

Tab 1	CS/SB 668 by ED, Bean (CO-INTRODUCERS) Bradley; (Similar to CS/CS/H 00859) Postsecondary Distance Education						
Tab 2	CS/SB 896 by ED, Simmons; (Identical to H 00845) Direct-support Organization for the Florida Prepaid College Board						
314690	A	S	L	RCS	AHE, Simmons	Before L.10:	04/14 02:30 PM
Tab 3	CS/SB 1458 by ED, Simmons; (Identical to H 06037) Blind Services Direct-support Organization						

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
APPROPRIATIONS SUBCOMMITTEE ON HIGHER
EDUCATION
Senator Galvano, Chair
Senator Simmons, Vice Chair

MEETING DATE: Thursday, April 13, 2017
TIME: 2:30—3:30 p.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Galvano, Chair; Senator Simmons, Vice Chair; Senators Bradley, Clemens, Farmer, and Lee

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 668 Education / Bean (Similar CS/CS/H 859)	Postsecondary Distance Education; Authorizing this state to participate in the State Authorization Reciprocity Agreement (SARA) for delivery of postsecondary distance education; providing definitions; establishing the Postsecondary Reciprocal Distance Education Coordinating Council within the Department of Education; authorizing the council to revoke a Florida SARA institution's participation for noncompliance, etc. ED 03/27/2017 Fav/CS AHE 04/13/2017 Favorable AP	Favorable Yeas 5 Nays 0
2	CS/SB 896 Education / Simmons (Identical H 845)	Direct-support Organization for the Florida Prepaid College Board; Extending the repeal date of the direct-support organization for the Florida Prepaid College Board, etc. ED 03/21/2017 Fav/CS AHE 04/13/2017 Fav/CS AP	Fav/CS Yeas 5 Nays 0
3	CS/SB 1458 Education / Simmons (Identical H 6037)	Blind Services Direct-support Organization; Abrogating the scheduled repeal of provisions relating to the blind services direct-support organization, etc. ED 03/21/2017 Fav/CS AHE 04/13/2017 Favorable AP	Favorable Yeas 5 Nays 0

Other Related Meeting Documents

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 Higher Education

BILL: CS/SB 668

INTRODUCER: Education Committee and Senator Bean

SUBJECT: Postsecondary Distance Education

DATE: April 13, 2017 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Benvenisty</u>	<u>Graf</u>	<u>ED</u>	Fav/CS
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AHE</u>	Recommend: Favorable
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 668 authorizes the State of Florida to participate in the State Authorization Reciprocity Agreement (SARA) for the delivery of postsecondary distance education. Specifically, the bill:

- Requires all parties to the SARA must be willing to accept each other’s authorization of accredited institutions to operate in their state to offer distance education services.
- Establishes the Postsecondary Reciprocal Distance Education Coordinating Council (Council) within the Florida Department of Education, for the purpose of entering into and administering the SARA.
- Establishes membership of the Council and requires the Commission for Independent Education to provide administrative support to the Council.
- Requires the Council to propose an annual fee schedule and collect fees from each Florida institution participating in the SARA.
- Requires the State Board of Education to adopt rules for the implementation of the SARA.

The bill has no impact on state expenditures. *See* Section V. Fiscal Impact Statement for details.

The bill takes effect upon becoming law.

II. Present Situation:

Students may access higher education through the traditional classroom setting or through distance education.

The Southern Association of Colleges and Schools Commission on Colleges defines distance learning as a formal educational process in which the majority of the instruction in a course occurs when students and instructors do not share the same location.¹ Florida law defines distance learning, for the purpose of assessing a distance learning course fee, as a course in which at least 80 percent of direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time or space, or both.²

The Southern Regional Education Board

The Southern Regional Education Board (SREB) maintains a regional system for sharing online college courses known as the Electronic Campus (EC).³ SREB's EC allows students residing in an SREB member state to access online courses in any SREB state through the SREB's Electronic Reciprocity Agreement (SECRRA).⁴ The SECRRA is a voluntary agreement, which allows institutions that offer courses and degree programs that have been reviewed and approved by the institution's home state to be recognized as approved to offer courses in other SREB states.⁵ In order to participate in SECRRA, an institution must be not-for-profit, regionally accredited, and chartered in one of the 16 SREB member states.⁶ Florida currently participates in this agreement.⁷

The SECRRA will expire on June 30, 2017.⁸

Federal Requirements

Federal law requires each state to regulate out-of-state educational institutions with a physical presence in their state or that provides an education via distance learning to students in that state.⁹ The state authorization of online programs can be achieved through a state authorization reciprocity agreement.¹⁰ A "state authorization reciprocity agreement" is¹¹

"an agreement between two or more states that authorizes an institution located and legally authorized in a State covered by the agreement to provide postsecondary education through distance education or correspondence courses to students residing in other States covered by the agreement and does not prohibit any State in agreement from

¹ Southern Association of Colleges and Schools Commission on Colleges, *Policy Statement, Distance and Correspondence Education* (2014), available at <http://www.sacscoc.org/pdf/DistanceCorrespondenceEducation.pdf>.

² Sections 1009.23(16) and 1009.24(7), F.S.

³ Southern Regional Education Board, *State Authorization, SREB and the State Authorization Reciprocity Agreement*, <http://www.sreb.org/state-authorization-sara-secrra> (last visited March 24, 2017).

⁴ Southern Regional Education Board, *State Authorization, SREB's Regional Agreement, SECRRA*, <http://www.sreb.org/state-authorization-sara-secrra> (last visited March 24, 2017).

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ Southern Regional Education Board, *State Authorization, SECRRA Dissolve Date*, <http://www.sreb.org/state-authorization-sara-secrra> (last visited March 24, 2017).

⁹ 34 C.F.R. s. 600.9.

¹⁰ *Id.* See also National Council for State Authorization Reciprocity Agreements, *About NC-SARA*, <http://nc-sara.org/about> (last visited March 24, 2017).

¹¹ Program Integrity and Improvement, 81 Fed. Reg. 92232 (Dec. 19, 2016).

enforcing its own statutes and regulations, whether general or specifically directed at all or a subgroup of educational institutions.”

Currently, there is a national interstate reciprocity agreement for the state authorization of distance learning programs.¹²

State Authorization Reciprocity Agreement

The State Authorization Reciprocity Agreement, also known as SARA, is a voluntary agreement among participating states that establishes comparable national standards for interstate offerings of postsecondary distance education courses and programs.¹³ SARA is overseen by a national council¹⁴ and administered by the four regional education compacts.¹⁵ SARA membership requires the state to designate a portal entity as the coordinating entity responsible for contact with other state entities and students from other states.¹⁶ Each state must apply to the National Council for SARA (NC-SARA) through its portal entity to be a member of SARA.¹⁷ Once a state becomes a member of SARA, institutions within that state are authorized to apply to the portal entity to participate in SARA.¹⁸ An institution in an SARA member state is not required to participate in SARA.¹⁹

To participate in SARA, an institution must:²⁰

- Be a degree granting institution;
- Be physically located in the United States;
- Hold proper authorization from Congress, a U.S. state, or a federally recognized Indian Tribe; and
- Hold accreditation as a single entity from an accrediting association recognized by the U.S. Department of Education and whose scope of authority includes distance education.

Institutions participating in the reciprocity agreement pay a fee directly to NC- SARA based on the institution’s full-time equivalent enrollment.²¹ States have the option of charging a SARA-participating institution a fee to cover the state’s costs in administering SARA.²²

¹² National Council for State Authorization Reciprocity Agreements, *About NC-SARA*, <http://nc-sara.org/about> (last visited March 24, 2017).

¹³ National Council for State Authorization Reciprocity Agreements, *About NC-SARA*, <http://nc-sara.org/about> (last visited March 24, 2017).

¹⁴ National Council for State Authorization Reciprocity Agreements, *National Council Board*, <http://nc-sara.org/about/national-council> (last visited March 24, 2017).

¹⁵ The four regional education compacts are the Midwestern Higher Education Compact, the New England Board of Higher Education, the Southern Regional Education Board, and the Western Interstate Commission for Higher Education. National Council for State Authorization Reciprocity Agreements, *State Authorization Reciprocity Agreements Policy and Operations Manual* (2016), available at http://nc-sara.org/files/docs/NC-SARA_Manual_Final_2016.pdf, at 5 of 88.

¹⁶ *Id.* at 11-12 of 88.

¹⁷ *Id.* at 14 of 88.

¹⁸ *Id.* at 20 of 88.

¹⁹ *Id.* at 3 of 88.

²⁰ National Council for State Authorization Reciprocity Agreements, *State Authorization Reciprocity Agreements Policy and Operations Manual* (2016), available at http://nc-sara.org/files/docs/NC-SARA_Manual_Final_2016.pdf, at 17 of 88.

²¹ National Council for State Authorization Reciprocity Agreements, *State Authorization Reciprocity Agreements Policy and Operations Manual* (2016), available at http://nc-sara.org/files/docs/NC-SARA_Manual_Final_2016.pdf, at pg. 21 of 88.

²² *Id.*

The Commission for Independent Education

The Commission for Independent Education (CIE) is responsible for matters relating to nonpublic postsecondary educational institutions.²³ The CIE's functions include consumer protection; program improvements; institutional policies and administration; data management; licensure of independent schools, colleges and universities; and establishing minimum standards for the approval of employees of independent postsecondary educational institutions.²⁴ The CIE may adopt rules to ensure that licensed employees of an independent postsecondary educational institution meets specified standards.²⁵ An employee of an independent postsecondary educational institution may not solicit prospective students in Florida for enrollment in any independent postsecondary educational institution under the CIE's purview or in any out-of-state independent postsecondary educational institution unless the employee has received a license as prescribed by the CIE.²⁶

III. Effect of Proposed Changes:

CS/SB 668 authorizes the state of Florida to participate in the State Authorization Reciprocity Agreement (SARA) for the delivery of postsecondary distance education. Specifically, the bill:

- Specifies that all parties to the SARA must be willing to accept each other's authorization of accredited institutions to operate in their state to offer distance education services.
- Establishes the Postsecondary Reciprocal Distance Education Coordinating Council (Council) within the Florida Department of Education, for the purpose of entering into and administering the SARA.
- Establishes membership of the Council and requires the Commission for Independent Education (CIE) to provide administrative support to the Council.
- Requires the Council to propose an annual fee schedule and collect fees from each Florida institution participating in the SARA.
- Requires the State Board of Education to adopt rules for the implementation of the SARA.

Under the section 1, each member state or institution that participates in the SARA must be willing to accept the participating states' authorization of accredited institutions to operate in their states to offer distance educational services beyond state boundaries.

Section 1 defines institution to mean a public or private postsecondary educational institution that is accredited by a federally recognized accrediting body that awards, at a minimum, associate level degrees requiring at least two years of full-time equivalent college coursework.

²³ Section 1005.22, F.S.

²⁴ Section 1005.04, F.S.

²⁵ Section 1005.22(e), F.S.

²⁶ Section 1005.31(11), F.S.

Postsecondary Reciprocal Distance Education Coordinating Council Responsibilities (Section 1)

Section 1 grants to the Council the authority to apply to National Council for SARA (NC-SARA) and recommend rules, necessary to administer the SARA, for adoption by the State Board of Education.²⁷ Additionally, the Council is required to:

- Review and approve applications from Florida institutions to participate in the SARA and establish an appeals process for institutions that are not approved to participate in the SARA;
- Ensure compliance by Florida's institutions with the terms of the SARA, including but not limited to, accreditation and institutional quality, and consumer information and protection;
- Comply with the terms and provisions of the SARA relating to any member state, Florida institution, or non-Florida institution;
- Comply with reporting requirements in the SARA and post all such reports on the Council's website;
- Develop and administer a complaint resolution process for complaints related to the SARA; and
- Delegate to the CIE's staff any responsibilities, obligations, or authorities necessary for the administration of Florida's participation in the SARA.
- Propose an annual fee schedule and collect fees from each Florida SARA institution. The fees must be commensurate with the costs incurred by the Council.

The Council must consist of the Chancellor of the State University System, the Chancellor of the Florida College System, the Chancellor of the Division of Career and Adult Education, the Executive Director of the CIE, and the President of the Independent Colleges and Universities of Florida.

Commission for Independent Education Responsibilities (Sections 2 and 3)

Section 2 provides that a non-Florida institution participating in the SARA that offers degree programs and conducts activities limited to distance education degree programs and activities in accordance with the SARA is not under the jurisdiction of the CIE. As a result, the CIE is not required to independently authorize every institution that provides distance education that serves Florida's students.

Additionally, section 3 specifies that an employee of an independent postsecondary educational institution may not solicit prospective students in Florida for enrollment in any independent postsecondary educational institution unless the employee solicits for a postsecondary educational institution that is a member of the SARA, and therefore not under the jurisdiction of the CIE.

The bill takes effect upon becoming law.

²⁷ State University System of Florida Board of Governors, *2017 Agency Legislative Bill Analysis for SB 668* (Feb. 14, 2017), at 3.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:***Public Records***

Article I, s. 24(a) of the Florida Constitution sets forth the state's policy regarding access to government records. The section guarantees every person a right to inspect or copy any public record of the legislative, executive, and judicial branches of government.²⁸ Public policy regarding access to government records is addressed further in the Florida Statutes. Section 119.07(1), F.S., guarantees every person a right to inspect and copy any state, county, or municipal record.

Florida law provides that access to public records is a duty of each agency.²⁹ Florida law defines "agency" in part as "any separate unit of government created or established by law."³⁰ The bill creates the Council in the Florida Statutes and therefore, the Council would be subject to the requirements of chapter 119.³¹ Likewise, the Commission on Independent Education, providing administrative support of the council, may be an "agency" for purposes of ch. 119, F.S., for records relating to the council.

Public Meetings

Article I, s. 24(b) of the Florida Constitution sets forth the state's policy regarding access to government meetings. The section requires that all meetings of any collegial public body of the executive branch of state government or of any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, be open and noticed to the public.³²

The Council would be statutorily responsible for taking governmental actions such as serving as the single portal entity designated by the state to administer SARA and the point of contact for SARA-related questions, complaints, and other matters related to SARA. Accordingly, the Council would be subject to the public meetings law.³³ Individual members of the council must ensure that all discussions regarding matters before the council are in compliance with the public meetings law.

C. Trust Funds Restrictions:

None.

²⁸ Art I, s. 24, Fla. Const.

²⁹ Section 119.01(1), F.S.

³⁰ *Id.* at (2).

³¹ Email, Board of Governors of the State University System of Florida (April 7, 2017).

³² Section 286.011, F.S.

³³ Email, Board of Governors of the State University System of Florida (April 7, 2017).

D. Other Constitutional Issues:

Dual Office-holdings

Article II, s. 5 of the Florida Constitution prohibits any person holding any office of emolument under any foreign government, or civic office of emolument under the United States or any other state from holding any office of honor or emolument under the government of Florida. No person may hold at the same time more than one office under the government of Florida and the counties and municipalities therein, except that a notary public or military officer may hold another office, and any officer may be a member of a constitution revision commission, taxation and budget reform commission, constitutional convention, or statutory body having only advisory powers. This provision prohibits a person from simultaneously serving in more than one “office” under the governments of the state, counties, or municipalities. Article II, s. 5 does not define the term “office” or “officer” for the purposes of the dual office-holding prohibition. The Supreme Court of Florida has stated:

The term “office” implies a delegation of a portion of the sovereign power to, and the possession of it by, the person filling the office, while an “employment” does not comprehend a delegation of any part of the sovereign authority. The term “office” embraces the idea of tenure, duration, and duties in exercising some portion of the sovereign power, conferred or defined by law and not by contract. An employment does not authorize the exercise in one’s own right of any sovereign power or any prescribed independent authority of a governmental nature; and this constitutes the most decisive difference between an employment and an office...”

Accordingly, it is the nature of the power and duties of a particular position, which determines whether it is an “office” or an “employment.”

The bill requires the membership of the Postsecondary Reciprocal Distance Education Coordinating Council must include the Chancellor of the State University System (SUS), the Chancellor of the Florida College System (FCS), the Chancellor of the Division of Career and Adult Education (CAE), the Executive Director of the Commission for Independent Education (CIE) and the president of the Independent Colleges and Universities of Florida (ICUF).

According to the Board of Governors, the positions enumerated in the bill do not constitute an “office.” In 1974, the Attorney General concluded the position of Chancellor, at that time, did not have the indicia of state “offices”. The same conclusion may apply to the chancellors of the FCS and Division of CAE, and the executive director for the CIE because of similarities in such positions.

Should the above positions be considered offices, the attorney general has found that the prohibition on dual office holding does not apply where the legislature is “directing that official to serve as a member and carry out the powers and duties of another office

because of an office already held by him, where the duties of the two offices are not incompatible and not inconsistent.”

If the nature of the powers and duties of the chancellor position is similar to those powers and duties in 1974, the chancellor may be able to rely on the 1974 Attorney General Opinion. On the other hand, if the powers and duties have been expanded to the extent that the chancellor today is an officer, the consequences of serving on this new council are significant.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

According to the Department of Education, an estimated 45 private postsecondary institutions will participate in the State Authorization Reciprocity Agreement (SARA).³⁴ The annual fee required for participation is based on full-time equivalent (FTE) student enrollment as specified in the table below.³⁵

Enrolled FTE	SARA Annual Fee
Under 2,500	\$2,000
2500-9,999	\$4,000
10,000 or more	\$6,000

C. Government Sector Impact:

The Department of Education estimates 75 public and private postsecondary institutions will participate in SARA, resulting in approximately \$318,000 in annual fee revenue deposited into the Institutional Assessment Trust Fund. These funds will be used to pay the council’s annual operational costs, which are estimated to be \$225,000.³⁶

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

³⁴ Florida Department of Education, *2017 Agency Bill Analysis for SB 668* (April 4, 2017).

³⁵ National Council for State Authorization Reciprocity Agreements, *State Authorization Reciprocity Agreements Policy and Operations Manual* (2016), available at http://nc-sara.org/files/docs/NC-SARA_Manual_Final_2016.pdf

³⁶ Florida Department of Education, *2017 Agency Bill Analysis for SB 668* (April 4, 2017).

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1005.06 and 1005.31.

This bill creates section 1000.35 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education March 27, 2017:

The committee substitute:

- Authorizes Florida to participate specifically in the State Authorization Reciprocity Agreement (SARA).
- Specifies that all parties to the SARA must be willing to accept each other's authorization of accredited institutions to offer distance educational services.
- Requires the Postsecondary Reciprocal Distance Education Coordinating Council (Council) to apply to participate in the SARA within 60 days after the effective date of this act.
- Specifies the terms and conditions with which Florida SARA institutions must comply, including, but not limited to, accreditation and institutional quality, consumer information and protections, disclosure and reporting requirements, complaint mechanisms and financial responsibility.
- Requires the annual fee schedule, proposed by the Council, be based on a graduated scale based on enrollment.

- B. **Amendments:**

None.

By the Committee on Education; and Senator Bean

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1 A bill to be entitled
 2 An act relating to postsecondary distance education;
 3 creating s. 1000.35, F.S.; authorizing this state to
 4 participate in the State Authorization Reciprocity
 5 Agreement (SARA) for delivery of postsecondary
 6 distance education; providing definitions;
 7 establishing the Postsecondary Reciprocal Distance
 8 Education Coordinating Council within the Department
 9 of Education; requiring the Commission for Independent
 10 Education to provide administrative support for the
 11 council; providing membership and duties of the
 12 council; requiring the council to propose an annual
 13 fee schedule and collect fees from Florida SARA
 14 institutions; requiring the proposed fee schedule to
 15 be submitted to the State Board of Education for
 16 approval; providing for deposit of such fees into a
 17 specified trust fund; authorizing the council to
 18 revoke a Florida SARA institution's participation for
 19 noncompliance; authorizing such institution to
 20 withdraw from participation in the SARA after
 21 providing notice; exempting council decisions from the
 22 Administrative Procedure Act; providing that
 23 provisions relating to the jurisdiction of the
 24 commission are not superseded; requiring the state
 25 board to adopt rules; amending s. 1005.06, F.S.;
 26 providing that the commission does not have
 27 jurisdiction over certain non-Florida institutions
 28 participating in the SARA; amending s. 1005.31, F.S.;
 29 authorizing the solicitation of prospective students

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30 for enrollment in certain postsecondary educational
 31 institutions; providing a directive to the Division of
 32 Law Revision and Information; providing an effective
 33 date.

34
 35 Be It Enacted by the Legislature of the State of Florida:

36
 37 Section 1. Section 1000.35, Florida Statutes, is created to
 38 read:

39 1000.35 State Authorization Reciprocity Agreement.—

40 (1) The purpose of this section is to authorize this
 41 state's participation in the State Authorization Reciprocity
 42 Agreement (SARA) as established by the Southern Regional
 43 Education Board (SREB) and the National Council for State
 44 Authorization Reciprocity Agreements (NC-SARA) relative to
 45 postsecondary distance education as defined in the SARA. All
 46 parties to the SARA must be willing to accept each other's
 47 authorization of accredited institutions to operate in their
 48 state to offer distance educational services beyond state
 49 boundaries.

50 (2) For purposes of this section, the term:

51 (a) "Commission" means the Commission for Independent
 52 Education.

53 (b) "Complaint" means a formal assertion in writing that a
 54 person, institution, state, agency, or other entity operating
 55 under the SARA has violated the terms of the SARA or the laws,
 56 standards, or regulations incorporated therein.

57 (c) "Council" means the Postsecondary Reciprocal Distance
 58 Education Coordinating Council, which serves as the single

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59 portal entity designated by the state to administer the SARA and
 60 serves as the interstate point of contact for SARA-related
 61 questions, complaints, and other matters related to the SARA.
 62 (d) "Department" means the Department of Education.
 63 (e) "Florida SARA institution" means a postsecondary
 64 institution in this state approved by the council to participate
 65 in the SARA.
 66 (f) "Institution" means a public or private postsecondary
 67 degree-granting college or university that is accredited by a
 68 federally recognized accrediting body and that awards, at a
 69 minimum, associate-level degrees requiring at least 2 years of
 70 full-time equivalent college work.
 71 (g) "Member state" means a state, territory, or district
 72 within the United States that has been approved to participate
 73 in the SARA.
 74 (h) "Non-Florida SARA institution" means an institution
 75 approved by a member state other than this state to participate
 76 in the SARA.
 77 (i) "SREB" means the Southern Regional Education Board.
 78 (j) "State Authorization Reciprocity Agreement" or "SARA"
 79 means the agreement that establishes reciprocity between member
 80 states that accept other member states' authorization of
 81 accredited institutions to operate in their states to offer
 82 distance educational services beyond state boundaries pursuant
 83 to the terms and conditions set forth in the agreement.
 84 (k) "State board" means the State Board of Education.
 85 (3) The council is created within the department for the
 86 purpose of administering the SARA. The council shall consist of
 87 the Chancellor of the State University System, the Chancellor of

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88 the Florida College System, the Chancellor of the Division of
 89 Career and Adult Education, the executive director of the
 90 commission, and the president of the Independent Colleges and
 91 Universities of Florida. The commission shall provide
 92 administrative support for the council. The council shall:
 93 (a) Within 60 days after the effective date of this act,
 94 apply for this state to participate as a member of the SARA
 95 pursuant to the procedures established by the SREB;
 96 (b) Serve as the single portal entity for administration of
 97 the SARA;
 98 (c) Review and approve applications from institutions in
 99 this state to participate in the SARA and establish an appeals
 100 process for institutions that are not approved to participate in
 101 the SARA;
 102 (d) Ensure compliance by Florida SARA institutions with the
 103 terms and provisions of the SARA, including, but not limited to,
 104 accreditation and institutional quality, consumer information
 105 and protection, disclosure and reporting requirements, complaint
 106 mechanisms, and financial responsibility;
 107 (e) Comply with the terms and provisions of the SARA
 108 relating to any member state, Florida SARA institution, or non-
 109 Florida SARA institution;
 110 (f) Comply with the reporting requirements in the SARA and
 111 post all such reports on the council's website;
 112 (g) Consistent with the complaint resolution processes in
 113 the SARA, develop and administer a complaint resolution process
 114 to resolve SARA-related complaints after all complaint processes
 115 in place at a Florida SARA institution have been exhausted by
 116 the complainant;

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117 (h) Delegate any responsibilities, obligations, or
 118 authorities necessary for the administration of this state's
 119 participation in the SARA to the commission's staff; and
 120 (i) Recommend rules necessary to administer this section
 121 for adoption by the state board.
 122 (4) The council shall propose an annual fee schedule and
 123 collect fees from each Florida SARA institution. The fees shall
 124 be commensurate with the costs incurred by the council and
 125 commission to administer the SARA and shall be based on a
 126 graduated scale of institutional enrollment. The council shall
 127 propose an annual fee schedule to generate the amount of revenue
 128 necessary for its operations. The proposed fee schedule shall be
 129 submitted to the state board for approval. The department shall
 130 include the approved fee schedule in its legislative budget
 131 request which takes effect unless revised by the Legislature in
 132 the General Appropriations Act. All fees collected pursuant to
 133 this subsection shall be submitted through the department to the
 134 Chief Financial Officer for deposit into a separate account
 135 within the Institutional Assessment Trust Fund. Any fee
 136 authorized by the council is nonrefundable unless paid in error.
 137 (5) The council may revoke a Florida SARA institution's
 138 approval to participate in the SARA if the council determines
 139 such institution is not in compliance with the terms and
 140 provisions of the SARA.
 141 (6) A Florida SARA institution may withdraw from
 142 participation as a Florida SARA institution by submitting notice
 143 of its intent to withdraw to the council, which shall become
 144 effective at the beginning of the next academic term after
 145 receipt of such notice.

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146 (7) Decisions of the council are not subject to chapter
 147 120.
 148 (8) This section does not supersede the requirements in
 149 chapter 1005 relating to postsecondary educational institutions
 150 under the jurisdiction of the commission.
 151 (9) The state board shall adopt rules to implement this
 152 section.
 153 Section 2. Paragraph (h) is added to subsection (1) of
 154 section 1005.06, Florida Statutes, to read:
 155 1005.06 Institutions not under the jurisdiction or purview
 156 of the commission.-
 157 (1) Except as otherwise provided in law, the following
 158 institutions are not under the jurisdiction or purview of the
 159 commission and are not required to obtain licensure:
 160 (h) Any non-Florida institution that has been approved by a
 161 member state to participate in the State Authorization
 162 Reciprocity Agreement (SARA), as those terms are defined in s.
 163 1000.35(2), if the degree programs that may be offered and the
 164 activities that may be conducted by such institution in this
 165 state are limited to the distance education degree programs and
 166 activities provided in and consistent with the terms and
 167 provisions of the SARA.
 168 Section 3. Subsection (11) of section 1005.31, Florida
 169 Statutes, is amended to read:
 170 1005.31 Licensure of institutions.-
 171 (11) The commission shall establish minimum standards for
 172 the approval of agents. The commission may adopt rules to ensure
 173 that licensed agents meet these standards and uphold the intent
 174 of this chapter. An agent may not solicit prospective students

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175 in this state for enrollment in any independent postsecondary
176 educational institution under the commission's purview or in any
177 out-of-state independent postsecondary educational institution
178 unless the agent has received a license as prescribed by the
179 commission or solicits for a postsecondary educational
180 institution that is not under the jurisdiction of the commission
181 pursuant to s. 1005.06(1)(h).

182 Section 4. The Division of Law Revision and Information is
183 directed to replace the phrase "the effective date of this act"
184 wherever it occurs in this act with the date this act becomes a
185 law.

186 Section 5. This act shall take effect upon becoming a law.

THE FLORIDA SENATE
APPEARANCE RECORD

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

4/13/17

Meeting Date

668

Bill Number (if applicable)

Topic SB 668

Amendment Barcode (if applicable)

Name Jennifer Goen

Job Title Director of Gov Relations

Address 10501 FGCU Blvd. South

Phone 239-590-1020

Street

Ft. Myers FL 33965

City

State

Zip

Email jgoen@fgcu.edu

Speaking: For Against Information

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

Representing Florida Gulf Coast University

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)

13 Apr 17
Meeting Date

668
Bill Number (if applicable)

Topic Online Education

Amendment Barcode (if applicable)

Name Andrew Romer

Job Title Gov. Relations

Address 11000 University Parkway
Street

Phone 703-300-7272

Pensacola FL 32514
City State Zip

Email aromer@uwf.edu

Speaking: For Against Information

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

Representing University of West 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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

April 13, 2017
Meeting Date

668
Bill Number (if applicable)

Topic Postsecondary Distance Learning

Amendment Barcode (if applicable)

Name Barbara Cohen Pippin

Job Title Director of Governmental Relations

Address Lee Hall Suite 400
Street

Phone 850-599-3225

Tallahassee FL 32307
City State Zip

Email barbara.pippin@famu.edu

Speaking: For Against Information

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

Representing Florida A & M University

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

4-13-17

Meeting Date

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

CS/SB 668

Bill Number (if applicable)

Topic POSTSECONDARY DISTANCE EDUCATION

Amendment Barcode (if applicable)

Name BOB BOYD

Job Title GENERAL COUNSEL ICUF

Address 660 E. JEFFERSON ST.

Phone 850-412-0306

Street

TALLAHASSEE, FL

32301

Email bboyd@sscclawfirm.

City

State

Zip

Com

Speaking: For Against Information

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

Representing INDEPENDENT COLLEGES & UNIV. OF FLORIDA (ICUF)

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.

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)

4-13-17
Meeting Date

668
Bill Number (if applicable)

Topic State Authorization Reciprocity

Amendment Barcode (if applicable)

Name BRIAN LOGAN

Job Title Legislative Affairs Director

Address 325 W. Gaines St.

Phone 850-567-0588

Street

Tallahassee, FL

32399

Email brian.logan@flbog.edu

City

State

Zip

Speaking: For Against Information

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

Representing Florida Board of Governors

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.

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)

4/13/17

Meeting Date

668

Bill Number (if applicable)

Topic Postsecondary Distance Education

Amendment Barcode (if applicable)

Name Carrie Graham

Job Title Legislative Assistant for Bob Harris

Address 2018 Centennial Pl

Phone 850 222 0720

Street

Tallahassee

City

FL

State

32308

Zip

Email Cgraham@lawfla.com

Speaking: For Against Information

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

Representing DeVry University

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No
Bob Harris

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.

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)

4/13/17

SB 608

Meeting Date

Bill Number (if applicable)

Topic PostSecondary Distance Education

Amendment Barcode (if applicable)

Name Brittney Hunt

Job Title Policy Director

Address 130 S. Bronough St.
Street

Phone (850) 521-1200

Tallahassee FL 32312
City State Zip

Email bhunt@flchamber.com

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.

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

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)

4/13/17

Meeting Date

SB 668

Bill Number (if applicable)

Topic Postsecondary Distance Education

Amendment Barcode (if applicable)

Name Brewster BevisJob Title Senior Vice PresidentAddress 516 N. Adams StPhone 224-7173

Street

TallahasseeFL32301Email bbevis@aif.com

City

State

Zip

Speaking: For Against InformationWaive Speaking: In Support Against
(The Chair will read this information into the record.)Representing Associated Industries of FloridaAppearing at request of Chair: Yes NoLobbyist 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.**

S-001 (10/14/14)

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 Higher Education

BILL: PCS/CS/SB 896 (188282)

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

SUBJECT: Direct-support Organization for the Florida Prepaid College Board

DATE: April 13, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Benvenisty</u>	<u>Graf</u>	<u>ED</u>	<u>Fav/CS</u>
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AHE</u>	<u>Recommend: Fav/CS</u>
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

PCS/CS/SB 896 modifies the financial interest disclosure requirement for certain members of the Florida Prepaid College Board and extends the repeal date for the Florida Prepaid College Board's direct-support organization from October 1, 2017 to October 1, 2022.

This bill has no impact on state funds.

The bill takes effect July 1, 2017

II. Present Situation:

Citizen-Support Organizations and Direct-Support Organizations

Citizen-support organizations (CSOs) and direct-support organization (DSOs) are statutorily created entities that are generally required to be non-profit organizations¹ and are authorized to carry out specific tasks in support of public entities or public causes. The functions and purpose

¹ Chapter 617, F.S.

of a CSO or DSO are prescribed by its enacting statute and for most part, by a written contract with the agency the CSO or DSO was created to support.²

CSO and DSO Transparency and Reporting Requirements

In 2014, the Legislature created s. 20.058, F.S., establishing a comprehensive set of transparency and reporting requirements for CSOs and DSOs.³ Specifically, the law requires each CSO and DSO to annually submit by August 1, the following information to the appropriate agency:⁴

- The name, mailing address, telephone number, and website address of the organization;
- The statutory authority or executive order that created the organization;
- A brief description of the mission of, and results obtained by, the organization;
- A brief description of the organization's plans for the next three fiscal years;
- A copy of the organization's ethics code; and
- A copy of the organization's most recent Internal Revenue Service (IRS) Form 990.⁵

Each agency receiving CSO- or DSO-reported information must make that information available to the public through the agency's website.⁶ If the organization maintains a website, the agency's website must provide a link to the organization's website.⁷ Any contract between an agency and a CSO or DSO must be contingent upon the CSO or DSO submitting the required information to the agency and posting such information as specified in law.⁸ If a CSO or DSO fails to submit the required information to the agency for two consecutive years, the agency head must terminate any contract between the agency and the CSO or DSO.⁹

Annually, by August 15, the agency must report to the Governor, President of the Senate, Speaker of the House of Representatives, and the Office of Program Policy Analysis and Government Accountability (OPPAGA) the information submitted by each CSO or DSO along with the agency's recommendation and supporting rationale to continue, terminate, or modify the agency's association with the CSO or DSO.¹⁰

A law creating, or authorizing the creation of a CSO or DSO must state that the creation of or authorization for the organization repeals on October 1 of the 5th year after enactment unless reviewed and saved from repeal by the Legislature. CSOs and DSOs in existence on July 1, 2014, must be reviewed by the Legislature by July 1, 2019.¹¹

² See ss. 14.29(9)(a), 16.616(1), and 258.015(1), F.S. See also Rules of the Florida Auditor General, *Audits of Certain Nonprofit Organizations* (effective June 30, 2016), Rule 10.720(1)(b) and (1)(d) available at http://www.myflorida.com/audgen/pages/pdf_files/10_700.pdf.

³ Chapter 2014-96, L.O.F, effective upon becoming a law (e.g., June 13, 2014).

⁴ Section 20.058(1), F.S.

⁵ The IRS Form 990 is an annual information return required to be filed with the IRS by most organizations exempt from federal income tax under 26 U.S.C. 501. 26 C.F.R. 1.6033-2.

⁶ Section 20.058(2), F.S.

⁷ *Id.*

⁸ Section 20.058(4), F.S.

⁹ *Id.*

¹⁰ *Id.* at (3).

¹¹ *Id.* at (5).

CSO and DSO Audit Requirements

Section 215.981, F.S., requires each CSO and DSO, created or authorized pursuant to law, with annual expenditures in excess of \$100,000 to provide for an annual financial audit of its accounts and records.¹² An independent certified public accountant in accordance with rules adopted by the Auditor General must conduct the audit. The audit report must be submitted within nine months after the end of the fiscal year to the Auditor General and to the state agency the CSO or DSO supports.¹³ Additionally, the Auditor General may, pursuant to his or her own authority, or at the direction of the Legislative Auditing Committee, conduct audits or other engagements of a CSO's or DSO's accounts and records.¹⁴

CSO and DSO Ethics Code Requirement

Section 112.3251, F.S., requires a CSO or DSO created or authorized pursuant to law to adopt its own ethics code. The ethics code must contain the specified standards of conduct and disclosures provided in ss. 112.313 and 112.3143(2), F.S.¹⁵ A CSO or DSO may adopt additional or more stringent standards of conduct and disclosure requirements and must conspicuously post its ethics code on its website.¹⁶

Florida Prepaid College Board

The Florida Prepaid College Board (Board) administers the Stanley G. Tate Florida Prepaid College Program (prepaid program) and the Florida College Savings Program (savings program), and performs specified essential governmental functions.¹⁷

Financial Disclosure

Each member of the Board is required to file a Full and Public Disclosure Financial Interests (Form 6), which is the same disclosure required of all elected constitutional officers and candidates for such office.¹⁸

¹² The independent audit requirement does not apply to a CSO or DSO for a university, district board of trustees of a community college, or district school board. Additionally, the expenditure threshold for an independent audit is \$300,000 for a CSO or DSO for the Department of Environmental Protection and the Department of Agriculture and Consumer Services.

¹³ Section 215.981(1), F.S.

¹⁴ Section 11.45(3), F.S.

¹⁵ Some of the standards of conduct and disclosures in ss. 112.313 and 112.3143(2), F.S., include misuse of public position, solicitation or acceptance of gifts, unauthorized compensation, and voting conflicts.

¹⁶ Section 112.3251, F.S.

¹⁷ Section 1009.971(1), F.S. See ss. 1009.97-1009.988, F.S. The Board is assigned to and administratively housed within the State Board of Administration, but it independently exercises specified powers and duties. *Id.* The Board consists of seven members, composed of the Attorney General, the Chief Financial Officer, the Chancellor of the State University System, the Chancellor of the Division of Florida Colleges, and three members appointed by the Governor and subject to confirmation by the Senate. *Id.* at 2.

¹⁸ Section 1009.971(2), F.S.

Stanley G. Tate Florida Prepaid College Foundation

In 1990, the Legislature authorized the Board to establish a DSO.¹⁹ The Board subsequently established the Stanley G. Tate Florida Prepaid College Foundation (Foundation) to provide scholarships to students who may not have otherwise had the opportunity to go to college.²⁰

The Foundation administers the Florida Prepaid Tuition Scholarship Program (Scholarship Tuition for At-Risk Students, or STARS Program).²¹ This program provides economically disadvantaged youth with prepaid postsecondary tuition scholarships.²²

The Foundation has established additional scholarship programs, with Board approval, which include the Black History Month Scholarship, Hispanic Heritage Month Scholarship, and National Mortgage Settlement Dormitory Project.²³

Legislative Review: Findings and Recommendations

Senate professional staff reviewed documents related to the Foundation for compliance with the authorizing and accountability statutes. Findings and recommendations are summarized below.

Foundation's Compliance under Authorizing Statute

The Foundation:²⁴

- Must be incorporated as a not-for-profit corporation under law, which requires initial filing of articles of incorporation and subsequent filing of sworn annual reports with the Department of State.²⁵
- Must be organized exclusively to receive, hold, invest, and administer property and to make expenditures on behalf of the board.
- Must be certified by the Board as operating in a manner consistent with the goals of the board and in the best interest of the state.
- Is subject to the public meetings and public records requirements in law.²⁶
- Must comply with state law, which requires each DSO and CSO with annual expenditures in excess of \$100,000 to provide annually for an independent financial audit.²⁷

The Foundation appears to comply with the authorizing statutory requirements.

¹⁹ Section 1009.983(1), F.S.; Stanley G. Tate Florida Prepaid College Foundation, *2015 Annual Report*, available at http://www.itppv.com/documents/pdf/foundation_2015_annual_report_web.pdf, at 1.

²⁰ Stanley G. Tate Florida Prepaid College Foundation, *2015 Annual Report*, available at http://www.itppv.com/documents/pdf/foundation_2015_annual_report_web.pdf, at 3.

²¹ Sections 1009.983(8), 1009.984, F.S.; Stanley G. Tate Florida Prepaid College Foundation, *2015 Annual Report*, available at http://www.itppv.com/documents/pdf/foundation_2015_annual_report_web.pdf, at 4.

²² Section 1009.984, F.S.

²³ Stanley G. Tate Florida Prepaid College Foundation, *2015 Annual Report*, available at http://www.itppv.com/documents/pdf/foundation_2015_annual_report_web.pdf, at 13-14.

²⁴ Section 1009.983, F.S.

²⁵ *Id.* at (1)(a). Not-for-profit corporations are incorporated under Chapter 617, F.S.; Articles of Incorporation are required by s. 617.0202, F.S., and annual reports are required by s. 617.1622, F.S.

²⁶ Section 1009.983(4), F.S. See also s. 24, Art. I of the State Constitution, ch. 119, F.S., and s. 286.011, F.S.

²⁷ Section 215.981, F.S.

Foundation's Compliance under Accountability Statute

- Each DSO is required to annually provide to the appropriate agency specified information by August 1.²⁸
 - **Finding:** The Foundation appears to have provided the required information to the Board by the statutory deadline.²⁹
- Each agency must submit an annual report by August 15 of each year with the information received from the DSO or CSO, which contains a recommendation for continuing, terminating, or modifying the agency's association with the DSO or CSO, and the rationale for doing so.³⁰
 - **Finding:** The Board appears to have submitted its annual report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and OPPAGA, along with the Board's recommendation and rationale for continuing the Foundation as required by law by the statutory deadline.³¹
- Each agency must make the information received from each DSO or CSO available to the public through the agency's website.³² If the DSO or CSO maintains its own website, the agency must provide a link on its website to the DSO's or CSO's website.³³
 - **Finding:** The Board appears to have complied with the statutory requirements.³⁴
- Any contracts between an agency and a DSO or CSO must be contingent upon the DSO or CSO's submission and posting of the required information.³⁵ If the DSO or CSO fails to submit the required information for two consecutive years, the agency head must terminate the contract.³⁶
 - **Finding:** The contract between the Board and Foundation, effective December 9, 2016 through December 9, 2021, contains the language necessary for compliance with current law. However, the executed contract contains an error concerning the relevant statutory reference to the DSO accountability statute.³⁷
 - **Recommendation:** The Board should amend its contract with the Foundation to reflect the proper statutory reference.³⁸

III. Effect of Proposed Changes:

The bill modifies the financial interest disclosure requirement for certain members of the Florida Prepaid College Board and extends the repeal date for the Florida Prepaid College Board's direct-support organization (DSO) from October 1, 2017 to October 1, 2022.

²⁸ Section 20.058(1), F.S. See pg. 2 of this analysis.

²⁹ Email, The Stanley G. Tate Florida Prepaid Foundation (Oct. 6, 2016). Email, The Stanley G. Tate Florida Prepaid Foundation (Oct. 19, 2016).

³⁰ Section 20.058(3), F.S.

³¹ Email, The Stanley G. Tate Florida Prepaid Foundation (Oct. 6, 2016).

³² Section 20.058(2), F.S.

³³ *Id.*

³⁴ Florida Prepaid College Board, *Board Reports & Plans*, <http://www.myfloridaprepaid.com/who-we-are/about-the-board/board-reports-and-plans/> (last visited March 20, 2017).

³⁵ Section 20.058(4), F.S.

³⁶ *Id.*

³⁷ Email, The Stanley G. Tate Florida Prepaid Foundation (March 15, 2017). Foundation staff reported that they intend to amend the contract with the Florida College Prepaid Board to include the proper statutory reference. *Id.*

³⁸ Email, The Stanley G. Tate Florida Prepaid Foundation (Feb. 24, 2017).

Section 1 modifies the financial interest disclosure requirement to specify that certain members of the Florida Prepaid College Board (e.g., Chancellor of the State University System and Chancellor of the Florida College System or an individual appointed by the Governor who is not a constitutional officer) must file the Statement of Financial Interest (Form 1) rather than the currently required Full and Public Disclosure of Financial Interests (Form 6). This is consistent with the requirement for members of other similar boards.³⁹

Section 2 extends the repeal date of the DSO to October 1, 2022. This extension allows for the continuation of the Florida Prepaid Tuition Scholarship Program (Scholarship Tuition for At-Risk Students, or STARS Program) and other scholarship programs for Florida students, which include, but are not limited to, the Black History Month Scholarship, Hispanic Heritage Month Scholarship, and National Mortgage Settlement Dormitory Project Scholarship.⁴⁰

The bill takes effect July 1, 2017.

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:

The Florida Prepaid College Foundation (Foundation) has awarded more than 42,000 college scholarships since its inception.⁴¹ More than 23,000 students have attended college using scholarship benefits awarded by the Foundation.⁴²

³⁹ Section 112.3145(1)(a), F.S.

⁴⁰ The Stanley G. Tate Florida Prepaid Foundation, *2017 Agency Legislative Bill Analysis for SB 896* (March 7, 2017), at 1.

⁴¹ The Stanley G. Tate Florida Prepaid Foundation, *2017 Agency Legislative Bill Analysis for SB 896* (March 7, 2017), at (1).

⁴² *Id.* at (2).

C. Government Sector Impact:

This bill has no direct impact on state revenues or expenditures. As background, the Legislature appropriated \$7 million to support the Florida Prepaid Tuition Scholarship Program, administered by the Foundation, in the 2016-2017 General Appropriation Act.⁴³ SB 2500, the Senate General Appropriations Act for the 2017-2018 Fiscal Year, also appropriates \$7 million for the Florida Prepaid Tuition Scholarship Program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1009.971 and 1009.983.

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 Higher Education on April 13, 2017:

The committee substitute modifies the financial interest disclosure requirement to specify that certain members of the Florida Prepaid College Board (e.g., Chancellor of the State University System and Chancellor of the Florida College System or an individual appointed by the Governor who is not a constitutional officer) must file the Statement of Financial Interest (Form 1) rather than the currently required Full and Public Disclosure of Financial Interests (Form 6).

CS by Education on March 21, 2017:

The committee substitute corrects the enacting clause to reflect the statutory name of the Florida Prepaid College Board.

B. Amendments:

None.

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

⁴³ Specific appropriation 71, s. 2, ch. 2016-66, L.O.F



314690

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/14/2017	.	
	.	
	.	
	.	

Appropriations Subcommittee on Higher Education (Simmons)
recommended the following:

Senate Amendment (with title amendment)

Before line 10

insert:

Section 1. Subsection (2) of section 1009.971, Florida
Statutes, is amended to read:

1009.971 Florida Prepaid College Board.—

(2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.—The board
shall consist of seven members to be composed of the Attorney
General, the Chief Financial Officer, the Chancellor of the



314690

11 State University System, the Chancellor of the Division of
12 Florida Colleges, and three members appointed by the Governor
13 and subject to confirmation by the Senate. Each member appointed
14 by the Governor shall possess knowledge, skill, and experience
15 in the areas of accounting, actuary, risk management, or
16 investment management. Each member of the board not appointed by
17 the Governor may name a designee to serve on the board on behalf
18 of the member; however, any designee so named shall meet the
19 qualifications required of gubernatorial appointees to the
20 board. Members appointed by the Governor shall serve terms of 3
21 years. Any person appointed to fill a vacancy on the board shall
22 be appointed in a like manner and shall serve for only the
23 unexpired term. Any member shall be eligible for reappointment
24 and shall serve until a successor qualifies. Members of the
25 board shall serve without compensation but shall be reimbursed
26 for per diem and travel in accordance with s. 112.061. Each
27 member of the board who is not otherwise required to ~~shall~~ file
28 a full and public disclosure of ~~his or her~~ financial interests
29 pursuant to s. 8, Art. II of the State Constitution or s.
30 112.3144 shall file a statement of financial interests pursuant
31 to s. 112.3145 and corresponding statute.

32
33 ===== T I T L E A M E N D M E N T =====

34 And the title is amended as follows:
35 Delete lines 2 - 3
36 and insert:
37 An act relating to the Florida Prepaid College Board;
38 amending s. 1009.971, F.S.; revising the financial
39 disclosures required to be filed by certain Florida



314690

40

Prepaid College Board members; amending s.

By the Committee on Education; and Senator Simmons

581-02684-17

2017896c1

1 A bill to be entitled
2 An act relating to the direct-support organization for
3 the Florida Prepaid College Board; amending s.
4 1009.983, F.S.; extending the repeal date of the
5 direct-support organization for the Florida Prepaid
6 College Board; providing an effective date.
7
8 Be It Enacted by the Legislature of the State of Florida:
9
10 Section 1. Subsection (9) of section 1009.983, Florida
11 Statutes, is amended to read:
12 1009.983 Direct-support organization; authority.-
13 (9) This section is repealed October 1, 2022 ~~2017~~, unless
14 reviewed and saved from repeal by the Legislature.
15 Section 2. This act shall take effect July 1, 2017.

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 Higher Education

BILL: CS/SB 1458

INTRODUCER: Education Committee and Senator Simmons

SUBJECT: Direct-support Organization

DATE: April 13, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Benvenisty</u>	<u>Graf</u>	<u>ED</u>	Fav/CS
2.	<u>Flynn</u>	<u>Elwell</u>	<u>AHE</u>	Recommend: Favorable
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/SB 1458 removes the scheduled repeal date for the Blind Services Foundation of Florida, Inc., which serves as a direct-support organization for the Division of Blind Services.

The bill has no impact on state revenues or expenditures.

The bill takes effect July 1, 2017.

II. Present Situation:

Citizen-Support Organizations and Direct-Support Organizations

Citizen-support organizations (CSOs) and direct-support organizations (DSOs) are statutorily created non-profit organizations¹ authorized to carry out specific tasks in support of public entities or public causes. The function and purpose of a CSO or DSO are prescribed by an enacting statute and a written contract with the agency the CSO or DSO supports.²

¹ Chapter 617, F.S.

² See ss. 14.29(9)(a), 16.616(1), and 258.015(1), F.S. See also Rules of the Florida Auditor General, *Audits of Certain Nonprofit Organizations* (effective June 30, 2016), Rule 10.720(1)(b) and (d) available at http://www.myflorida.com/audgen/pages/pdf_files/10_700.pdf.

CSO and DSO Transparency and Reporting Requirements

In 2014, the Legislature created s. 20.058, F.S., establishing a comprehensive set of transparency and reporting requirements for CSOs and DSOs.³ Specifically, the law requires each CSO and DSO to annually submit the following information to the appropriate agency by August 1:⁴

- The name, mailing address, telephone number, and website address of the organization;
- The statutory authority or executive order that created the organization;
- A brief description of the mission of, and results obtained by, the organization;
- A brief description of the organization's plans for the next three fiscal years;
- A copy of the organization's code of ethics; and
- A copy of the organization's most recent Internal Revenue Service (IRS) Form 990.⁵

Each agency receiving information from a CSO or DSO pursuant to law must make such information available to the public through the agency's website.⁶ If the organization maintains a website, the agency's website must provide a link to the organization's website.⁷ Any contract between an agency and a CSO or DSO must be contingent upon the CSO or DSO submitting and posting the required information to the agency as specified in law.⁸ If a CSO or DSO fails to submit the required information to the agency for two consecutive years, the agency head must terminate any contract between the agency and the CSO or DSO.⁹

By August 15 of each year, the agency must report to the Governor, President of the Senate, Speaker of the House of Representatives, and the Office of Program Policy Analysis and Government Accountability the information submitted by each CSO or DSO along with the agency's recommendation and supporting rationale to continue, terminate, or modify the agency's association with the CSO or DSO.¹⁰

Any law creating, or authorizing the creation of a CSO or DSO must state that the authorization for the organization repeals on October 1 of the 5th year after enactment unless reviewed and reenacted by the Legislature. CSOs and DSOs in existence prior to July 1, 2014, must be reviewed by the Legislature by July 1, 2019.¹¹

CSO and DSO Audit Requirements

Section 215.981, F.S., requires each CSO and DSO with annual expenditures in excess of \$100,000 to provide for an annual financial audit of its accounts and records.¹² The audit must be conducted by an independent certified public accountant in accordance with rules adopted by the

³ Section 3, ch. 2014-96, L.O.F

⁴ Section 20.058(1), F.S.

⁵ The IRS Form 990 is an annual information return required to be filed with the IRS by most organizations exempt from federal income tax under 26 U.S.C. 501. 26 C.F.R. 1.6033-2.

⁶ Section 20.058(2), F.S.

⁷ *Id.*

⁸ Section 20.058(4), F.S.

⁹ *Id.*

¹⁰ *Id.* at (3).

¹¹ *Id.* at (5).

¹² The independent audit requirement does not apply to a CSO or DSO for a university, district board of trustees of a community college, or district school board. Additionally, the expenditure threshold for an independent audit is \$300,000 for a CSO or DSO for the Department of Environmental Protection and the Department of Agriculture and Consumer Services.

Auditor General. The audit report must be submitted within nine months after the end of the fiscal year to the Auditor General and to the state agency the CSO or DSO supports.¹³ Additionally, the Auditor General may, pursuant to his or her own authority, or at the direction of the Legislative Auditing Committee, conduct audits or other engagements of a CSO's or DSO's accounts and records.¹⁴

CSO and DSO Ethics Code Requirement

Section 112.3251, F.S., requires a CSO or DSO to adopt a code of ethics. The code of ethics must contain the specified standards of conduct and disclosures provided in ss. 112.313 and 112.3143(2), F.S.¹⁵ A CSO or DSO may adopt additional or more stringent standards of conduct and disclosure requirements and must post its code of ethics on its website.¹⁶

The Division of Blind Services

The Division of Blind Services (DBS) is one of several divisions housed within the Department of Education (DOE).¹⁷ The DBS must be designed for the purpose of ensuring the greatest possible efficiency and effectiveness of services to individuals who are blind.¹⁸ It is the intent of the Legislature to establish a coordinated program of services which are available to such individuals throughout Florida.¹⁹ The program must be designed to maximize employment opportunities for individuals who are blind and to increase their independence and self-sufficiency.²⁰

Direct-Support Organization for the Division of Blind Services

In 2004, the Legislature authorized the DBS to organize and incorporate a direct-support organization for the benefit of blind persons by raising funds; requesting and receiving grants, gifts, and bequests of moneys; and making expenditures.²¹

The DBS has established the Blind Services Foundation of Florida, Inc. (Blind Services Foundation) as its direct-support organization. The Blind Services Foundation has eight board members who are self-appointed according to the established bylaws²² and one ex-officio board member who also serves as the director of the DBS.²³

¹³ Section 215.981(1), F.S.

¹⁴ Section 11.45(3), F.S.

¹⁵ Some of the standards of conduct and disclosures in ss. 112.313 and 112.3143(2), F.S., include misuse of public position, solicitation or acceptance of gifts, unauthorized compensation, and voting conflicts.

¹⁶ Section 112.3251, F.S.

¹⁷ Section 20.15(3)(e), F.S.

¹⁸ Section 413.011(3), F.S.

¹⁹ *Id.* at (2), F.S.

²⁰ *Id.*; See Florida Division of Blind Services, *Frequently Asked Questions*, <http://dbs.myflorida.com/Frequently%20Asked%20Questions/index.html> (last visited March 20, 2017).

²¹ Section 12, ch. 2004-331, L.O.F., *codified as* s. 413.0111, F.S.

²² Email, Blind Services Foundation of Florida, Inc. (Oct. 12, 2016). The by-laws were adopted December 2004; subsequently revised and adopted March 6, 2013. *Id.*

²³ Section 413.0111(2)(b) and (c), F.S.; Blind Services Foundation of Florida, Inc. *Board of Directors*, <http://www.blindservicesfoundation.org/board-of-directors.html> (last visited March 20, 2017).

The purposes and objectives of the Blind Services Foundation must be consistent with the priority issues and objectives of the DOE and must be in the best interests of the state.²⁴ Funds designated for the DSO must be used for the enhancement of programs and projects of the DBS.²⁵

The DSO is scheduled to repeal on October 1, 2017. If repealed, the Blind Services Foundation will no longer exist statutorily, and the DBS will no longer have the statutory authority to organize and incorporate a direct-support organization.²⁶ Upon dissolution of the Blind Services Foundation, all Blind Services Foundation properties revert to the DBS.²⁷

According to the DBS, repeal of the Blind Services Foundation may impact certain initiatives including, but not limited to, the following:

- Providing additional funding for children’s services, education projects, public education and awareness, and the establishment of an endowment for blind students at Miami-Dade College.²⁸
- Creating a series of informational and demonstrative sessions that highlight the capabilities of people who are blind.²⁹ This initiative gives personal accounts and demonstrates employment, personal, and socially geared technology that allows blind people to be included and functional in Florida.³⁰ This initiative has been presented to public schools, the Department of Education employees, a variety of colleges, and at other appropriate venues throughout the state.³¹

Additionally, twenty percent of the proceeds from the sale of the “Bikers Care” specialty motorcycle tag is distributed to the Blind Services Foundation.³²

Legislative Review: Findings and Recommendations for the Division of Blind Services

Senate professional staff reviewed documents related to the Blind Services Foundation for compliance with the authorizing and accountability statutes. Findings and recommendations are summarized below.

Blind Services Foundation’s Compliance under Authorizing Statute

The Blind Services Foundation:³³

²⁴ Section 412.0111(3), F.S.

²⁵ Section 413.0111(4), F.S.

²⁶ Section 413.0111(2)(a), F.S.

²⁷ *Id.* at (2)(e).

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² Email, Florida Department of Education (Feb. 3, 2017).

³³ Section 413.0111, F.S.

- Must be incorporated as a not-for-profit corporation under law, which requires initial filing of articles of incorporation and subsequent filing of sworn annual reports with the Department of State.³⁴
- Is subject to the public meetings and public records requirements established in statute.³⁵
- Is required to maintain donations and direct service expenditures in a bank account outside of the State Treasury.³⁶
- Is required to pay any administrative costs with private funds, and use designated funds for enhancing programs and projects for the DBS.
- Must have purposes and objectives consistent with the priorities and objectives of the DBS.³⁷
- Must comply with law, which requires each DSO and CSO with annual expenditures in excess of \$100,000 to annually provide an independent financial audit.³⁸

The Blind Services Foundation appears to comply with the authorizing statutory requirements.

The Blind Services Foundation's Compliance under Accountability Statute

- Each DSO is required by law to annually provide specified information to the appropriate agency by August 1 of each year.³⁹
 - **Finding:** The Foundation provided the required information to the DBS by the statutory deadline.⁴⁰ However, the Blind Services Foundation's code of ethics did not initially appear to fully comply with the standards and disclosures required by law.⁴¹ Subsequently, the the Blind Services Foundation revised the code of ethics and appears to comply with the statutory requirements.
- By August 15 of each year agencies must submit an annual report containing information from the DSO or CSO, with a recommendation for continuing, terminating, or modifying the agency's association with the DSO or CSO, to the Governor, the President of the Senate, the Speaker of the House of Representatives, and OPPAGA.⁴²
 - **Finding:** The DOE provided hard copies of the reports to the Governor, the President of the Senate, the Speaker of the House of Representatives, and OPPAGA by the statutory deadline.⁴³
- Each agency must make the information received from each DSO or CSO available to the public through the agency's website.⁴⁴ If the DSO or CSO maintains its own website, the agency must provide a link on its website to the DSO's or CSO's website.⁴⁵

³⁴ Sections 413.0111(1) and (2)(a), F.S. Not-for-profit corporations are incorporated under Chapter 617, F.S. Articles of Incorporation are required by s. 617.0202, F.S., and annual reports are required by s. 617.1622, F.S.

³⁵ Section 413.0111(2)(d), F.S. See also s. 24, Art. I of the State Constitution, chapter 119, F.S., and s. 286.011, F.S.

³⁶ Section 413.0111(2)(f), F.S.

³⁷ *Id.* at (3).

³⁸ Section 215.981(1), F.S.

³⁹ Section 20.058(1), F.S. See pg. 2 of this analysis for the specific information required (e.g., name, statutory authority, brief description of the mission and fiscal plans, code of ethics, etc.).

⁴⁰ Email, Florida Department of Education (Nov. 15, 2016).

⁴¹ See, ss. 112.3251, 112.313 and 112.3143(2), F.S.

⁴² Section 20.058(3), F.S.

⁴³ Email, Florida Department of Education (Jan. 11, 2017).

⁴⁴ Section 20.058(2), F.S.

⁴⁵ *Id.*

- **Finding:** The required annual report has been posted to Florida’s Fiscal Portal.⁴⁶ A link to the Florida Fiscal Portal is on the DOE’s website.⁴⁷ The DBS’s website contains a link to the Blind Services Foundation’s website.
- Any contract between an agency and a DSO or CSO must be contingent upon the DSO or CSO’s submission and posting of the required information.⁴⁸ If the DSO or CSO fails to submit the required information for two consecutive years, the agency head must terminate the contract.⁴⁹
 - **Finding:** There is not a current contract between the DBS and the Blind Services Foundation.⁵⁰
 - **Recommendation:** The DBS and the Blind Services Foundation should consider entering a formal contract.

III. Effect of Proposed Changes:

CS/SB 1458 removes the scheduled repeal date for the Blind Services Foundation of Florida, Inc., which serves as the direct-support organization for the Division of Blind Services.

The bill takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁴⁶ Email, Florida Department of Education (Jan. 11, 2017). Florida Fiscal Portal, Department of Education’s 2014-2015 Annual Report on Citizen-Support and Direct-Support Organizations (8/5/14), available at <http://floridafiscalportal.state.fl.us/Document.aspx?ID=10642&DocType=PDF>, at 4; Florida Fiscal Portal, Department of Education’s 2015-2016 Annual Report on Citizen-Support and Direct-Support Organizations (8/1/15), available at <http://floridafiscalportal.state.fl.us/Document.aspx?ID=13513&DocType=PDF>, at 5; Florida Fiscal Portal, Department of Education’s 2016-2017 Annual Report on Citizen-Support and Direct-Support Organizations (8/1/16), available at <http://floridafiscalportal.state.fl.us/Document.aspx?ID=14514&DocType=PDF>, at 5.

⁴⁷ Email, Florida Department of Education (Jan. 13, 2017).

⁴⁸ Section 20.058(4), F.S.

⁴⁹ *Id.*

⁵⁰ Email, Florida Department of Education (Jan. 13, 2017). The Foundation operates similarly to the Department of Education’s direct-support organization and the Florida College System direct-support organization, which also do not have contracts. *Id.* Additionally, the Foundation’s board elects to have their funds disbursed directly to the Division. *Id.*

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The Blind Services Foundation of Florida, Inc. (Blind Services Foundation) allocates approximately \$50,000 each year to support a specific project that the Foundation's Board agrees is appropriate.⁵¹ Over the last five years, the Foundation has supported initiatives that provide additional funding for children's services, education projects, public education and awareness, and the establishment of an endowment for blind students at Miami-Dade College.⁵² Without the Blind Services Foundation, these initiatives may need to seek other sources of funding.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 413.0111 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.)

CS by Education on March 21, 2017:

The committee substitute removes from the bill provisions related to the Florida Endowment Foundation for Vocational Rehabilitation, which is the direct-support organization of the Division of Vocational Rehabilitation.

B. Amendments:

None.

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

⁵¹ Email, Florida Department of Education (Feb. 11, 2017).

⁵² *Id.*

By the Committee on Education; and Senator Simmons

581-02689-17

20171458c1

1 A bill to be entitled
2 An act relating to the blind services direct-support
3 organization; amending s. 413.0111, F.S.; abrogating
4 the scheduled repeal of provisions relating to the
5 blind services direct-support organization; providing
6 an effective date.

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

9
10 Section 1. Subsection (7) of section 413.0111, Florida
11 Statutes, is amended to read:

12 413.0111 Blind services direct-support organization.-
13 ~~(7) This section is repealed October 1, 2017, unless~~
14 ~~reviewed and saved from repeal by the Legislature.~~

15 Section 2. This act shall take effect July 1, 2017.

THE FLORIDA SENATE
APPEARANCE RECORD

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

4/17/2017

Meeting Date

1458

Bill Number (if applicable)

N/A

Amendment Barcode (if applicable)

Topic SB 1458

Name Robert Doyle

Job Title Director, Division of Blind Services

Address 325 W. Gaines St.

Street

Phone 850.245.0331

Tallahassee

FL

32399

Email Robert.Doyle@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.

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

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)

4/17/2017

Meeting Date

1458

Bill Number (if applicable)

N/A

Amendment Barcode (if applicable)

Topic SB 1458

Name Tanya Cooper

Job Title Director, Division of Blind Services

Address 325 W. Gaines St.

Street

Tallahassee

City

FL

State

32399

Zip

Phone 850.245.9633

Email Tanya.Cooper@fldoe.org

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.

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

S-001 (10/14/14)



The Florida Senate

Committee Agenda Request

To: Senator Bill Galvano, Chair
Appropriations Subcommittee on Higher Education

Subject: Committee Agenda Request

Date: March 29, 2017

I respectfully request that **Senate Bill #668**, relating to Postsecondary Distance Education, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

Aaron Bean

Senator Aaron Bean
Florida Senate, District 4

CourtSmart Tag Report

Room: KN 412
Caption: Senate Appropriations Committee on Higher Education

Case No.:

Type:
Judge:

Started: 4/13/2017 2:35:52 PM

Ends: 4/13/2017 2:45:08 PM

Length: 00:09:17

2:35:52 PM Call to Order Sen. Galvano (Chair)
2:35:57 PM Roll Call
2:36:02 PM Quorum Present
2:36:21 PM TAB 2- CS/SB 896 Direct-support Organization- Sen. Simmons
2:36:53 PM Am 314690 Sen. Simmons Introduces
2:38:29 PM Am 314690 Adopted
2:38:47 PM Sen. Simmons, waives close
2:39:02 PM Roll Call on CS/SB 896
2:39:05 PM CS/SB 896 Passes Favorably
2:39:18 PM TAB 3- CS/SB 1458 Blind Services Direct-support- Sen. Simmons
2:40:00 PM Robert Doyle, Division of Blind Services, waives in support
2:40:07 PM Tanya Cooper, Division of Blind Services, waives support
2:40:15 PM Sen Simmons waives closing
2:40:24 PM Roll Call on CS/SB 1458
2:40:34 PM CS/SB 1458 Passes Favorably
2:40:51 PM Informal Recess awaiting Sen. Bean
2:42:09 PM Meeting resumed
2:42:13 PM TAB 1 - CS/SB 668 Postsecondary Distance Education- Sen. Bradley (for Sen. Bean) co-sponsor
Introduces bill
2:42:59 PM Sen. Bradley
2:43:04 PM Sen. Clemens
2:43:16 PM Sen. Bradley
2:43:30 PM Jennifer Goen, Florida Gulf Coast University, waives in support
2:43:42 PM Andrew Romer, University of West Florida, waives in support
2:43:44 PM Barbara Cohen Pippin, Florida A M University, waives in support
2:43:46 PM Bob Boyd, Independent Colleges and Universities of Florida, waives in support
2:43:58 PM Brian Logan, Florida Board of Governors, waives in support
2:44:08 PM Carrie Graham, DeVry University, waives in support
2:44:12 PM Brittney Hunt, Florida Chamber of Commerce, waives in support
2:44:14 PM Brewster Bevis, Associated Industries of Florida, waives in support
2:44:20 PM Sen. Bradly waives close
2:44:24 PM Roll Call CS/SB 1458
2:44:36 PM CS/SB 668 Passes Favorably
2:44:48 PM Sen. Lee motion to adjourn
2:44:57 PM Meeting Adjourned