
160 preeminent state research university, ~~as of July 1, 2013,~~ meets
161 ~~all 12 of the academic and research excellence standards~~
162 ~~identified in subsection (2), as verified by the Board of~~
163 ~~Governors,~~ shall submit to the Board of Governors a 5-year
164 benchmark plan with target rankings on key performance metrics
165 for national excellence. Upon approval by the Board of
166 Governors, and upon the university's meeting the benchmark plan
167 goals annually, the Board of Governors shall award the
168 university its proportionate share of any funds provided
169 annually to support the program created under this section an
170 amount specified in the General Appropriations Act to be
171 provided annually throughout the 5-year period. Funding for this
172 purpose is contingent upon specific appropriation in the General
173 Appropriations Act.

174 (b) A state university designated as an emerging preeminent
175 state research university shall submit to the Board of Governors
176 a 5-year benchmark plan with target rankings on key performance
177 metrics for national excellence. Upon approval by the Board of
178 Governors, and upon the university's meeting the benchmark plan
179 goals annually, the Board of Governors shall award the
180 university its proportionate share of any funds provided
181 annually to support the program created under this section.

182 (c) The award of funds under this subsection is contingent
183 upon funding provided in the General Appropriations Act to
184 support the preeminent state research universities program



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185 created under this section. Funding increases appropriated
186 beyond the amounts funded in the previous fiscal year shall be
187 distributed as follows:

188 1. Each designated preeminent state research university
189 that meets the criteria in paragraph (a) shall receive an equal
190 amount of funding.

191 2. Each designated emerging preeminent state research
192 university that meets the criteria in paragraph (b) shall
193 receive an amount of funding that is equal to one-half of the
194 total increased amount awarded to each designated preeminent
195 state research university.

196 ~~(6) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT~~
197 ~~INITIATIVE. A state research university that, as of July 1,~~
198 ~~2013, meets 11 of the 12 academic and research excellence~~
199 ~~standards identified in subsection (2), as verified by the Board~~
200 ~~of Governors, shall submit to the Board of Governors a 5-year~~
201 ~~benchmark plan with target rankings on key performance metrics~~
202 ~~for national excellence. Upon the university's meeting the~~
203 ~~benchmark plan goals annually, the Board of Governors shall~~
204 ~~award the university an amount specified in the General~~
205 ~~Appropriations Act to be provided annually throughout the 5-year~~
206 ~~period for the purpose of recruiting National Academy Members,~~
207 ~~expediting the provision of a master's degree in cloud~~
208 ~~virtualization, and instituting an entrepreneurs-in-residence~~
209 ~~program throughout its campus. Funding for this purpose is~~
210 ~~contingent upon specific appropriation in the General~~
211 ~~Appropriations Act.~~

212 ~~(7) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE~~
213 ~~REQUIREMENT AUTHORITY. In order to provide a jointly shared~~



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214 ~~educational experience, a university that is designated a~~
215 ~~preeminent state research university may require its incoming~~
216 ~~first-time-in-college students to take a 9-to-12-credit set of~~
217 ~~unique courses specifically determined by the university and~~
218 ~~published on the university's website. The university may~~
219 ~~stipulate that credit for such courses may not be earned through~~
220 ~~any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271~~
221 ~~or any other transfer credit. All accelerated credits earned up~~
222 ~~to the limits specified in ss. 1007.27 and 1007.271 shall be~~
223 ~~applied toward graduation at the student's request.~~

224 ~~(6)~~(8) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY
225 AUTHORITY.—The Board of Governors is encouraged to identify and
226 grant all reasonable, feasible authority and flexibility to
227 ensure that a designated preeminent state research university is
228 free from unnecessary restrictions.

229 ~~(7)~~(9) PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE
230 UNIVERSITY SYSTEM.—The Board of Governors is encouraged to
231 establish standards and measures whereby individual programs in
232 state universities that objectively reflect national excellence
233 can be identified and make recommendations to the Legislature as
234 to how any such programs could be enhanced and promoted.

235 Section 3. Section 1001.92, Florida Statutes, is amended to
236 read:

237 1001.92 State University System Performance-Based
238 Incentive.—

239 (1) A State University System Performance-Based Incentive
240 shall be awarded to state universities using performance-based
241 metrics adopted by the Board of Governors of the State
242 University System. The performance-based metrics must include



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243 graduation rates;~~;~~ retention rates;~~;~~ postgraduation education
244 rates;~~;~~ degree production;~~;~~ affordability;~~;~~ postgraduation
245 employment and salaries, including wage thresholds that reflect
246 the added value of a baccalaureate degree; access;~~;~~ and other
247 metrics approved by the board in a formally noticed meeting. The
248 board shall adopt benchmarks to evaluate each state university's
249 performance on the metrics to measure the state university's
250 achievement of institutional excellence or need for improvement
251 and minimum requirements for eligibility to receive performance
252 funding.

253 (2) Each fiscal year, the amount of funds available for
254 allocation to the state universities based on the performance-
255 based funding model ~~metrics~~ shall consist of the state's
256 investment in appropriation for performance funding, ~~including~~
257 ~~increases in base funding~~ plus institutional investments
258 consisting of funds deducted from the base funding of each state
259 university in the State University System~~;~~ in an amount provided
260 in the General Appropriations Act. The Board of Governors shall
261 establish minimum performance funding eligibility thresholds for
262 the state's investment and the institutional investments. A
263 state university that fails to meet the minimum state investment
264 performance funding eligibility threshold is ineligible for a
265 share of the state's investment in performance funding. The
266 institutional investment shall be restored for each institution
267 eligible for the state's investment under the performance-based
268 funding model ~~metrics~~.

269 (3) (a) A state university that fails to meet the Board of
270 Governors' minimum institutional investment performance funding
271 eligibility threshold shall have ~~a portion of~~ its institutional



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272 investment withheld by the board and must submit an improvement
273 plan to the board that specifies the activities and strategies
274 for improving the state university's performance. The board must
275 review and approve the improvement plan and, if the plan is
276 approved, must monitor the state university's progress in
277 implementing the activities and strategies specified in the
278 improvement plan. The state university shall submit monitoring
279 reports to the board by December 31 and May 31 of each year in
280 which an improvement plan is in place. The ability of a state
281 university to submit an improvement plan to the board is limited
282 to 1 fiscal year.

283 (b) The Chancellor of the State University System shall
284 withhold disbursement of the institutional investment until the
285 monitoring report is approved by the Board of Governors. A state
286 university ~~that is~~ determined by the board to be making
287 satisfactory progress on implementing the improvement plan shall
288 receive no more than one-half of the withheld institutional
289 investment in January and the balance of the withheld
290 institutional investment in June. A state university that fails
291 to make satisfactory progress may not have its full
292 institutional investment restored. Any institutional investment
293 funds that are not restored shall be redistributed in accordance
294 with the board's performance-based metrics.

295 (4) Distributions of performance funding, as provided in
296 this section, shall be made to each of the state universities
297 listed in the Education and General Activities category in the
298 General Appropriations Act.

299 (5) By October 1 of each year, the Board of Governors shall
300 submit to the Governor, the President of the Senate, and the



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301 Speaker of the House of Representatives a report on the previous
302 fiscal year's performance funding allocation which must reflect
303 the rankings and award distributions.

304 (6) The Board of Governors shall adopt regulations to
305 administer this section ~~expires July 1, 2016.~~

306 Section 4. Subsection (3) of section 1012.39, Florida
307 Statutes, is amended to read:

308 1012.39 Employment of substitute teachers, teachers of
309 adult education, nondegreed teachers of career education, and
310 career specialists; students performing clinical field
311 experience.-

312 (3) A student who is enrolled in a state-approved teacher
313 preparation program in a postsecondary educational institution
314 that is approved by rules of the State Board of Education and
315 who is jointly assigned by the postsecondary educational
316 institution and a district school board to perform a clinical
317 field experience under the direction of a regularly employed and
318 certified educator shall, while serving such supervised clinical
319 field experience, be accorded the same protection of law as that
320 accorded to the certified educator except for the right to
321 bargain collectively as an employee of the district school
322 board. The district school board providing the clinical field
323 experience shall notify the student electronically or in writing
324 of the availability of educator liability insurance under s.
325 1012.75. A postsecondary educational institution or district
326 school board may not require a student enrolled in a state-
327 approved teacher preparation program to purchase liability
328 insurance as a condition of participation in any clinical field
329 experience or related activity on the premises of an elementary



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330 or a secondary school.

331 Section 5. Section 1012.731, Florida Statutes, is created
332 to read:

333 1012.731 The Florida Best and Brightest Teacher Scholarship
334 Program.—

335 (1) The Legislature recognizes that, second only to
336 parents, teachers play the most critical role within schools in
337 preparing students to achieve a high level of academic
338 performance. The Legislature further recognizes that research
339 has linked student outcomes to a teacher's own academic
340 achievement. Therefore, it is the intent of the Legislature to
341 designate teachers who have achieved high academic standards
342 during their own education as Florida's best and brightest
343 teacher scholars.

344 (2) There is created the Florida Best and Brightest Teacher
345 Scholarship Program to be administered by the Department of
346 Education. The scholarship program shall provide categorical
347 funding for scholarships to be awarded to teachers who have
348 demonstrated a high level of academic achievement.

349 (3) (a) To be eligible for a scholarship, a teacher:

350 1. Must have scored at or above the 80th percentile on
351 either the SAT or the ACT based on the percentile ranks in
352 effect when the teacher took the assessment and have been
353 evaluated as highly effective pursuant to s. 1012.34; or

354 2. If the teacher is a first-year teacher who has not been
355 evaluated pursuant to s. 1012.34, must have scored at or above
356 the 80th percentile on either the SAT or the ACT based on the
357 percentile ranks in effect when the teacher took the assessment.

358 (b) In order to demonstrate eligibility for an award, an



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359 eligible teacher must submit to the school district, no later
360 than October 1, an official record of his or her SAT or ACT
361 score demonstrating that the teacher scored at or above the 80th
362 percentile based on the percentile ranks in effect when the
363 teacher took the assessment. Once a teacher is deemed eligible
364 by the school district, including teachers deemed eligible in
365 the 2015-2016 fiscal year, the teacher shall remain eligible as
366 long as he or she is employed by the school district and
367 maintains or, if the teacher is a first-year teacher, earns the
368 evaluation designation of highly effective pursuant to s.
369 1012.34.

370 (4) Annually, by December 1, each school district shall
371 submit to the department the number of eligible teachers who
372 qualify for the scholarship.

373 (5) Annually, by February 1, the department shall disburse
374 scholarship funds, in an amount prescribed annually by the
375 Legislature in the General Appropriations Act, to each school
376 district for each eligible teacher to receive a scholarship. If
377 the number of eligible teachers exceeds the total appropriation
378 authorized in the General Appropriations Act, the department
379 shall prorate the per-teacher scholarship amount.

380 (6) Annually, by April 1, each school district shall
381 provide payment of the scholarship to each eligible teacher.

382 (7) For purposes of this section, the term "school
383 district" includes the Florida School for the Deaf and the Blind
384 and charter school governing boards.

385 Section 6. Subsection (3) of section 1012.75, Florida
386 Statutes, is amended to read:

387 1012.75 Liability of teacher or principal; excessive



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388 force.-

389 (3) The Department of Education shall administer an
390 educator liability insurance program, as provided in the General
391 Appropriations Act, to protect full-time instructional personnel
392 from liability for monetary damages and the costs of defending
393 actions resulting from claims made against the instructional
394 personnel arising out of occurrences in the course of activities
395 within the instructional personnel's professional capacity. For
396 purposes of this subsection, the terms "full-time," "part-time,"
397 and "administrative personnel" shall be defined by the
398 individual district school board. For purposes of this
399 subsection, the term "instructional personnel" has the same
400 meaning as provided in s. 1012.01(2).

401 (a) Liability coverage of at least \$2 million shall be
402 provided to all full-time instructional personnel. Liability
403 coverage may be provided to the following individuals who choose
404 to participate in the program, at cost: part-time instructional
405 personnel, administrative personnel, and students enrolled in a
406 state-approved teacher preparation program pursuant to s.
407 1012.39(3).

408 (b) By August 1 of each year, the department shall notify
409 the personnel specified in paragraph (a) of the pending
410 procurement for liability coverage. By September 1 of each year,
411 each district school board shall notify the personnel specified
412 in paragraph (a) of the liability coverage provided pursuant to
413 this subsection. The department shall develop the form of the
414 notice which shall be used by each district school board. The
415 notice must be on an 8 1/2-inch by 5 1/2-inch postcard and
416 include the amount of coverage, a general description of the



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417 nature of the coverage, and the contact information for coverage
418 and claims questions. The notification shall be provided
419 separately from any other correspondence. Each district school
420 board shall certify to the department, by September 15 of each
421 year, that the notification required by this paragraph has been
422 provided.

423 (c) The department shall consult with the Department of
424 Financial Services to select the most economically prudent and
425 cost-effective means of implementing the program through self-
426 insurance, a risk management program, or competitive
427 procurement.

428 ~~(d) This subsection expires July 1, 2016.~~

429 Section 7. This act shall take effect July 1, 2016.

430

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

432 And the title is amended as follows:

433 Delete everything before the enacting clause
434 and insert:

435 A bill to be entitled
436 An act relating to education; creating s. 1001.66,
437 F.S.; creating a Florida College System Performance-
438 Based Incentive for Florida College System
439 institutions; requiring the State Board of Education
440 to adopt certain metrics and benchmarks; providing for
441 funding and allocation of the incentives; authorizing
442 the state board to withhold an institution's incentive
443 under certain circumstances; requiring the
444 Commissioner of Education to withhold certain
445 disbursements under certain circumstances; providing



578672

446 for reporting and rulemaking; amending s. 1001.7065,
447 F.S., and reenacting subsection (1), relating to state
448 university system shared governance collaboration;
449 deleting obsolete provisions; revising the academic
450 and research excellence standards for the preeminent
451 state research universities program; requiring the
452 Board of Governors to designate a state university
453 that meets specified requirements as an "emerging
454 preeminent state research university"; authorizing the
455 Board of Governors to suspend, rescind, or revoke a
456 university's designation under certain circumstances;
457 requiring an emerging preeminent state research
458 university to submit a certain plan to the board and
459 meet specified expectations to receive certain funds;
460 providing for the distribution of certain funding
461 increases; deleting provisions relating to the
462 preeminent state research university enhancement
463 initiative and special course requirement
464 authorization; amending s. 1001.92, F.S.; requiring
465 performance-based metrics to include specified wage
466 thresholds; requiring the board to establish minimum
467 performance funding eligibility thresholds;
468 prohibiting a state university that fails to meet the
469 state's threshold from eligibility for a share of the
470 state's investment performance funding; requiring the
471 board to adopt regulations; deleting an expiration;
472 amending s. 1012.39, F.S.; providing requirements
473 regarding liability insurance for students performing
474 clinical field experience; creating s. 1012.731, F.S.;



578672

475 providing legislative intent; establishing the Florida
476 Best and Brightest Teacher Scholarship Program;
477 providing eligibility criteria; requiring a school
478 district to annually submit the number of eligible
479 teachers to the Department of Education; providing for
480 funding and the disbursement of funds; defining the
481 term "school district"; amending s. 1012.75, F.S.;
482 requiring annual notification of liability insurance
483 to specified personnel; abrogating the scheduled
484 expiration of the educator liability insurance
485 program; providing an effective date.



729242

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/07/2015	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Legg) recommended the following:

1 **Senate Amendment to Amendment (578672) (with title**
2 **amendment)**

3
4 Delete lines 331 - 384.

5
6 ===== T I T L E A M E N D M E N T =====

7 And the title is amended as follows:

8 Delete lines 474 - 481

9 and insert:

10 clinical field experience; amending s. 1012.75, F.S.;

By the Committee on Higher Education; and Senator Gaetz

589-01297-16

2016524c1

1 A bill to be entitled
 2 An act relating to state university system
 3 performance-based incentives; amending s. 1001.92,
 4 F.S.; requiring performance-based metrics to include
 5 specified wage thresholds; requiring the Board of
 6 Governors to establish minimum performance funding
 7 eligibility thresholds; prohibiting a state university
 8 that fails to meet the state's threshold from
 9 eligibility for a share of the state's investment
 10 performance funding; requiring the board to adopt a
 11 regulation; providing an effective date.

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

14

15 Section 1. Section 1001.92, Florida Statutes, is amended to
 16 read:

17 1001.92 State University System Performance-Based
 18 Incentive.—

19 (1) A State University System Performance-Based Incentive
 20 shall be awarded to state universities using performance-based
 21 metrics adopted by the Board of Governors of the State
 22 University System. The performance-based metrics must include
 23 graduation rates; retention rates; postgraduation education
 24 rates; degree production; affordability; postgraduation
 25 employment and salaries, including wage thresholds that reflect
 26 the added value of a baccalaureate degree; access; and other
 27 metrics approved by the board in a formally noticed meeting. The
 28 board shall adopt benchmarks to evaluate each state university's
 29 performance on the metrics to measure the state university's

Page 1 of 3

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

589-01297-16

2016524c1

30 achievement of institutional excellence or need for improvement
 31 and minimum requirements for eligibility to receive performance
 32 funding.

33 (2) Each fiscal year, the amount of funds available for
 34 allocation to the state universities based on the performance-
 35 based metrics shall consist of the state's appropriation for
 36 performance funding, ~~including increases in base funding~~ plus
 37 institutional investments consisting of funds deducted from the
 38 base funding of each state university in the State University
 39 System, in an amount provided in the General Appropriations Act.
 40 The Board of Governors shall establish minimum performance
 41 funding eligibility thresholds for both the state's investment
 42 and the institutional investment. A state university that fails
 43 to meet the state's investment performance funding threshold is
 44 not eligible for a share of the state's investment performance
 45 funding. The institutional investment shall be restored for each
 46 institution eligible for the state's investment under the
 47 performance-based metrics.

48 (3) (a) A state university that fails to meet the Board of
 49 Governors' minimum institutional investment performance funding
 50 threshold shall have ~~a portion of~~ its institutional investment
 51 withheld by the board and must submit an improvement plan to the
 52 board that specifies the activities and strategies for improving
 53 the state university's performance. The board must review and
 54 approve the improvement plan and, if the plan is approved, must
 55 monitor the state university's progress in implementing the
 56 activities and strategies specified in the improvement plan. The
 57 state university shall submit monitoring reports to the board by
 58 December 31 and May 31 of each year in which an improvement plan

Page 2 of 3

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

589-01297-16

2016524c1

59 is in place. The ability of a state university to submit an
60 improvement plan to the board is limited to 1 fiscal year.

61 (b) The Chancellor of the State University System shall
62 withhold disbursement of the institutional investment until the
63 monitoring report is approved by the Board of Governors. A state
64 university that is determined by the board to be making
65 satisfactory progress on implementing the improvement plan shall
66 receive no more than one-half of the withheld institutional
67 investment in January and the balance of the withheld
68 institutional investment in June. A state university that fails
69 to make satisfactory progress may not have its full
70 institutional investment restored. Any institutional investment
71 funds that are not restored shall be redistributed in accordance
72 with the board's performance-based metrics.

73 (4) Distributions of performance funding, as provided in
74 this section, shall be made to each of the state universities
75 listed in the Education and General Activities category in the
76 General Appropriations Act.

77 (5) By October 1 of each year, the Board of Governors shall
78 submit to the Governor, the President of the Senate, and the
79 Speaker of the House of Representatives a report on the previous
80 fiscal year's performance funding allocation which must reflect
81 the rankings and award distributions.

82 (6) The Board of Governors shall adopt a regulation to
83 implement this section ~~expires July 1, 2016.~~

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Education

BILL: SB 576

INTRODUCER: Senator Flores

SUBJECT: Public Educational Facilities

DATE: December 1, 2015 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Scott</u>	<u>Klebacha</u>	<u>HE</u>	Favorable
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Favorable
3.	_____	_____	<u>FP</u>	_____

I. Summary:

SB 576 authorizes the construction of dormitories for up to 400 beds on a Florida College System (FCS) institution campus located within a municipality designated as an area of critical state concern¹ and having a comprehensive plan and land development regulations containing a building permit allocation system that limits annual growth. Current law authorizes the construction of dormitories for up to 100 beds on such FCS institution campuses.²

Currently, the only FCS institution located within a municipality designated as an area of critical state concern is Florida Keys Community College in Monroe County.³

The bill has no impact on state funds.

The bill takes effect on July 1, 2016.

II. Present Situation:

The state requirements and guidelines for maintaining and establishing public educational facilities of school districts and FCS institutions are contained in chapter 1013, F.S.⁴

¹ The state land planning agency, which is the Department of Economic Opportunity, may recommend to the Administration Commission specific areas of critical state concern. Section 380.05(2), F.S., provides the criteria for designating an area of critical state concern.

² Section 1013.40(4), F.S.

³ See Staff of the Florida Senate, *Legislative Bill Analysis for CS/SB 1262* (2015), available at <http://www.flsenate.gov/Session/Bill/2015/1262/Analyses/2015s1262.fp.PDF>.

⁴ Sections 1013.01-1013.82, F.S. The State Board of Education has the authority to adopt rules to implement the provisions of chapter 1013, F.S. See Rule 6A-2.0010, F.A.C.

The Florida Building Commission is responsible for adopting a uniform statewide building code for the planning and construction of public educational and ancillary plants by district school boards and FCS institution boards of trustees.⁵ The Department of Education's role relating to educational facilities includes, but is not limited to, the following functions:⁶

- Establishing and recommending minimum and maximum square footage standards;
- Requiring FCS institutions and district school boards to submit educational plant inventories data and statistical data or information relevant to construction, capital improvements, and related costs;
- Developing, reviewing, updating, revising, and recommending a mandatory portion of the Florida Building Code for educational facilities construction and capital improvement by FCS institution and district school boards;
- Providing minimum criteria, procedures, and training to boards to conduct educational plant surveys and document the determination of future needs; and
- Reviewing and validating surveys proposed or amended by boards and recommend approval of such surveys to the Commissioner of Education.

Each FCS institution board of trustees has a duty to administer the institution's facilities program pursuant to chapter 1013, F.S., including, but not limited to:⁷

- The construction of public educational and ancillary plants;
- The acquisition and disposal of property;
- Compliance with building and life safety codes;
- Submission of data and information relating to facilities and construction;
- Use of buildings and grounds;
- Establishment of safety and sanitation programs for the protection of building occupants; and
- Site planning and selection.

An FCS institution has limited authority to plan and construct facilities and acquire additional property.⁸ An FCS institution must demonstrate a need for facilities through its educational plant survey⁹ that must be approved by the State Board of Education.¹⁰ An FCS institution is prohibited from expending public funds for the acquisition of additional property without specific approval by the Legislature.¹¹ Furthermore, a facility may not be acquired or constructed by an FCS institution or its direct-support organization if the facility requires general revenue funds for operation or maintenance, unless the Legislature gives prior approval.¹²

In 2008, the Legislature authorized an FCS institution to construct dormitories for up to 100 beds, if its campus is located within a municipality designated as an area of critical state concern

⁵ Section 1013.37, F.S. The State Uniform Code for Public Educational Facilities is adopted within the Florida Building Code pursuant to s. 553.73, F.S.

⁶ Section 1013.03, F.S.

⁷ Section 1001.64(34), F.S.

⁸ Section 1013.40, F.S.

⁹ An "educational plant survey" is defined as "a systematic study of present educational and ancillary plants and the determination of future needs to provide an appropriate educational program and services for each student based on projected capital outlay FTE's approved by the Department of Education." s. 1013.01(8), F.S.

¹⁰ Section 1013.40(1), F.S.

¹¹ *Id.* at (2).

¹² *Id.* at (3).

which has a comprehensive plan and land development regulations containing a building permit allocation system that limits annual growth.¹³ The dormitories are exempt from the building permit allocation system and may be constructed up to 45 feet in height, if:¹⁴

- The dormitories are consistent with the local comprehensive plan;
- The FCS institution has a hurricane evacuation plan requiring all dormitory occupants to be evacuated 48 hours in advance of tropical force winds; and
- Transportation is provided for dormitory occupants during an evacuation.

III. Effect of Proposed Changes:

SB 576 authorizes the construction of dormitories for up to 400 beds on an FCS institution campus located within a municipality designated as an area of critical state concern¹⁵ and having a comprehensive plan and land development regulations containing a building permit allocation system that limits annual growth. Current law authorizes the construction of dormitories for up to 100 beds on such FCS institution campuses.¹⁶

Currently, the only FCS institution located within a municipality designated as an area of critical state concern is Florida Keys Community College in Monroe County.¹⁷ In effect, the bill allows Florida Keys Community College to construct a dormitory for up to 400 beds, rather than the current 100 bed limit.

The bill takes effect on July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹³ Section 4, ch. 2008-213, L.O.F., codified in s. 1013.40(4), F.S. The intent was to create an exception to Monroe County's planning process for Florida Keys Community College. See *House Message Summary for CS/CS/SB 1276* (2008) available at <http://archive.flsenate.gov/data/session/2008/Senate/bills/analysis/pdf/2008s1276.hms.pdf>.

¹⁴ Section 1013.40(4), F.S.

¹⁵ See s. 380.05(2), F.S., which provides the criteria for designating an area of critical state concern.

¹⁶ Section 1013.40(4), F.S.

¹⁷ *Supra* note 3.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has no impact on state funds.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1013.40 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Flores

37-00762-16

2016576__

1 A bill to be entitled

2 An act relating to public educational facilities;
3 amending s. 1013.40, F.S.; authorizing certain Florida
4 College System institutions to construct dormitories
5 for up to 400 students; providing an effective date.
6

7 Be It Enacted by the Legislature of the State of Florida:
8

9 Section 1. Subsection (4) of section 1013.40, Florida
10 Statutes, is amended to read:

11 1013.40 Planning and construction of Florida College System
12 institution facilities; property acquisition.-

13 (4) The campus of a Florida College System institution
14 within a municipality designated as an area of critical state
15 concern, as defined in s. 380.05, and having a comprehensive
16 plan and land development regulations containing a building
17 permit allocation system that limits annual growth, may
18 construct dormitories for up to 400 ~~100~~ beds for Florida College
19 System institution students. Such dormitories are ~~shall be~~
20 exempt from the building permit allocation system and may be
21 constructed up to 45 feet in height if the dormitories provided
22 ~~that they~~ are otherwise consistent with the comprehensive plan,
23 the Florida College System institution has a hurricane
24 evacuation plan that requires all dormitory occupants to be
25 evacuated 48 hours in advance of tropical force winds, and ~~that~~
26 transportation is provided for dormitory occupants during an
27 evacuation.
28

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

The Florida Senate

Senate Appropriations Subcommittee on Education

Required Local Effort

Homestead Property – Retaining 2015 Millage

	Broward	Dade	Hillsborough	Leon	Manatee	Okaloosa	Orange	Pasco	Polk	Seminole
1 2015 Assessed Value	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000
2 Homestead Exemption	(\$25,000)	(\$25,000)	(\$25,000)	(\$25,000)	(\$25,000)	(\$25,000)	(\$25,000)	(\$25,000)	(\$25,000)	(\$25,000)
3 2015 Taxable Value	\$275,000	\$275,000	\$275,000	\$275,000	\$275,000	\$275,000	\$275,000	\$275,000	\$275,000	\$275,000
4 2015 Required Local Effort Millage	4.925	5.052	4.999	4.949	5.018	5.03	4.957	4.861	4.901	4.895
5 2015 RLE Tax	\$1,354	\$1,389	\$1,375	\$1,361	\$1,380	\$1,383	\$1,363	\$1,337	\$1,348	\$1,346
6 Estimated 2016 Appreciation Rate	0.7%	0.7%	0.7%	0.7%	0.7%	0.7%	0.7%	0.7%	0.7%	0.7%
7 2016 Estimated Value	\$302,100	\$302,100	\$302,100	\$302,100	\$302,100	\$302,100	\$302,100	\$302,100	\$302,100	\$302,100
8 Homestead Exemption	(\$25,000)	(\$25,000)	(\$25,000)	(\$25,000)	(\$25,000)	(\$25,000)	(\$25,000)	(\$25,000)	(\$25,000)	(\$25,000)
9 2016 Taxable Value	\$277,100	\$277,100	\$277,100	\$277,100	\$277,100	\$277,100	\$277,100	\$277,100	\$277,100	\$277,100
10 2016 Required Local Effort Millage	4.925	5.052	4.999	4.949	5.018	5.03	4.957	4.861	4.901	4.895
11 2016 RLE Tax	\$1,365	\$1,400	\$1,385	\$1,371	\$1,390	\$1,394	\$1,374	\$1,347	\$1,358	\$1,356
12 Additional Tax in 2016	\$10.34	\$10.61	\$10.50	\$10.39	\$10.54	\$10.56	\$10.41	\$10.21	\$10.29	\$10.28

Required Local Effort

Nonhomestead Residential Property – Retaining 2015 Millage

	Broward	Dade	Hillsborough	Leon	Manatee	Okaloosa	Orange	Pasco	Polk	Seminole
1 2015 Assessed Value	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000
2 Homestead Exemption	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
3 2015 Taxable Value	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000
4 2015 Required Local Effort Millage	4.925	5.052	4.999	4.949	5.018	5.03	4.957	4.861	4.901	4.895
5 2015 RLE Tax	\$1,478	\$1,516	\$1,500	\$1,485	\$1,505	\$1,509	\$1,487	\$1,458	\$1,470	\$1,469
6 Estimated 2016 Appreciation Rate	6.2%	7.9%	5.3%	0.8%	5.8%	3.7%	5.0%	5.1%	4.0%	3.0%
7 2016 Estimated Value	\$318,600	\$323,700	\$315,900	\$302,400	\$317,400	\$311,100	\$315,000	\$315,300	\$312,000	\$309,000
8 Homestead Exemption	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
9 2016 Taxable Value	\$318,600	\$323,700	\$315,900	\$302,400	\$317,400	\$311,100	\$315,000	\$315,300	\$312,000	\$309,000
10 2016 Required Local Effort Millage	4.925	5.052	4.999	4.949	5.018	5.03	4.957	4.861	4.901	4.895
11 2016 RLE Tax	\$1,569	\$1,635	\$1,579	\$1,497	\$1,593	\$1,565	\$1,561	\$1,533	\$1,529	\$1,513
12 Additional Tax in 2016	\$91.61	\$119.73	\$79.48	\$11.88	\$87.31	\$55.83	\$74.36	\$74.37	\$58.81	\$44.06

Florida Education Finance Program

Governor's Budget 2016-17

Increased Funding – Equal State and Local Share

FEFP Metrics		Governor's Recommended Budget		Scenario 1 <u>Increase State \$</u> to Equal Local \$		Scenario 2 <u>Reduce Local \$</u> to Equal State \$		Scenario 3 <u>Increase State \$,</u> <u>Reduce Local \$</u> to Maintain Total \$ Increase	
		-1-		-2-		-3-		-4-	
1	Additional State Funds ¹	\$80,000,000	16%	\$427,285,836	50%	\$80,000,000	50%	\$253,642,918	50%
2	Additional Local Funds ¹	\$427,285,836	84%	\$427,285,836	50%	\$80,000,000	50%	\$253,642,918	50%
3	Total Funds Increase¹	\$507,285,836		\$854,571,672		\$160,000,000		\$507,285,836	
4	% Total Funds Increase ¹	2.57%		4.34%		0.81%		2.57%	
5	% Funds per FTE Increase ¹	1.63%		3.37%		-0.12%		1.63%	
6	RLE Mills	4.984		4.984		4.757	-0.227	4.865	-0.119
7	Total % State - Local Funds	55% - 45%		55% - 45%		55% - 45%		55% - 45%	
8	Funds per FTE Increase ¹	\$115.53		\$239.58		(\$8.52)		\$115.53	
9	Total Funds per FTE	\$7,220.59		\$7,344.64		\$7,096.54 ²		\$7,220.59	
10	Total Funds	\$20,214,411,178		\$20,561,697,014		\$19,867,125,342		\$20,214,411,178	
11	Change in State Funds Compared to Governor's Budget (Col. 1, Row 1)			\$347,285,836		\$0		\$173,642,918	
12	Change in Local Funds Compared to Governor's Budget (Col. 1, Row 2)			\$0		(\$347,285,836)		(\$173,642,918)	

¹ Comparison to the 2015-16 2nd FEFP Calculation @ \$7,105.06 total funds per FTE and 3.11% per FTE increase.

² Previous Highest Level of Funding per FTE was \$7,126.33 in 2007-08.

FLORIDA FIRST

GOVERNOR RICK SCOTT'S FLORIDA FIRST BUDGET 2016-2017



Education Budget Recommendations

The Governor's Office of Policy and Budget Education Unit

- Overview and the State University System
 - Ashley Spicola, Governor Scott's Education Coordinator
- Public Education
 - Pam Stewart, Commissioner of Education
- The Office of Early Learning
 - Rodney MacKinnon, Executive Director

Governor Scott's priorities to help diversify the economy to make Florida First in job creation:

Tax Cuts for Florida Families and Businesses

Over \$1 billion in Tax Cuts

Making Florida more Competitive

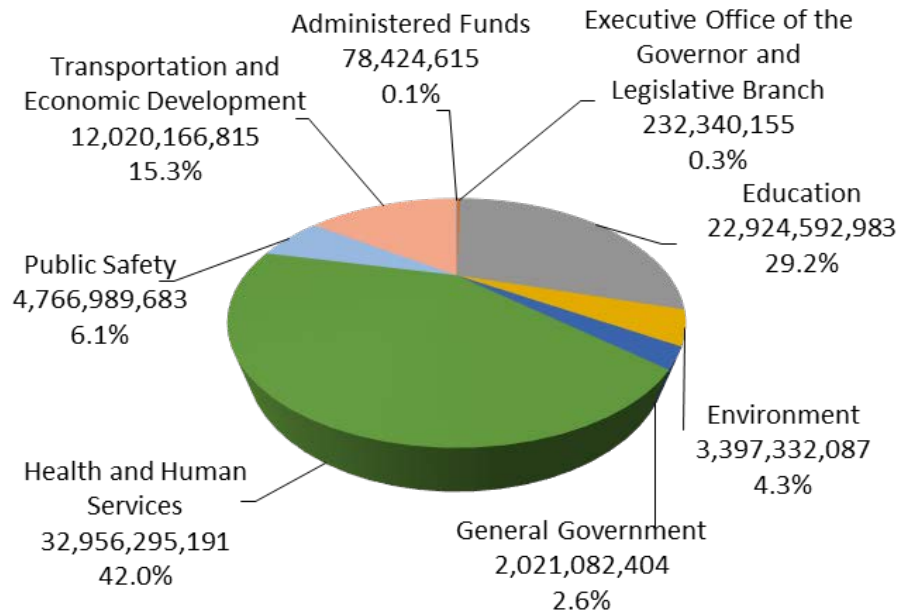
Help small businesses succeed

**Investing Historic Funding in K-12 Education,
State Colleges, and Universities**

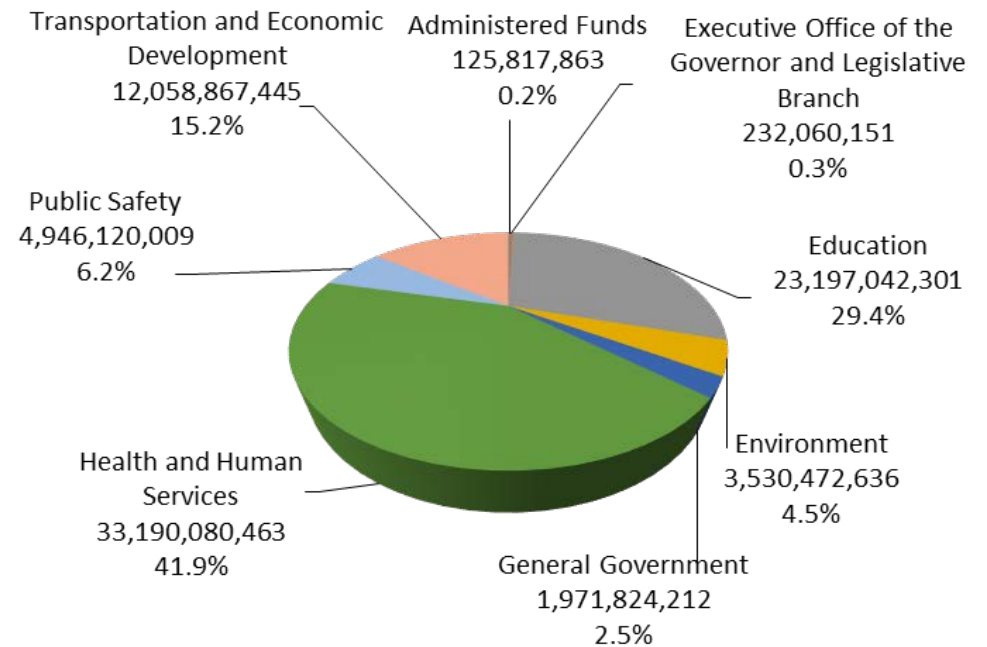
Florida will have the most highly skilled workforce in the world

Governor's Budget Recommendations By Policy Area

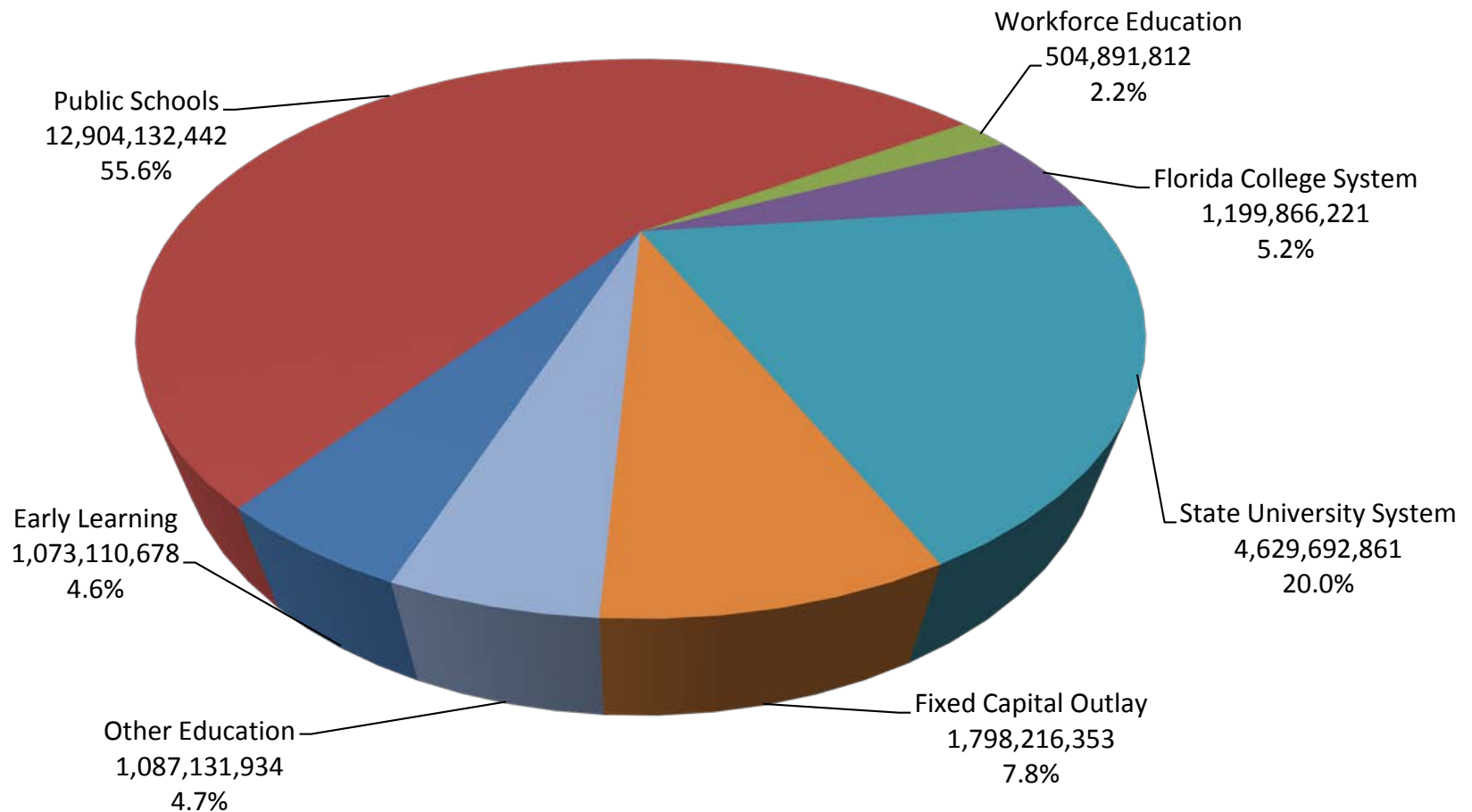
**Current Year
\$78.4 Billion**



**Governor's Recommendation
\$79.3 Billion**



Total Governor's Recommended 2016-2017 Budget by Major Funding Area - \$23 Billion



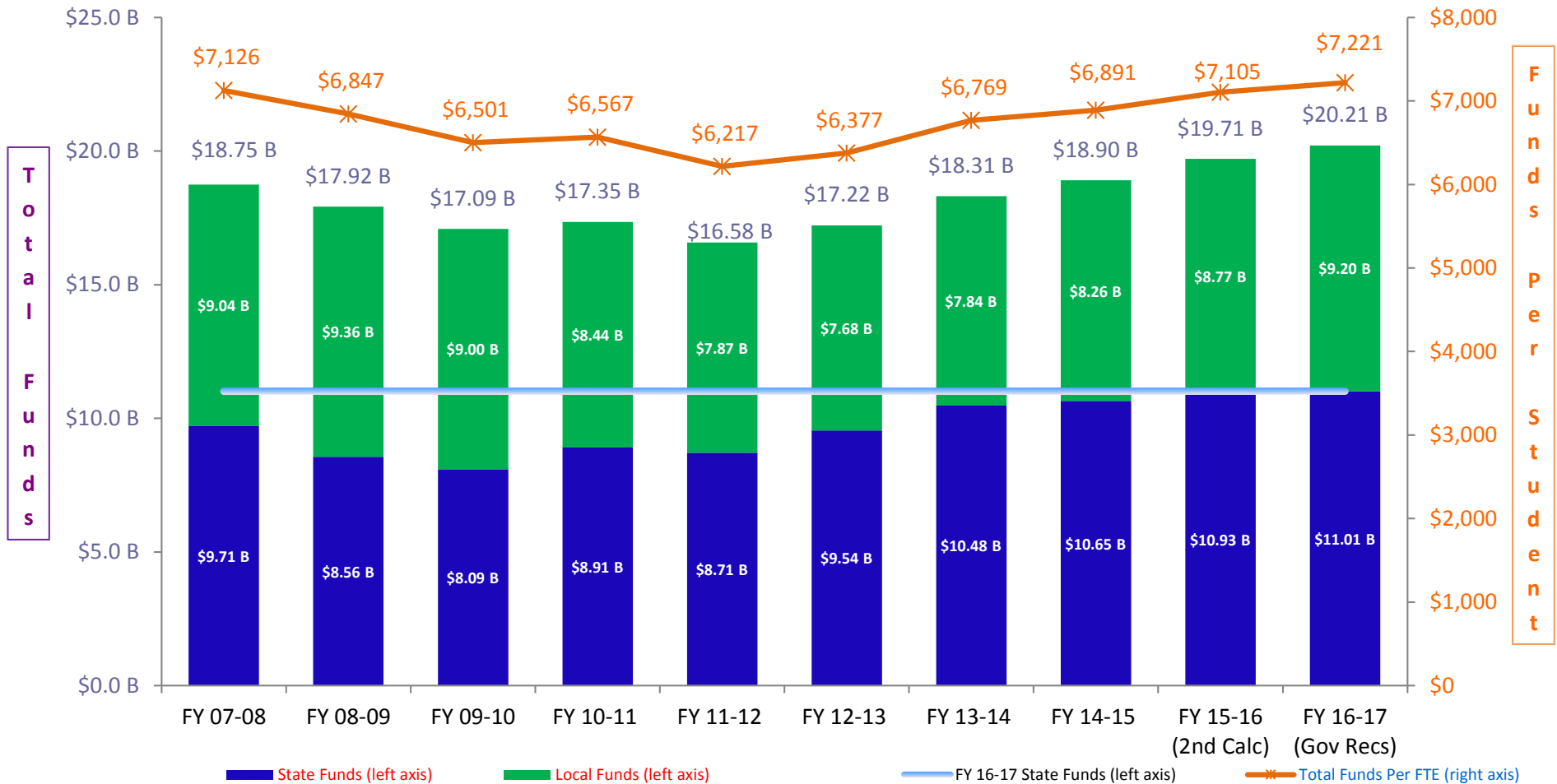
K-12 PUBLIC SCHOOLS

FLORIDA FIRST

GOVERNOR RICK SCOTT'S FLORIDA FIRST BUDGET 2016-2017

Making Florida First in Education

Historic Total, State, & Per Student K-12 Public School Funding



K-12 Public Schools / FEFP Highlights

- **Maintains required local millage tax rate at 4.984**
- **Historic Per FTE funding - \$7,221**
- **\$507.3 Million Increase Over Current Year**
 - **Digital Learning** - \$20 million in funding to support school districts, \$500,000 minimum per school district
 - **Lowest Performing Schools** - \$86.8 million in funding for the 300 lowest performing elementary schools, which allows districts to provide students an additional hour of intensive reading instruction
 - **Safe Schools** - \$10 million in funding for school safety initiatives, \$250,000 minimum per school district
 - **Workload** - \$145.3 million in funding to cover 25,877 new students
 - **Class Size** - \$16.7 million in funding to cover enrollment growth
 - **Sparsity** - \$3 million in funding for the Sparsity Supplement which provides funding to assist rural districts with sparse student populations
 - **Florida Retirement System** - \$30 million in funding to cover the increased costs and unfunded liability for the school district employees that are members of the FRS
 - **Other Initiatives** - \$195.5 million in funding for other education initiatives such as transportation and instructional materials

K-12 Public Schools Non-FEFP

- **New Initiatives Funded**

- **STEM Business Partnership Residency Program** – \$1 million

- **Increased Funding**

- **Educator Recognition Programs** – \$1.1 million new funds for a total of \$1.2 million

- **School District Matching Grants** – \$1.5 million new funds and restoration of \$500,000 for a total of \$6 million

FLORIDA FIRST

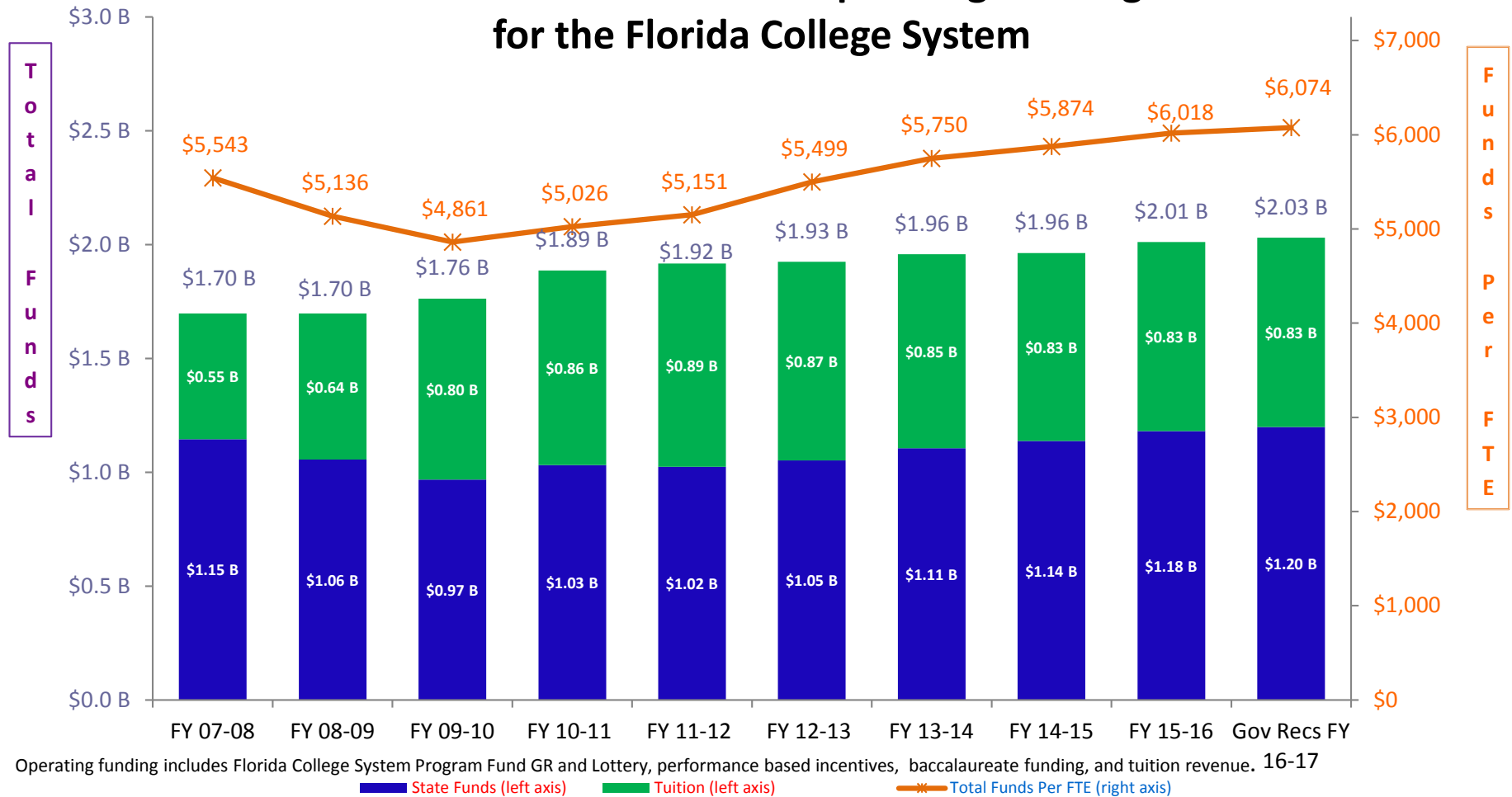
GOVERNOR RICK SCOTT'S FLORIDA FIRST BUDGET 2016-2017

FLORIDA HIGHER EDUCATION

FLORIDA 1ST FOR JOBS

Making Florida First in Education

Historic Total and State Operating Funding for the Florida College System



Florida College System Highlights

\$18.9 Million Increase Over Current Year Operating Includes:

- **Performance Funding** – Provides \$60 million total
- **STEM \$10,000 Bachelor's Degrees** – Provides \$5 million to develop or enhance STEM \$10,000 Bachelor's degrees
- **Performance Incentives** – Provides \$5 million new funds for students earning high-demand industry certifications

Workforce Education Highlights

- **Technical Center Rapid Response Grant** – Provides \$20 million in new funds to assist Florida's public technical centers with providing programs in areas that are directly linked to workforce demands.
- **Performance Incentives** – Provides \$1.5 million in new funds for students earning industry certifications in high-demand areas.

Student Financial Aid Highlights

- **Bright Futures Scholarships** – Fully funds at \$222.8 million based on latest estimating conference
- **Summer Bright Futures** – Provides \$16.9 million to provide Bright Futures funding for credit hours taken during the summer term

VOCATIONAL REHABILITATION

Vocational Rehabilitation Highlights

- **Adults with Disabilities** – Provides \$10 million to reinstate funding for the Adults with Disabilities Program.

EARLY LEARNING

Early Learning Program Highlights \$51.7 Million Increase Over Current Year Budget

- **School Readiness Services** – \$20.3 million to reduce the School Readiness Program wait list to serve approximately 3,500 additional children.
- **Voluntary Prekindergarten** – Increase per student funding by \$50 for the school-year program and \$43 for summer program.
- **Early Learning Performance Funding** – \$5 million increase for performance-based funding to improve outcomes for children in the School Readiness Program.

FLORIDA FIRST

GOVERNOR RICK SCOTT'S FLORIDA FIRST BUDGET 2016-2017

STATE UNIVERSITY SYSTEM

FLORIDA 1ST FOR JOBS

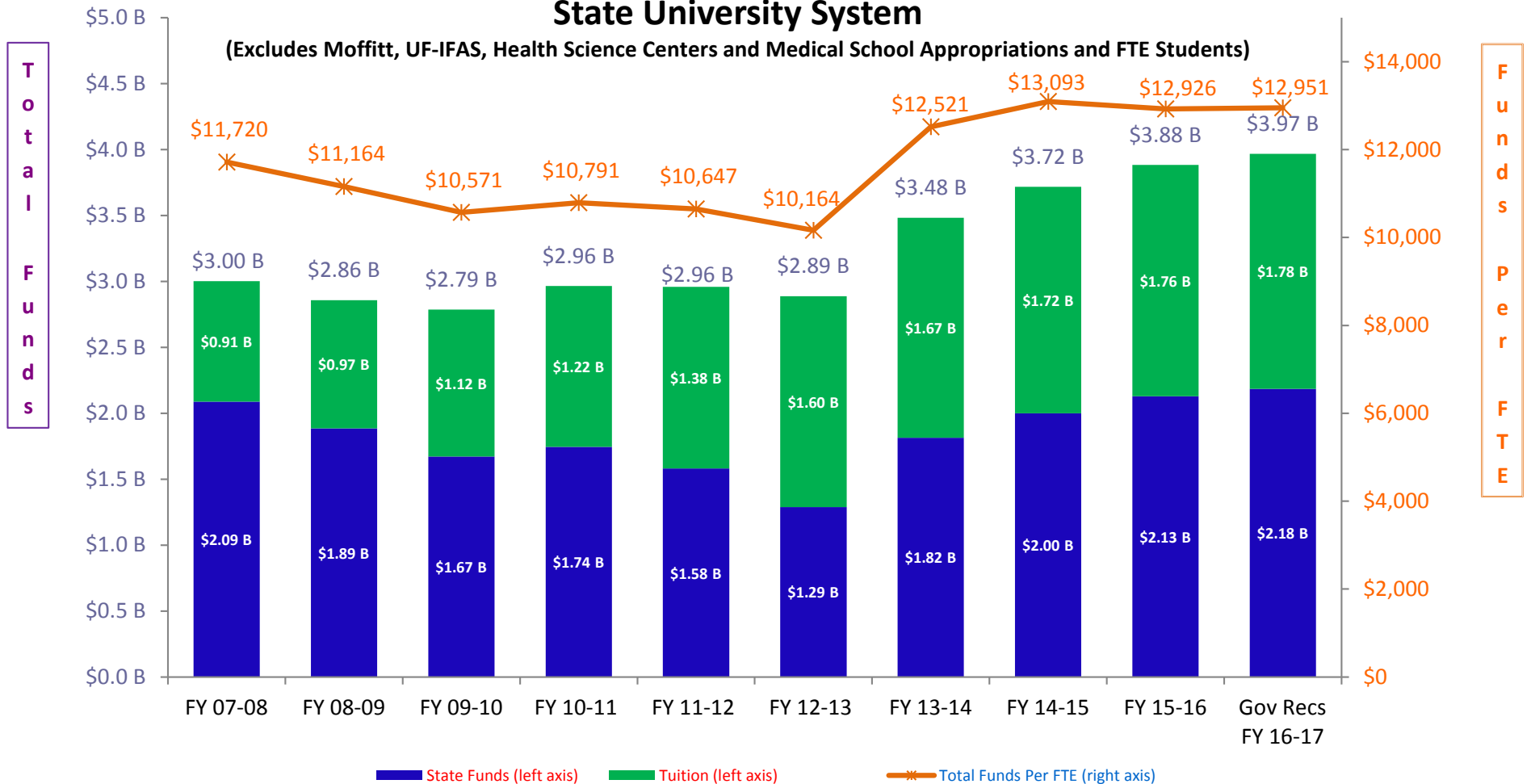
FLORIDA FIRST

GOVERNOR RICK SCOTT'S FLORIDA FIRST BUDGET 2016-2017

Making Florida First in Education

Historic Total & State Operating Funding for the State University System

(Excludes Moffitt, UF-IFAS, Health Science Centers and Medical School Appropriations and FTE Students)



State University System Highlights

\$84.2 Million Increase Over Current Year Operating Funding Includes:

- **Performance Funding** – Provides \$500 million total (\$50 million in new state funds)
- **Johnson Matching Gift Program** – Provides \$1.2 million in funding for scholarships for students with disabilities
- **Lastinger Center** – \$4 million in funding for Algebra Nation and Math Nation

FLORIDA FIRST

GOVERNOR RICK SCOTT'S FLORIDA FIRST BUDGET 2016-2017



Education Budget Recommendations

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/3/15
Meeting Date

N/A
Bill Number (if applicable)

Topic Perf. Funding

N/A
Amendment Barcode (if applicable)

Name Madeline Pumaariga

Job Title Chancellor

Address 325 W. Gaines street

Phone 245-0507

Tallahassee FL 32312
City State Zip

Email Madeline.Pumaariga@FLdoc.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing DOE - FCS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12-3-15

Meeting Date

Bill Number (if applicable)

Topic Gov. Budget Rec's

Amendment Barcode (if applicable)

Name Ashley Spicola

Job Title Coordinator

Address The Capitol

Phone _____

Street

Tallahassee FL 32399

Email _____

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Governor's Office

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/3

Meeting Date

Bill Number (if applicable)

Topic Governor's Budget Recommendations

Amendment Barcode (if applicable)

Name Pam Stewart

Job Title Commissioner, Department of Education

Address 325 W. Gaines St.

Phone 850-245-0505

Street

Tallahassee

FL

32399

Email Pam. Stewart@fldoe.org

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Department of Education

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(A)

12/3/15

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date

Bill Number (if applicable)

Topic Governor's Proposed Budget - Early Learning

Amendment Barcode (if applicable)

Name Rodney MacKinnon

Job Title Executive Director - Office of Early Learning

Address 250 Merritt Drive

Phone 850-717-8551

Street

Tallahassee FL 32301

Email rodney.j.mackinnon@out.florida.gov

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Office of Early Learning

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

Amendment 260942 ⁽⁵⁾

12/3/2015
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 146
Bill Number (if applicable)
260942
Amendment Barcode (if applicable)

Topic Student Loans

Name Curtis Austin

Job Title Executive Director

Address 150 S. Monroe

Tallahassee FL 32301
City State Zip

Phone 850 577-3139

Email Curtis@FASPSC

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing The Florida Association of Postsecondary Colleges/Univ.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12-3-15

Meeting Date

SB 146

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Bob Harris

Job Title _____

Address 2618 Centennial Place

Phone 222-0720

Tallahassee FL 32308
City State Zip

Email bharris@lawfla.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Barkor Academy

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/3/15
Meeting Date

SB 146
Bill Number (if applicable)

Topic stu. Loans

Amendment Barcode (if applicable)

Name Greg Pound

Job Title _____

Address 9166 Sunrise Dr.

Phone _____

Street

hargo

Fl.

33773

Email _____

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/3/15

Meeting Date

SB 520

Bill Number (if applicable)

Topic Bright Futures

Amendment Barcode (if applicable)

Name Brittney Burch

Job Title Police Director

Address 136 S. Bronough St.

Phone _____

Street

Tall, FL 32301

Email _____

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Chamber of Commerce

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

W

12/3/2015

Meeting Date

524

Bill Number (if applicable)

#578672

Amendment Barcode (if applicable)

Topic IN SUPPORT OF AMD # 578672

Name MARK WALSH

Job Title EXEC. DIR. OF UNIVERSITY PARTNERSHIPS, USF

Address 4202 E. FOWLER AVE, CGS301

Phone 813 974-1830

Street

TAMPA

City

FL

State

33620

Zip

Email mwalsh@usf.edu

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing UNIVERSITY OF SOUTH FLORIDA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

(w)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/3
Meeting Date

350
Bill Number (if applicable)

Topic Online Procurement

Amendment Barcode (if applicable)

Name Cynthia Henderson

Job Title _____

Address 108 E. Jefferson St. Suite A

Phone 850 559 0855

Street

Tallahassee

FL

32303

City

State

Zip

Email cyhenderson@me.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read ~~this~~ information into the record.)

Representing Crowne Consulting

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

W

Dec 3 2015
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 576
Bill Number (if applicable)

Topic Public Educational Facilities

Amendment Barcode (if applicable)

Name John Wayne Smith

Job Title Lobbyist

Address 301 S. Bronough St
Street

Phone 850-681-7383

Tallahassee FL 32301
City State Zip

Email john@peebles-smith.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FKCC Foundation

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

CourtSmart Tag Report

Room: KN 412
Case: Appropriations Subcommittee on Education

Type:
Judge:

Started: 12/3/2015 3:31:22 PM
Ends: 12/3/2015 5:00:03 PM
Length: 01:28:42

3:31:21 PM Call to order and roll call
3:31:59 PM Chair Gaetz Comments
3:33:31 PM Madeline Pumariega, Chancellor - Division of Florida Colleges - DOE
3:38:39 PM Senator Bullard Question
3:42:12 PM Madeline Pumariega, Chancellor - Division of Florida Colleges - DOE
3:44:25 PM Senator Ring Comment
3:45:43 PM Ashley Spicola, Education Coordinator - Governor's Office
3:48:01 PM Pam Stewart, Commissioner of Education - Florida Department of Education
3:53:11 PM Chair Gaetz Question
3:53:28 PM Pam Stewart, Commissioner of Education - Florida Department of Education
3:53:55 PM Rodney MacKinnon, Executive Director - Office of Early Learning
3:55:55 PM Chair Gaetz Comments
3:56:12 PM Ashley Spicola, Education Coordinator - Governor's Office
3:57:32 PM Jose Diez-Arguelles, Staff Director - Finance and Tax Committee
4:03:33 PM Senator Bullard Question
4:04:49 PM Chair Gaetz Question
4:05:45 PM Tim Elwell, Staff Director - Appropriations Subcommittee of Education
4:12:38 PM Chair Gaetz Comments
4:14:22 PM Senator Montford Comments
4:15:24 PM Senator Ring - SB 146
4:17:07 PM Senator Bullard Question
4:21:48 PM Am. #260942 - Adopted
4:21:54 PM Senator Ring Explanation
4:23:04 PM Curtis Austin, Executive Director - The Florida Association of Postsecondary College & Universities
4:27:00 PM Senator Ring Comments
4:28:18 PM Bob Harris - Florida Barker Academy (waives in against)
4:28:42 PM Senator Bullard Comments
4:30:40 PM Bob Harris - Florida Barker Academy
4:35:32 PM Greg Pound
4:38:27 PM Senator Ring Comments
4:39:46 PM Call Roll
4:39:54 PM Favorable - CS/SB 146
4:40:14 PM Senator Lee - SB 520
4:42:49 PM Am. #143430 - Adopted
4:43:08 PM Senator Lee Comments
4:44:23 PM Chair Gaetz - SB 520
4:44:48 PM Senator Montford Comments
4:45:05 PM Senator Lee Comments
4:45:14 PM Call Roll
4:45:23 PM Favorable - CS/SB 520
4:45:45 PM Pass Chair to Senator Montford
4:45:47 PM Chair Gaetz - CS/SB 524
4:45:59 PM Am. # 578672 - Adopted
4:50:24 PM Am. #729242 Adopted
4:50:37 PM Senator Legg Explanation
4:51:42 PM Chair Gaetz Comments
4:53:07 PM Senator Bullard Question
4:54:07 PM Chair Gaetz Comments
4:54:23 PM Mark Walsh, Executive Director of University Partnerships - University of South Florida
4:54:58 PM Call Roll
4:55:11 PM Favorable - CS/SB 524
4:55:27 PM Pass Chair to Senator Gaetz

4:55:41 PM Senator Montford - SB 350
4:56:25 PM Am. 649124 - Adopted
4:56:28 PM Senator Montford - SB 350
4:56:45 PM Cynthia Henderson - Crowne Consulting (waives in support)
4:56:46 PM Call Roll
4:56:58 PM Favorable - CS/SB 350
4:57:29 PM William McRea, Legislative Assistant for Senator Flores - SB 576
4:58:15 PM John Wayne Smith, Lobbyist - Florida Keys Community College
4:58:27 PM Call Roll
4:58:35 PM Favorable - SB 576
4:58:56 PM Senator Gaetz Closing Comments
4:59:16 PM Meeting Adjourned