



2009 Legislative Wrap-Up

The Florida College System (SB 2682)

- Synthesizes recommendations made by the State College Pilot Project & the Florida College System Task Force (created by the 2008 Legislature)
- Reflects creation of The Florida College System (FCS) by re-designating community colleges as Florida colleges & the Division of Community Colleges as the Division of Florida Colleges (DFC)
- Identifies service districts for each institution by county within the Florida College System
- Renames the following colleges:
 1. Florida State College at Jacksonville from Florida Community College at Jacksonville
 2. State College of Florida, Manatee-Sarasota from Manatee Community College
 3. Polk State College from Polk Community College
 4. Daytona State College from Daytona Beach College
 5. Edison State College from Edison College
 6. Indian River State College from Indian River College
 7. Northwest Florida State College from Okaloosa-Walton College
- Reaffirms FCS as a single system, with each college locally governed by a board of trustees, under statutory authority & the State Board of Education (SBE)



The Florida College System (SB 2682)

- Maintains historic mission: open admission, remediation, community needs, outreach to underserved populations, & statewide articulation agreements
- Delivers FCS baccalaureate degrees in a cost-effective manner that substantially saves the student & the state over the cost of attending a state university
- Allows colleges approved to offer baccalaureate degrees by the SBE & granted Level II accreditation from SACS to use “state college”
- Provides a process whereby a community college board of trustees may request approval from the SBE to drop “community” from its name, irrespective of degrees authorized to offer
- Adds the award of baccalaureate degrees as authorized by law to the primary mission
- Prohibits Florida colleges from offering graduate degrees & participation in intercollegiate athletics beyond the 2-year college level
- Guarantees admission to students with an AA from a Florida college to upper division
- Provides for continuation and implementation of baccalaureates authorized & approved by SBE prior to 7/1/09



The Florida College System (SB 2682)

- Permits St. Pete College (SPC) trustees to authorize BAS programs based on need
- Specifies SBE oversight for criteria & approval of baccalaureate proposals (except SPC)
- Specifies criteria, process for alternative baccalaureate proposals from universities
- Directs SBE to adopt rules to set requirements for notices of intent, proposals & alternative proposals
- Allows colleges authorized to award baccalaureate degrees by the SBE & accredited by SACS at Level II, to request three years after initial approval, an exemption from further SBE review, & specifies criteria for such exemption
- Requires with exemptions from SBE, baccalaureate approval to submit new programs to the DFC for compliance review prior to implementation per criteria detailed
- Effective July 1, 2009

Postsecondary Distance Learning (HB 7121)

- Provides a definition of distance learning as “at least 80% of the direct instruction of the course is delivered utilizing some form of technology when the student & instructor are separated by time, space, or both,” & clarify that only courses meeting this definition can be assessed the distance learning fee
- Establishes the Florida Distance Learning Consortium to facilitate collaboration among public postsecondary institutions in distance learning use to increase access, support institutions in the use of technology & build partnerships
- Requires the BOG & the SBE to exercise joint oversight of the consortium & establish the administrative & operational guidelines of the consortium
- Allows consortium to contract for administrative services with a public postsecondary institution
- Consortium manages & promotes the Florida Higher Education Distance Learning Catalog
- Develops & submits a plan by March 1, 2010, to the Board of Governors, State Board of Education, Governor & Legislature addressing the implementation of a streamlined, automated online registration process for undergraduate students admitted to a public postsecondary institution & wishing to enroll in a course in the Florida Education Distance Learning Catalog

Postsecondary Distance Learning (HB 7121)

- Coordinates negotiation of statewide licensing & preferred pricing agreements to reduce costs for institutions that choose to participate
- Develops & operates a central repository to allow faculty to use instructional resources
- Develops & submits a plan by March 1, 2010, to the Board of Governors, State Board of Education, Governor & Legislature for increasing the use of open access textbooks as a method for reducing textbook costs
- Clarifies information about placement of the catalog link for the Florida Distance Learning Catalog on an institution's website
- Effective upon becoming law

CLAST (SB 1676)

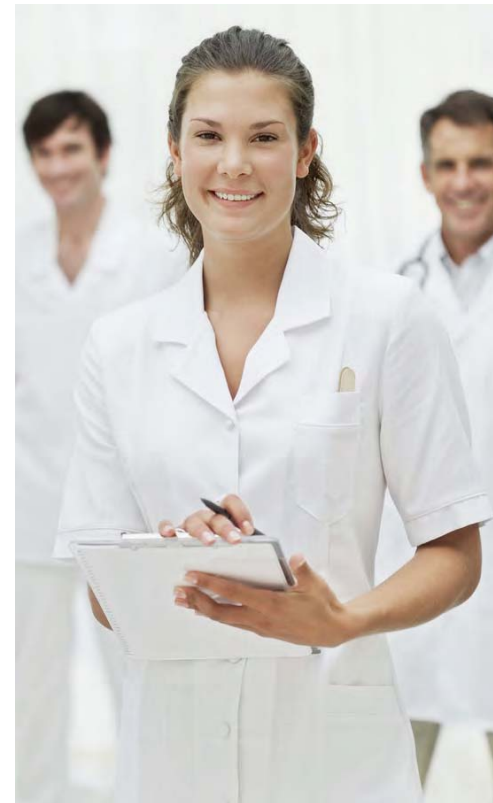
College-Level Academic Skills Test

- Students do not have to take or present passing scores on CLAST
- Administrations of CLAST are not authorized/funded by the Department after 6/30/09
- Students need to meet one of the following requirements in addition to fulfilling other AA requirements:
 - Meet/exceed minimum score on a standardized examination, established by SBE in conjunction with BOG
 - Demonstrate successful remediation of academic deficiencies & achieve a GPA of 2.5+ in postsecondary-level coursework identified by SBE in conjunction with BOG
- Allows for waivers at the local level to the above requirements for students with documented specific learning disabilities & other extenuating circumstances, under criteria very similar to those previously in place
- Effective July 1, 2009



Nursing (HB 1209)

- Significantly reduces FBON rule-making authority
- Programs that have not met pass rates on the National Licensing Exam (NCLEX) remain on probation until compliance is achieved
- Maintains \$1,000 program application fee
- Grandfathers in program approval for those approved through 6/30/09
- Requires report from all approved programs to include:
 - o Affidavits certifying compliance & documentation for each program for the prior academic year
 - o Number of applications, qualified applicants & students accepted
 - o Number of graduates, graduate pass rate on NCLEX, retention rates & accreditation
- Requires FBON publish data on website
- Requires Florida Center for Nursing & OPPAGA to submit a report to Legislature & Governor by 2/2010 addressing data, approval process, application numbers & denials
- Effective July 1, 2009



Emergency Medical Services (SB 948)

- Revises requirements for paramedic training programs relating to types of vehicles to be used & requirements to become an ambulance driver
- Authorizes the Department of Health to determine what portion of the field internship may be satisfied aboard an advanced life support permitted vehicle other than an ambulance
- Revises minimum requirements for drivers of basic life support vehicles, advanced life support vehicles & air ambulances
- Eliminates ineligibility of a person who has been convicted of reckless driving within the past three years to become a driver.



Bright Futures (SB 1696)

- Authorizes award amounts to be set for 1 year
- Requires the institution to refund to the state within 30 days after the end of the semester any funds received for courses dropped by a student or courses from which a student has withdrawn after the end of the drop & add period, unless the student has been granted an exception
- Requires students to earn at least 24 semester credit hours or a prorated number of hours if the student was enrolled less than full time, in the last academic year
- If a student fails to earn the minimum number of hours required to renew the scholarship, the student shall lose his or her eligibility for renewal for a period equivalent to one academic year. Such student is eligible one time to restore the award the following year if the student earns the hours for which he or she was enrolled at the level defined by the Department & meets the grade point average for renewal
- Students must be notified of this provision during registration. Students must reimburse or make satisfactory arrangements to reimburse the institution for the award amount received for courses dropped after the end of the drop & add period before the student may receive a Bright Futures award for the next term
- Removes college-related expense awards for academic scholars
- Prohibits conversion of Gold Seal Awards to Medallion Awards.

Residency (SB 1696)

- Clarifies that initial enrollment is the first day of class
- 12 months of residence must be continuous
- Requires affirmative decision on residency, documented by written or electronic verification with two or more documents. Two tiers of documentation listed in statute, mostly tracking current state regulations.
- Requires any reclassification to provide clear and convincing documentation that supports permanent legal residency in this state for at least 12 consecutive months, such as documentation of full-time permanent employment for the prior 12 months or the purchase of a home in this state and residence therein for the prior 12 months **while not enrolled**
- States that a dependent child can be reclassified upon parents qualification of permanent residency, if in high school or after
- Restates allowance for marriage to result in residency classification
- Requires institutions to establish residency appeals committees



Career and Adult Education (SB 1616)

- Renames the Division of Workforce Education, the Division of Career & Adult Education
- Amends career academy funding language to reflect industry certifications
- Refines membership of State Apprenticeship Advisory Council
- Amends requirements for GED to allow elective credit in lieu of performing arts credit
- Repeals s. 1003.431, F.S., relating to career education certification
- Requires OPPAGA to conduct a study comparing public & private career training programs NOT on the targeted occupations lists (TOL)
- Effective date July 1, 2009



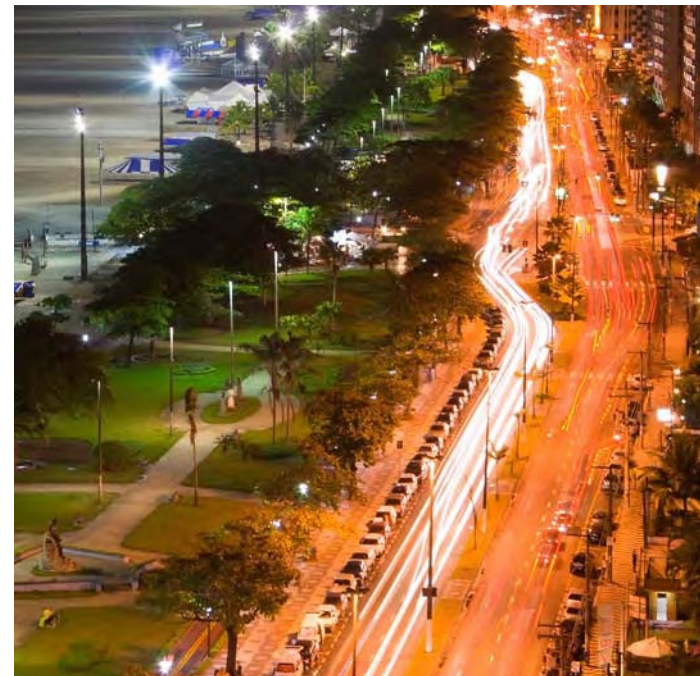
Education Dollars for Duty/Boots to Books (HB 635)

- Clarifies the Education Dollars for Duty (EDD) program is for an active member of the Florida National Guard (FNG) & requires member to continue service for period specified in their enlistment contract instead of 3 years after the exemption is granted
- Authorizes Department of Military Affairs to pay cost of tuition/fees for required courses
- Expands eligibility to those seeking a masters, those with more than 15 years service & those who have not completed basic training to become competitive with other states
- Eliminates State Tuition Exemption Program (STEP) & reference for fee waivers
- Extends program to include nonpublic institutions accredited by SACS & college-preparatory courses
- Limits amount the Department pays to average tuition/fees at a public postsecondary institution or public vocational-technical program
- Extends residency to active members of the FNG; not just those participating in education programs; inactive members & members of Individual Ready Reserve are not eligible
- Member's obligation to reimburse the Department applies regardless of whether obligation was incurred before, on, or after 7/1/09
- Effective July 1, 2009



Student Fees & Transportation (HB 739)

- Allows a Florida College System District Board of Trustees to establish a transportation access fee to provide transportation services for students
- Fee may not exceed \$6.00 per credit hour
- An increase in the transportation fee may only occur once each fiscal year & must be implemented beginning in the fall term
- The transportation fee shall not be included in calculating the amount a student receives from the following:
 - o Florida Academic Scholars Award
 - o Florida Medallion Scholars Award
 - o Florida Gold Seal Vocational Scholars Award



2009-2010 Budget

(SB 2600) General Appropriations Act

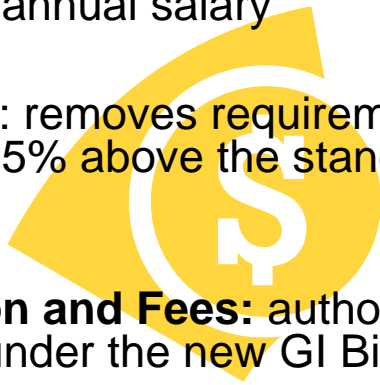
Statewide

• Lottery – Recurring	\$116,959,158
• Lottery – Non-recurring	\$0
• CCPF (including these 3 subcategories)	\$812,454,563
o Internet Connectivity	\$1,447,382
o OCNF (New)	\$4,602,842
o Workload (Nonrecurring GR)	\$29,124,808
• Ready to Work	\$0
• Workload (Recurring GR)	\$0
• Federal Stabilization Funds	\$82,588,573
• Baccalaureate	\$8,804,529
• Baccalaureate (New)	\$400
• Baccalaureate Federal Stabilization Funds	\$730,272
• Commission on Community Service	\$589,845
• Distance Learning	\$324,668
• Adult Handicapped	\$1,211,867
• Student Fees	\$669,213,699 (8% increase)*
• Facilities Matching	\$0
• Philip Benjamin Matching	\$0
• PECO	\$84,221,380
• PECO Sum-of-Digits	\$15,988,860



Additional Budget Issues

- **College Severance Payouts:** limits all college, state university, and Board of Governor employee (including presidents) severance payouts from state funds to 1 year of the employee's annual salary
- **Flexibility in College Fees:** removes requirement that the amount of tuition and fees charged from 10% to 15% above the standard tuition and fees be spent on safety and security
- **GI Bill Deferral of Tuition and Fees:** authorizes a deferral of tuition and fees for veterans enrolling under the new GI Bill
- **Financial Assistance Student Database:** requires institutions participating in FSAG (need-based aid) to report to DOE before February 2010 information on their student loans – including guarantor, lender, amount, total of loans
- **First Generation in College:** requires recipients to demonstrate financial need as required for FSAG



Additional Budget Issues

- **Excess Hours:** requires a 50% tuition surcharge after 120% of required credit hours for resident students at state universities. This will impact our students who transfer to the SUS, and the colleges must notify students regarding the provisions of the law upon initial enrollment
- **Libraries:** requires DOE to collaborate with SUNLINK, CCLA, FCLA and the Florida Electronic Library at the Department of State to provide a plan for establishing an on-line union catalog that is capable of searching the combined library holdings of K-12 public schools, universities, community colleges and public libraries
- **Scholarship Programs:** changes to specific scholarship programs for teachers and others
- **FIRN:** provides that community colleges may requisition FIRN services from DOE who can then pass on savings for internet access services. In the past this was paid for out of DOE funds, now it must be paid for out of individual college budgets
- **State Employee Salaries:** state employees have not received a raise in 3 years and this year those who earn \$45,000 or more will see a 2% salary reduction. This does not apply to college employees

FERPA-Student Education Records (HB 7117 & 7119)

- Restates the longstanding public records exemption for education records for all public education sectors, now using the established FERPA definition of “records that are directly related to a student and that are maintained by an educational institution,” with FERPA exceptions
- Provides for disclosure of education records as permitted by FERPA
- Provides for public records exemption for applicant records for public postsecondary institutions. Applicant records of students who do not enroll are not education records under FERPA, but may contain many of the same records (i.e. academic transcripts, disciplinary reports, disability, etc.) maintained for enrolled students, which are confidential and exempt



Substantive Bills that FAILED

Statewide Articulation Agreements (Commission for Independent Ed.) CS/HB 751

- Would have required statewide articulation agreements govern transfer of credit between public and private institutions licensed by CIE
- Would have authorized School Districts to enter into articulation agreements with private institutions for Dual Enrollment credit
- Would have provided requirements for faculty members of private institutions to join committees that review courses and transfer credit in the statewide course numbering system
- Would have required the State Board of Education to monitor and report violations, report trend data, and track progression from secondary into public and private postsecondary education

Nonpublic Postsecondary Accreditation CS/SB 156

- Would have required licensed independent postsecondary educational institutions to notify CIE of changes in its accreditation status
- Would have required accreditation within a specified period after licensure.
- Would have required CIE to revoke the license when an institution does not meet requirements concerning accreditation

Substantive Bills that FAILED

State Employee Fee Waivers CS 2216

- Would have provided that online courses are included in the types of courses available for state employee fee waivers
- Would have required a state employee receive approval from his or her supervisor before using the waiver to take a course during normal working hours

Discretionary Sales Surtaxes CS HB 787

- Would have provided an opportunity for the residents of Miami-Dade County to vote on whether to assess a local option discretionary sales tax for the benefit of Miami Dade College

Charter Technical Career Pilot SB 2428

- Would have established the Charter Technical Career Center Associate in Applied Science Degree Pilot Project and identified two institutions to participate in the pilot project
- Would have authorized each charter technical career center participating in the pilot project to offer programs that lead to specified associate in applied science degrees without SACS accreditation

Budget Issues that FAILED

Education Estimating Conference for Average Tuition and Fees

- Would have required the education estimating conference to develop official information on the national average of tuition and fees at public postsecondary educational institutions

Community College Presidents Salaries

- Would have limited community college president salaries to \$225,000 from appropriated state funds

Community College Baccalaureate Programs

- Would have temporarily suspended approval of new programs and also would have required that funds could only be spent on baccalaureate programs approved by the State Board of Education on or before March 28, 2009



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