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MEMORANDUM

TO: Florida College System Presidents

FROM: Kathy Hebda 

DATE: June 28, 2019

SUBJECT: **2019 Legislation Affecting the Florida College System**

The 2019 Florida Legislature passed legislation that will have implications for Florida College System (FCS) institutions related to transfer, articulation, fee waivers and exemptions, and other topics. A summary of action required of FCS institutions is provided below and in Appendix A.

Legislation Requiring Institutional Action – Transfer and Articulation

2+2 Targeted Pathway Articulation Agreement

Senate Bill (SB) 190 amended section (s.) 1007.23, Florida Statutes (F.S.), to require each FCS institution to execute at least one 2+2 targeted pathway articulation agreement with at least one state university by 2019-20. The agreement(s) must specify Associate in Arts (A.A.) students who enroll in the program before completing 30-credit hours, complete the A.A. degree and meet university transfer requirements, and are guaranteed access to a degree program at the state university. Agreement(s) must also include requirements for state universities regarding on-time graduation plans, advisement and access to information and services.

Institutions should review any existing 2+2 targeted pathway agreements to determine if they meet the criteria established by SB 190. If no current agreement(s) meets the criteria, institutions may modify an existing agreement(s) or enter into at least one new agreement to comply with the provisions established in SB 190. The Department of Education in collaboration with the Office of the Board of Governors for the State University System will prepare a sample agreement and provide a mechanism by which institutions will submit these agreements on a recurring basis. Institutions must have at least one 2+2 targeted pathway articulation agreement by 2019-20.

Reverse Transfer

House Bill (HB) 7071 amended s. 1007.23, F.S., to provide for reverse transfer when students with at least 30 credit hours transfer before earning the A.A. degree. It also requires state universities to identify students who complete the A.A. degree and, with students' consent, transfer credits back to the FCS

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institution. FCS institutions with reverse transfer agreements should update agreements to align with the 30-credit hour criteria established by HB 7071. The Department of Education is collaborating with the Office of the Board of Governors for the State University System on further technical assistance.

Technical requirements for reporting degrees awarded through reverse transfer will be transmitted to college reports coordinators as soon as practical.

Excess Hour Surcharge

SB 190 amended s. 1009.286, F.S., to revise the rate of the excess hour surcharge for the 2019 spring term and beyond. The Division of Florida Colleges revised the recommended excess hours advisory statement for incoming students, effective for the 2019 summer term and thereafter. This recommended advisory statement is intended to ensure that FCS students understand the importance and potential consequences of their course selections.

Excess Hours Advisory Statement

Section 1009.286, Florida Statutes, establishes an "excess hour" surcharge for a student seeking a baccalaureate degree at a state university. It is critical that students, including those entering Florida colleges, are aware of the potential for additional course fees. "Excess hours" are defined as hours that go beyond 120% of the hours required for a baccalaureate degree program. For example, if the length of the program is 120 credit hours, the student may be subject to an excess hour surcharge for any credits attempted beyond 144 credit hours (120% x 120).

All students whose educational plan may include earning a baccalaureate degree should make every effort to enroll in and successfully complete those courses that are required for their intended major on their first attempt. Florida college students intending to transfer to a state university should identify a major or "transfer program" early and be advised of admission requirements for that program, including the approved common prerequisites. Course withdrawals and/or repeats, as well as enrollment in courses nonessential to the intended major, may contribute to a potential excess hours surcharge.

Regional Career Pathways Agreement

HB 7071 created s. 1007.233, F.S., to require each career center and FCS institution with overlapping service areas submit a regional career pathways agreement for each career center certificate program aligned with an associate degree offered by the college. Each agreement must guarantee college credit, beyond the amount guaranteed through statewide agreements, toward an aligned associate degree program for students who graduate from a career center with a career or technical certificate and meet specified requirements. Each agreement must outline certificate program completion requirements and any licenses or industry certifications that must be earned before enrolling in an associate degree program. Colleges must award articulated college credit to the student upon initial enrollment in the associate degree program. The Department of Education, Office of Articulation, will prepare a sample agreement and provide a mechanism by which institutions will submit these agreements by the May 1 annual deadline.

Legislation Requiring Institutional Action – Waivers and Exemptions

First Responder / Active Duty Military

SB 7098 creates s. 112.1912, F.S. and s. 295.061, F.S., that require the state to waive the cost of tuition and certain fees of the child or spouse of a deceased first responder or deceased active duty service member of the United States Armed Forces (U.S Army, Navy, Marines, Air Force, Coast Guard and Florida National Guard) incurs at a career center, FCS institution or state university. This provision applies to law enforcement officers, correctional officers, correctional probation officers, firefighters, emergency medical technicians or paramedics who are accidentally killed or intentionally and unlawfully killed while performing official duties on or after July 1, 2019.

Hurricane Impact

HB 593 amended s. 1009.26, F.S., to authorize FCS institutions that serve counties directly impacted by a hurricane, and experience an enrollment decrease of more than 10 percent as a result, to waive out-of-state fees for a period of three years, beginning 180 days after the date the hurricane first impacted counties served by the institution. The effective date is July 1, 2019.

Guardianship Assistance Program

HB 7099 amended s. 1009.25, F.S., to exempt individuals classified under s. 39.6225, F.S. (Guardianship Assistance Program) from the payment of tuition and fees, including lab fees, at a public postsecondary institution. The effective date is July 1, 2019.

FCS institutions may need to review processes and identify required documentation for individuals who claim the waiver and/or exemption. As a reminder, s. 1009.23 (12)(a), F.S., specifies that FCS institutions may not charge any fee except as authorized by law. Technical requirements for reporting the waiver or exemption will be transmitted to college reports coordinators as soon as practical. Colleges are required to report the number and value of fee waivers annually.

Legislation Requiring Institutional Action – Other

Active Duty Military – Residents for Tuition Purposes

SB 620 modified s. 1009.21, F.S., to specify active duty military members who are residing in Florida or attending a public postsecondary institution within 50 miles of the military establishment where they are stationed at the time of acceptance to the institution are residents for tuition purposes. This classification also applies to the spouses and dependents of active duty military. Institutions may need to review their residency documentation procedures to ensure the residency determination is based on the student's location at the time of acceptance. The effective date is July 1, 2019.

Anti-Semitism

HB 741 modified s. 1000.05, F.S., to include religion in the list of categories for which discrimination is prohibited in the Florida K-20 public education system. In addition, the bill defines “anti-Semitism,” and requires all public K-20 educational institutions to treat discrimination-motivated anti-Semitic intent in the same manner as discrimination based on race. Institutions should review their non-discrimination statements to ensure “religion” is reflected and review procedures, where appropriate, to note how anti-Semitic discrimination should be treated. The effective date is May 31, 2019.

Hazing

SB 1080 modified s. 1006.63, F.S., to clarify and define the term “hazing,” expand the crime of hazing and provide immunity to certain persons meeting specified criteria. Further, the bill reenacted s. 1001.64(8)(e), F.S., requiring each FCS district board of trustees to adopt written anti-hazing policies, provide a program to enforce anti-hazing rules and adopt penalties for violations. FCS institutions should update existing or create new policies related to hazing to comply with the provisions outlined in SB 1080. The effective date is October 1, 2019.

Last Mile College Completion Program

HB 7071 established the Last Mile College Completion Program beginning in 2019-20 to award the cost of in-state tuition and required fees to Florida students who are residents for tuition purposes, are in good academic standing, have no more than 12 hours to complete their first associate or baccalaureate degree and have been enrolled in a regionally-accredited postsecondary institution within eight years prior to their scholarship application. While this program did not receive an appropriation, FCS institutions are encouraged to use available resources to communicate to and assist these students who can finish their degrees.

Legislation of Interest – Informational

The following bills related to public secondary and postsecondary education and workforce programs may be of interest to FCS institutions.

House Bill 501 defined traumatic brain injury and posttraumatic stress disorder for purposes of offering alternative treatment options for veterans and authorized the Department of Veterans Affairs to contract with state universities or FCS institutions to furnish specified alternative treatment options for veterans.

HB 7071, workforce education:

- Encourages school districts to adopt policies and procedures to 1) celebrate the academic and workforce achievement of students by declaring “Academic Scholarship Signing Day” and 2) declare “College and Career Decision Day” to prepare students for college and career pathways. (s. 1001.43, F.S.)
- Modifies the standard requirements for high school diplomas to allow students to take a computer science course to substitute for a math or science course, requires districts to offer financial

literacy courses and establishes a Career and Technical Education Pathway Option as an additional standard high school diploma option that consists of completion of 18 credits and a 2.0 GPA. (s. 1003.4282, F.S.)

- Requires the Commissioner of Education to annually review CTE offerings for alignment with employer demand, postsecondary degree or certificate programs, and professional industry certifications, as well as identify programs that are linked to occupations that are in high-demand by employers, require high-level skills and provide middle- and high-level wages. (s. 1003.491, F.S.)
- Establishes the Strengthening Alignment between Industry and Learning (SAIL) to 60 Initiative, which sets a goal of increasing the percentage of working age adults in Florida with a high-value postsecondary certificate, degree or training experience by 2030. (s. 1004.013, F.S.)
- Requires the State Board of Education and the Board of Governors to work collaboratively to support and publicize the statewide efforts related to college access, affordability and success including the Florida College Access Network, the Complete Florida Degree Initiative, summer bridge programs, “last mile” scholarships, articulation agreements and awarding credit for prior learning. (s. 1004.013, F.S.)
- Renames the Higher Education Coordinating Council with the Florida Talent Development Council whose charge is coordinating a data-driven, statewide approach to meeting Florida’s need for a 21st century workforce. (s. 1004.015, F.S.)
- Require state universities to notify their students of the criteria and process for requesting A.A. degrees at various intervals. (s. 1007.25, F.S.)
- Requires career centers to enter into career dual enrollment agreements with each high school in any school district they serve. (s. 1007.271, F.S.)
- Created the Florida Pathways to Career Opportunities Grant Program to provide grants on a competitive basis to high schools, career centers, charter technical career centers, FCS institutions and other entities authorized to sponsor an apprenticeship or preapprenticeship program to expand or establish new apprenticeship or preapprenticeship programs. (s. 1011.802, F.S.)

The Florida Department of Education will continue to provide technical assistance in the implementation of these bills. If you have questions regarding the ongoing implementation of this legislation, please contact Dr. Carrie Henderson, Executive Vice Chancellor, at Carrie.Henderson@fldoe.org or Dr. Shanna Autry, Director of Student Affairs, at Shanna.Autry@fldoe.org.

KH/chh

Attachment

cc: Mr. J. Alex Kelly, Department of Education
Dr. Eric Hall, Department of Education
FCS Council of Business Affairs
FCS Council of Student Affairs
FCS Council of Academic Affairs

Appendix A: FCS Institution Actions Following 2019 Legislative Session

Bill Number	Bill Section	Florida Statutes	Topic	May require review of local policy and/or procedure	May require data or information to be submitted to the state	May require agreements with high school, career center or university	Other
HB 593	1-2	1009.26	Waivers for out-of-state students who enroll in hurricane-impacted institutions	X	X		
HB 741	1-2	1000.05 & 1002.20	Anti-Semitism	X			
HB 7071	23	1007.23	Reverse transfer between FCS institutions and state universities	X	X	X	
HB 7071	24	1007.233	Career pathways agreements between career centers and FCS institutions	X	X	X	
HB 7099	18	1009.25	Exemptions for individuals classified under Guardianship Assistance Program	X	X		
HB 741	1	1005.05	Anti-Semitism	X			
SB 1080	1-3	1006.63	Hazing	X			
SB 190	6	1007.23	2+2 targeted pathways between FCS institutions and state universities	X	X	X	
SB 190	10	1009.286	Excess hours threshold				X Requires college to notify students
SB 620	5	1009.21	Residency determination for active duty military their spouses and children	X			
SB 7098	1-2, 4-8	112.1912	Waivers for children and spouses of deceased first responders, Florida	X	X		

Bill Number	Bill Section	Florida Statutes	Topic	May require review of local policy and/or procedure	May require data or information to be submitted to the state	May require agreements with high school, career center or university	Other
			National Guard Members, U.S. service members killed in the line of duty, and disabled Veterans				