

Tab 1	SB 172 by Bean; (Identical to H 06001) Florida Endowment for Vocational Rehabilitation						
Tab 2	CS/SB 226 by ED, Brandes; (Similar to CS/H 00401) Mastery-based Education						
399290	A	S	L	RCS	AED, Brandes	Delete L.47 - 182:	04/08 03:16 PM
Tab 3	CS/SB 464 by ED, Flores (CO-INTRODUCERS) Montford; (Similar to CS/CS/H 00547) Prepaid College Plans						
326072	A	S	L	RCS	AED, Flores	btw L.86 - 87:	04/08 03:16 PM
Tab 4	SB 680 by Perry (CO-INTRODUCERS) Flores; (Similar to CS/H 00257) Excess Credit Hour Surcharges						
Tab 5	SB 720 by Flores; (Identical to H 00525) Renaming of Florida College System Institutions						

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Senator Stargel, Chair
Senator Diaz, Vice Chair

MEETING DATE: Thursday, April 4, 2019
TIME: 10:00—11:30 a.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Stargel, Chair; Senator Diaz, Vice Chair; Senators Baxley, Book, Flores, Montford, Pizzo, and Simmons

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 172 Bean (Identical H 6001)	Florida Endowment for Vocational Rehabilitation; Abrogating the future repeal of provisions relating to the Florida Endowment for Vocational Rehabilitation, etc. ED 03/12/2019 Favorable AED 04/04/2019 Favorable AP	Favorable Yeas 7 Nays 0
2	CS/SB 226 Education / Brandes (Similar CS/H 401)	Mastery-based Education; Renaming the Competency-Based Education Pilot Program as the Mastery-Based Education Pilot Program; authorizing a district school board or developmental research school participating in the Mastery-Based Education Pilot Program to award credit based on student mastery of certain content and skills; authorizing a district school board or developmental research school participating in the Mastery-Based Education Pilot Program to use an alternative interpretation of letter grades for certain students, etc. ED 03/12/2019 Fav/CS AED 04/04/2019 Fav/CS AP	Fav/CS Yeas 7 Nays 0
3	CS/SB 464 Education / Flores (Similar CS/CS/H 547)	Prepaid College Plans; Authorizing the transfer of fees associated with dormitory residency to approved qualified nonprofit organizations under certain circumstances; prohibiting transferred fees from exceeding a specified amount, etc. ED 03/19/2019 Fav/CS AED 04/04/2019 Fav/CS AP	Fav/CS Yeas 7 Nays 0
4	SB 680 Perry (Similar CS/H 257)	Excess Credit Hour Surcharges; Requiring a state university to calculate an excess hour threshold for each student based on specified criteria; providing that the excess hour threshold may be adjusted only under certain circumstances, etc. ED 03/12/2019 Favorable AED 04/04/2019 Favorable AP	Favorable Yeas 7 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Subcommittee on Education
Thursday, April 4, 2019, 10:00—11:30 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
5	SB 720 Flores (Identical H 525)	Renaming of Florida College System Institutions; Changing the name of "Florida Keys Community College" to "The College of the Florida Keys"; changing the name of "North Florida Community College" to "North Florida College", etc. ED 03/12/2019 Favorable AED 04/04/2019 Favorable AP	Favorable Yeas 7 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 Education

BILL: SB 172

INTRODUCER: Senator Bean

SUBJECT: Florida Endowment for Vocational Rehabilitation

DATE: April 3, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Bouck</u>	<u>Sikes</u>	<u>ED</u>	Favorable
2.	<u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Favorable
3.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 172 saves from repeal the Florida Endowment for Vocational Rehabilitation (The Able Trust), which is a direct-support organization for the Division of Vocational Rehabilitation in the Department of Education.

The bill has no impact on state revenues or expenditures.

The bill takes effect upon becoming law.

II. Present Situation:

Citizen Support Organizations and Direct-Support Organizations

Citizen support organizations (CSOs) and direct-support organizations (DSOs) are statutorily created private entities that are generally required to be non-profit corporations and are authorized to carry out specific tasks in support of public entities or public causes. The functions and purpose of a CSO or DSO are prescribed by its enacting statute and, for most, by a written contract with the agency the CSO or DSO was created to support.

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 that are created or authorized pursuant to law or executive order and created, approved, or administered by a state agency.¹ Specifically, the law requires each CSO and DSO to annually submit, by August 1, the following information related to its organization, mission, and finances to the agency it supports:²

¹ Section 3, ch. 2014-96, L.O.F.

² Section 20.058(1), F.S.

- 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 federal Internal Revenue Service (IRS) Return of Organization Exempt from Income Tax form (Form 990).³

Each agency receiving the above information must make the information available to the public through the agency's website. If the CSO or DSO maintains a website, the agency's website must provide a link to the website of the CSO or DSO.⁴ Additionally, any contract between an agency and a CSO or DSO must be contingent upon the CSO or DSO submitting and posting the information.⁵ If a CSO or DSO fails to submit the required information for two consecutive years, the agency must terminate the contract with the CSO or DSO.⁶ The contract must also include a provision for ending operations and returning state-issued funds to the state if the authorizing statute is repealed, the contract is terminated, or the organization is dissolved.⁷

By August 15 of each year, the agency must report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Office of Program Policy Analysis and Government Accountability (OPPAGA) the information provided by the CSO or DSO. The report must also include a recommendation by the agency, with supporting rationale, to continue, terminate, or modify the agency's association with each CSO or DSO.⁸

Finally, a law creating or authorizing the creation of a CSO or DSO must state that the creation or authorization for the CSO or DSO is repealed on October 1 of the fifth year after enactment, unless reviewed and saved from repeal by the Legislature. CSOs and DSOs in existence prior to July 1, 2014, must be reviewed by the Legislature by July 1, 2019.⁹

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.¹⁰ The audit must be conducted by an independent certified public accountant in accordance with rules adopted by the Auditor General and the state agency that created, approved, or administers the CSO or DSO. 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.

³ 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.

⁴ Section 20.058(2), F.S.

⁵ Section 20.058(4), F.S.

⁶ *Id.*

⁷ *Id.*

⁸ Section 20.058(3), F.S.

⁹ Section 20.058(5), F.S.

¹⁰ 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.

In addition, the Auditor General may conduct audits or other engagements of the accounts and records of the CSO or DSO, pursuant to his or her own authority, or at the direction of the Legislative Auditing Committee.¹¹ The Auditor General is authorized to require and receive any records from the CSO or DSO, or its independent auditor.¹²

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. A CSO or DSO may adopt additional or more stringent standards of conduct and disclosure requirements and must conspicuously post its code of ethics on its website.¹³

Division of Vocational Rehabilitation

Vocational Rehabilitation (VR) is a federal-state program that helps people who have physical or mental disabilities get or keep a job. VR is committed to helping people with disabilities find meaningful careers.¹⁴

The Division of Vocational Rehabilitation (DVR) is one of several divisions within the Department of Education (DOE).¹⁵ The DVR is the administrative unit designated at the state level to ensure compliance with the Vocational Rehabilitation Act of 1973, as amended.¹⁶ The DVR's mission is "to help people with disabilities find and maintain employment and enhance their independence."¹⁷

Florida Endowment Foundation for Vocational Rehabilitation

In 1990, the Legislature created the Florida Endowment Foundation for Vocational Rehabilitation (Foundation or The Able Trust¹⁸) as a direct-support organization of the Division within the DOE for the purpose of encouraging public and private support to enhance vocational rehabilitation and employment of citizens who are disabled.¹⁹ The Able Trust endowment fund was created as a long-term, stable, and growing source of revenue to be administered by the Foundation as a direct-support organization of the DVR.²⁰

The Foundation operates under contract with the DVR to exclusively raise funds; submit requests and receive grants from the Federal Government, the state, private foundations, and individuals; and to receive, hold, and administer property.

¹¹ Section 11.45(3)(d), F.S.

¹² *Id.*

¹³ Section 112.3251, F.S.

¹⁴ Florida Division of Vocational Rehabilitation, *Frequently Asked Questions*, <http://www.rehabworks.org/faq.shtml> (last visited Feb. 26, 2019).

¹⁵ Section 20.15(3)(d), F.S.

¹⁶ Section 413.202, F.S.

¹⁷ Florida Division of Vocational Rehabilitation, <http://www.rehabworks.org/> (last visited Feb. 26, 2019).

¹⁸ The Foundation conducts business as The Able Trust. The Able Trust, <http://www.abletrust.org/> (last visited Feb. 26, 2019).

¹⁹ Section 9, ch. 90-330, L.O.F., codified as s. 413.615(5), F.S.

²⁰ Section 413.615(4), F.S.

The authorizing statute for the Foundation is scheduled for repeal October 1, 2019, unless reviewed and reenacted by the Legislature.²¹

Legislative Findings and Recommendations

Senate professional staff reviewed documents related to the Foundation for compliance with accountability and authorizing statutes. The Foundation appears to be substantially in compliance with such statutes. Findings and recommendations are summarized below.

Foundation Compliance with Accountability Requirements

- The Foundation must submit specified information to the Department of Education (DOE) by August 1.²²
Finding: The Foundation submitted the information by the specified deadline.²³
- The DOE must make the information received from the Foundation available to the public through the agency's website. If the Foundation maintains a website, the DOE's website must provide a link to the Foundation's website.²⁴
Finding: The DOE includes a link to The Able Trust on the Division of Vocational Rehabilitation (DVR) webpage, but the required report is only available through the Florida Fiscal Portal.²⁵
Recommendation: Provide a link to the required report²⁶ directly on the DOE website.
- The DOE must report, by August 15 of each year, to the Governor, Legislature, and OPPAGA the information provided by the Foundation. The report must also include a recommendation by the DOE, with supporting rationale, to continue, terminate, or modify the DOE's association with the Foundation.²⁷
Finding: The DOE has complied with the requirement to report this information and include specified information.²⁸
- The contract between the Foundation and the DVR must include a provision for the orderly cessation of operations and reversion to the state of state funds held in trust by the organization within 30 days after its authorizing statute is repealed, the contract is terminated, or the organization is dissolved.²⁹
Finding: The current contract includes a provision regarding the orderly cessation of operations, but does not include the provision regarding reversion of state funds within 30

²¹ Section 413.615(14), F.S.

²² Section 20.058(1), F.S.

²³ Florida Fiscal Portal, Education, *Required Report Pursuant to Chapter 2014-096 Citizen Support and Direct Support Organizations* (Aug. 1, 2017) available at <http://floridafiscalportal.state.fl.us/Document.aspx?ID=18029&DocType=PDF>.

²⁴ Section 20.058(2), F.S.

²⁵ The Florida Fiscal Portal is maintained by the Executive Office of the Governor to house a collection of documents that detail the fiscal status of the State of Florida. Florida Fiscal Portal, <http://floridafiscalportal.state.fl.us/Home.aspx> (last visited Feb. 27, 2019).

²⁶ Florida Fiscal Portal, Education, *Required Report Pursuant to Chapter 2014-096 Citizen Support and Direct Support Organizations* (Aug. 1, 2017) available at <http://floridafiscalportal.state.fl.us/Document.aspx?ID=18029&DocType=PDF>.

²⁷ Section 20.058(3), F.S.

²⁸ Florida Fiscal Portal, Education, *Required Report Pursuant to Chapter 2014-096 Citizen Support and Direct Support Organizations* (Aug. 1, 2017) available at <http://floridafiscalportal.state.fl.us/Document.aspx?ID=18029&DocType=PDF>, at 5.

²⁹ Section 20.058(4), F.S.

days.³⁰ However, a proposed amendment to the contract includes a provision to pay the entire balance of the operating account to the State of Florida within 45 days, unless extended by agreement of both parties.³¹

Recommendation: The contract amendment should be approved and should include a provision specifying 30 days, rather than 45 days, for the reversion of state funds.

- The Foundation's Code of Ethics must be conspicuously posted on the Foundation's website,³² and must address specified standards of conduct.³³

Finding: The Able Trust Code of Ethics is posted and includes required provisions.³⁴

- The Foundation must provide for an annual financial audit of its accounts and records to be conducted by an independent certified public accountant in accordance with rules adopted by the Auditor General and the DOE. The audit report must be submitted within 9 months after the end of the fiscal year to the Auditor General and to the DOE.³⁵

Finding: The Able Trust has provided for an audit for the 2017-2018 fiscal year within the specified timeframe.³⁶

Foundation Compliance with Authorizing Requirements

- The Foundation must separately account for funds received from state sources³⁷ from bequests, gifts, grants, and donations. Earnings on funds received from state sources and funds received from public or private sources must also be accounted for separately.³⁸

Finding: The Able Trust has separately accounted for revenues³⁹ and earnings on funds⁴⁰ between state and private sources.

- The Foundation must have a contract with the DVR, and must:⁴¹
 - Be a Florida corporation not for profit
 - Be organized and operated exclusively to raise funds; to submit requests and receive grants from the Federal Government, the state, private foundations, and individuals; to receive, hold, and administer property; and to make expenditures to or for the benefit of the VR programs approved by the Foundation board of directors.

³⁰ The Able Trust, *Memorandum of Understanding for The Able Trust, IA-865*, available at <http://www.abletrust.org/sites/default/files/media/docs/Memorandum%20Of%20Understanding%20IA-865%20thru%209-30-2020.pdf>, at 3.

³¹ *Email*, The Able Trust (Mar. 8, 2019).

³² Section 112.3251, F.S.

³³ Section 112.313, F.S.

³⁴ The Able Trust, *Ethics Policy* (Dec. 12, 2014), available at <http://www.abletrust.org/sites/default/files/media/docs/Ethics-Policy-12-2014.pdf>; also The Able Trust, *Conflict of Interest Policy* (Sept. 25, 2009), available at <http://www.abletrust.org/sites/default/files/media/docs/Conflict%20of%20Interest%20as%20revised%206-15-2012.pdf>.

³⁵ Section 215.981(1), F.S.

³⁶ Law, Redd, Crona & Munroe, P.A., *The Florida Endowment Foundation for Vocational Rehabilitation, Inc. d/b/a The Able Trust, Financial Statements and Additional Information, Years ended June 30, 2018 and 2017* (Oct. 26, 2018), available at <http://www.abletrust.org/sites/default/files/media/docs/FINAL%20-%202018%20Audited%20Financial%20Statements.pdf>.

³⁷ The ABLE Trust receives state funds only from general revenue for the DOE/DVR High School/High Tech Program. Specific Appropriation 34, ch. 2018-9, L.O.F., appropriates \$549,823 in recurring funds for 2018-2019.

³⁸ Section 413.615(4)(e), F.S.

³⁹ The Able Trust, *2018 Annual Report to Florida*, available at

http://www.abletrust.org/sites/default/files/media/docs/2018%20ANNUAL%20REPORT-web_0.pdf, at 18.

⁴⁰ *Email*, The Able Trust (Mar. 8, 2019). Earnings on public funds and investments from July 1, 2017 through June 30, 2018 were \$1,252,285.57.

⁴¹ Section 413.615(5), F.S.

- Finding: The Able Trust contract with the DVR meets this requirement.⁴²
- The Able Trust contract with the DVR must provide information relating to the articles of incorporation, governance, conditions for expenditures of state revenues, and a reversion of state funds following a cessation of operations.⁴³ In addition, as a part of the contract, the Foundation must submit an annual budget for approval to the DVR, which may not approve such annual budget that does not comply with requirements relating to administrative costs.⁴⁴

Finding: The Able Trust contact with the DVR complies with this requirement.⁴⁵ Additionally, the annual budget for 2017-2018 was approved by the DVR and complies with the requirement that administrative costs be limited to 15 percent of total expenditures.⁴⁶
 - The Foundation must comply with requirements relating to confidential and exempt donor records and client information and exemptions from public meetings at which donor or client information is discussed.⁴⁷

Finding: The Able Trust has ensured that donor confidentiality is respected, and private donations that are confidential and exempt are not included on an agenda for a public meeting.⁴⁸
 - The Foundation is administered by a 9-member board of directors (board) qualified for membership on the board and appointed by the Governor to a 3-year term.⁴⁹

Finding: The composition of the Able Trust board meets this requirement.⁵⁰
 - The Foundation board must monitor, review, and annually evaluate funded programs to determine whether funding should be continued, terminated, reduced, or increased.⁵¹

Finding: The Able Trust board has enacted mechanisms to evaluate funded programs, which include outcome measurement requirements in each grant award contract.⁵²
 - The board is required to limit administrative costs to the minimum amount necessary for the efficient and effective administration of the foundation; such costs are limited to 15 percent

⁴² The Able Trust, *Memorandum of Understanding for The Able Trust, IA-865*, available at <http://www.abletrust.org/sites/default/files/media/docs/Memorandum%20Of%20Understanding%20IA-865%20thru%209-30-2020.pdf>, at 1.

⁴³ Section 413.615(6), F.S.

⁴⁴ Section 413.615(9)(j), F.S.

⁴⁵ The Able Trust, *Memorandum of Understanding for The Able Trust, IA-865*, available at <http://www.abletrust.org/sites/default/files/media/docs/Memorandum%20Of%20Understanding%20IA-865%20thru%209-30-2020.pdf>.

⁴⁶ *Email*, The Able Trust (Mar. 8, 2019). Administrative costs were \$427,742, which was 12% of total expenses.

⁴⁷ Section 413.615(7), F.S.

⁴⁸ The Able Trust, *2018 Annual Report to Florida*, available at http://www.abletrust.org/sites/default/files/media/docs/2018%20ANNUAL%20REPORT-web_0.pdf, at 15. See also, *Email*, The Able Trust (Mar. 8, 2019).

⁴⁹ Section 413.615(8), F.S.

⁵⁰ The Able Trust, *By-Laws* (Adopted Feb. 21, 1991, last amended Sept. 21, 2017), available at http://www.abletrust.org/sites/default/files/media/docs/BY-LAWS-REVISED%2010_6_2017.doc. See also, The Able Trust, *Board of Directors, Officers, & Ambassadors*, <http://www.abletrust.org/about-us/board-directors-officers-and-ambassadors> (last visited Feb. 26, 2019).

⁵¹ Section 413.615(9)(g), F.S.

⁵² The Able Charitable Foundation, *Grant Policy—Process for Grant Requests from The Able Trust* (Nov. 30, 2018), available at <http://www.abletrust.org/sites/default/files/media/images/documents/Able%20Trust-Able%20Charitable%20Grant%20Policy%20-%20final%2011-30-2018.pdf>. The application requires that proposals outline how employment outcomes will be measured up to three years after the grant period has ended. The Able Trust, *Instructions for Application for General Support of Employment Programs Grant* (Dec. 2016), available at <http://www.abletrust.org/sites/default/files/media/docs/GeneralEmploymentPlacementGrantInstructions2017.pdf>, at 2.

of total estimated expenditures in any calendar year. For the 2017-2018 fiscal year, administrative costs may be paid from interest and earnings on the endowment principal.⁵³

Finding: Administrative costs in 2017-2018 were \$427,742, or 12 percent of expenses.⁵⁴ Additionally, for 2017-2018, The Able Trust used interest and dividends to cover operating expenses.⁵⁵

- The Foundation is required to publish on its website:⁵⁶
 - The required annual audit and annual report.
 - For each position filled by an officer or employee, the position's compensation level.
 - A copy of each contract into which the foundation enters.
 - Information on each program, gift, or grant funded by the foundation, including specified information.
 - The foundation's contract with the DVR.

Finding: The Foundation has posted its annual audit,⁵⁷ the annual report,⁵⁸ compensation policy⁵⁹ and officer compensation,⁶⁰ contracts,⁶¹ grant information,⁶² and the Foundation's contract.⁶³

- The Foundation board must establish an operating account,⁶⁴ which must provide for purposes specified in law.⁶⁵

Finding: The Foundation board has established an operating account. For 2017-2018, The Able Trust used interest and dividends to cover operating expenses.⁶⁶

⁵³ Section 413.615(9)(j), F.S. In subsequent years administrative costs may be paid from a specified combination of interest and earnings and private fund sources, until 2020-2021 and thereafter when costs may be paid from private sources only. *Id.*

⁵⁴ The Able Trust, *2018 Annual Report to Florida*, available at

http://www.abletrust.org/sites/default/files/media/docs/2018%20ANNUAL%20REPORT-web_0.pdf, at 20. Total expenses were \$3,686,905.

⁵⁵ Law, Redd, Crona & Munroe, P.A., *The Florida Endowment Foundation for Vocational Rehabilitation, Inc. d/b/a The Able Trust, Financial Statements and Additional Information, Years ended June 30, 2018 and 2017* (Oct. 26, 2018), available at <http://www.abletrust.org/sites/default/files/media/docs/FINAL%20-%202018%20Audited%20Financial%20Statements.pdf>, at 5.

⁵⁶ Section 413.615(9)(k), F.S.

⁵⁷ Law, Redd, Crona & Munroe, P.A., *The Florida Endowment Foundation for Vocational Rehabilitation, Inc. d/b/a The Able Trust, Financial Statements and Additional Information, Years ended June 30, 2018 and 2017* (Oct. 26, 2018), available at <http://www.abletrust.org/sites/default/files/media/docs/FINAL%20-%202018%20Audited%20Financial%20Statements.pdf>.

⁵⁸ The Able Trust, *2018 Annual Report to Florida*, available at

http://www.abletrust.org/sites/default/files/media/docs/2018%20ANNUAL%20REPORT-web_0.pdf.

⁵⁹ The Able Trust, *Compensation Policy: Officers and Directors* (June 15, 2012), available at

<http://www.abletrust.org/sites/default/files/media/docs/Compensation-Policy-Revisions-6-15-2012-Current-7-29-14.pdf>.

⁶⁰ The Able Trust, *Salary Posting*, <http://www.abletrust.org/node/212> (last visited Feb. 26, 2019).

⁶¹ The Able Trust, *Other Contracts*, <http://www.abletrust.org/about-us/other-contracts> (last visited Feb. 26, 2019).

⁶² The Able Trust, *Grant Award Contracts*, <http://www.abletrust.org/about-us/grant-award-contracts> (last visited Feb. 26, 2019).

⁶³ The Able Trust, *Memorandum of Understanding for The Able Trust, IA-865*, available at

<http://www.abletrust.org/sites/default/files/media/docs/Memorandum%20Of%20Understanding%20IA-865%20thru%209-30-2020.pdf>.

⁶⁴ The Able Trust board of directors is required to establish an operating account to deposit non-principal funds from investment and reinvestment transmitted from the State Board of Administration. Section 413.615(4)(d), F.S.

⁶⁵ Section 413.615(10), F.S.

⁶⁶ *Email*, The Able Trust (Mar. 8, 2019). See also Law, Redd, Crona & Munroe, P.A., *The Florida Endowment Foundation for Vocational Rehabilitation, Inc. d/b/a The Able Trust, Financial Statements and Additional Information, Years ended June 30, 2018 and 2017* (Oct. 26, 2018), available at <http://www.abletrust.org/sites/default/files/media/docs/FINAL%20-%202018%20Audited%20Financial%20Statements.pdf>, at 5.

- Any allocation of funds for research, advertising, or consulting is subject to a competitive solicitation process.⁶⁷
Finding: The Able Trust policy regarding competitive bidding is to require that purchases over \$2,500 must be subject to competitive bidding. Amounts under \$2,500 may also be subject to competitive bidding.⁶⁸
- State funds may not be used to fund events for private sector donors or potential donors or to honor supporters.⁶⁹
Finding: The Able Trust does not use state funds to fund events for private donors or potential donors. Donor recognition may occur at events for other programs, but private funds cover those expenses.⁷⁰
- The Foundation board must provide for an annual financial audit of the foundation in accordance with Florida law.⁷¹ The auditor's report must maintain the anonymity of donors and prospective donors who desire to remain anonymous.⁷²
Finding: The Foundation board provided for an audit for the 2017-2018 fiscal year, which does not contain specific donor information.⁷³
- The Foundation board must issue a report by December 30 each year summarizing the performance of the endowment fund for the previous fiscal year. The report must summarize the Foundation's fundraising activities, and detail those activities and programs supported by the endowment principal or earnings on the endowment principal and those activities and programs supported by private sources, bequests, gifts, grants, donations, and other valued goods and services received. The report must also include:⁷⁴
 - Financial data, by service type, including expenditures for administration and the provision of services.
 - The amount of funds spent on administrative expenses and fundraising and the amount of funds raised from private sources.
 - Outcome data, including the number of individuals served and employment outcomes.
Finding: The Foundation issued its annual report in the required timeframe.⁷⁵ The annual report includes financial data related to administration and expenditures,⁷⁶ fundraising,⁷⁷ program outcomes, and⁷⁸ programs supported by endowment principal or earnings and those supported by private sources.⁷⁹

⁶⁷ Section 413.615(10), F.S.

⁶⁸ *Email*, The Able Trust (Mar. 8, 2019).

⁶⁹ Section 413.615(10), F.S.

⁷⁰ *Email*, The Able Trust (Mar. 8, 2019).

⁷¹ Section 215.981, F.S.

⁷² Section 413.615(11), F.S.

⁷³ Law, Redd, Crona & Munroe, P.A., *The Florida Endowment Foundation for Vocational Rehabilitation, Inc. d/b/a The Able Trust, Financial Statements and Additional Information, Years ended June 30, 2018 and 2017* (Oct. 26, 2018), available at <http://www.abletrust.org/sites/default/files/media/docs/FINAL%20-%202018%20Audited%20Financial%20Statements.pdf>.

⁷⁴ Section 413.615(12), F.S.

⁷⁵ The Able Trust, *2018 Annual Report to Florida*, available at

http://www.abletrust.org/sites/default/files/media/docs/2018%20ANNUAL%20REPORT-web_0.pdf.

⁷⁶ *Id.* at 20.

⁷⁷ *Id.* at 14.

⁷⁸ *Id.* at 3, 10, and 11.

⁷⁹ *Id.* at 20. *See also Email*, The Able Trust (Mar. 8, 2019).

III. Effect of Proposed Changes:

The bill saves from repeal the Florida Endowment for Vocational Rehabilitation (The Able Trust). This removal of the repeal date will provide for the continuation of programs administered by The Able Trust, which include, but are not limited to, the following programs.

Youth Program

The Able Trust High School High Tech (HSHT) program is designed to provide high school students with all types of disabilities the opportunity to explore jobs or postsecondary education leading to technology-related careers. HSHT links youth to a broad range of academic, career development, and experiential resources and experiences that will enable them to meet the demands of the 21st century workforce.

During the 2017-2018 school year, HSHT served 1,336 students with disabilities in 40 Florida counties. 533 students participated in work experiences paid through a stipend by the employer, the HSHT program site, the local Career Source, Vocational Rehabilitation, or community grant provider. 307 HSHT students graduated in 2018. The HSHT program achieved a graduation rate of greater than 99 percent of all participating seniors.⁸⁰ The current cost to the state for the HSHT program is \$275 per student, which covers approximately one-third of the total program costs.⁸¹

Grant Program

The Able Trust awarded 78 grants in 2018, totaling \$2,072,119.⁸² The Able Trust works with community organizations throughout the state to help Floridians with disabilities gain employment. During any annual period, there are 60 – 70 grant contracts in effect. Several of the current grants are long-term, strategic grants designed to assist organizations and institutions of higher learning to develop education and placement programs for Floridians with disabilities who pursue postsecondary education. No annual legislative appropriations are used in these strategic grant initiatives.⁸³

Work Experiences and Relationships with the Business Community

Over the past nine years, The Able Trust has worked to develop relationships with businesses around the state. The Able Trust works with the Florida Chamber of Commerce Foundation, and maintains communication regarding the value of providing work experiences such as internships, job shadowing and mentoring partnerships with the business community. In addition, the Disability Employment Awareness (DEAM) program, for which The Able Trust serves as the lead agency, connects approximately 3,000 businesses and young job seekers together annually, in job shadowing and mentoring experiences. The DEAM program is totally funded by private donations, through the fundraising efforts of The Able Trust.⁸⁴

⁸⁰ The Able Trust, *2018 Annual Report to Florida*, available at http://www.abletrust.org/sites/default/files/media/docs/2018%20ANNUAL%20REPORT-web_0.pdf, at 10.

⁸¹ Florida Department of Education, *2019 Agency Bill Analysis, Senate Bill 172* (Jan. 8, 2019), at 2.

⁸² The Able Trust, *2018 Annual Report to Florida*, available at http://www.abletrust.org/sites/default/files/media/docs/2018%20ANNUAL%20REPORT-web_0.pdf, at 12.

⁸³ Florida Department of Education, *2019 Agency Bill Analysis, Senate Bill 172* (Jan. 8, 2019), at 3.

⁸⁴ *Id.* at 3.

Independent Research

The Able Trust uses private sources to fund independent research. Research is conducted to obtain information on program outcomes, to update data on the perceptions of the business community on the inclusion of people with disabilities in its workforce, to learn ways to address barriers and to inform the general public on the employability of such workers. Continuing to collect data and update such information is integral to improving the employment rate for people with disabilities, as it is the basis for effective communications on the recruiting, hiring, training and retaining of those workers.⁸⁵

Communication

The Able Trust sponsors a communication campaign every year to address misperceptions of the skills and talents of people with disabilities. Communications include targeting businesses, community leaders, and policy makers using print, electronic, and in-person presentations.⁸⁶

Direct Support to the Division of Vocational Rehabilitation

The Able Trust currently provides direct support (approximately \$48,000 per year) on behalf of the DVR through:

- Seven full-day annual training events designed to enhance staff skills and increase employment for VR customers.
- Promotional and outreach materials for VR distributed throughout the year at community outreach events that advance VR's mission.

The bill takes effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

⁸⁵ Florida Department of Education, *2019 Agency Bill Analysis, Senate Bill 172* (Jan. 8, 2019), at 3.

⁸⁶ *Id.*

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

By extending the repeal date of the direct-support organization, this bill will sustain a source of financial and other direct assistance for individuals who are disabled.

C. Government Sector Impact:

The bill has no impact on state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 413.615 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

By Senator Bean

4-00608-19

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1 A bill to be entitled
 2 An act relating to the Florida Endowment for
 3 Vocational Rehabilitation; amending s. 413.615, F.S.;
 4 abrogating the future repeal of provisions relating to
 5 the Florida Endowment for Vocational Rehabilitation;
 6 providing an effective date.
 7
 8 Be It Enacted by the Legislature of the State of Florida:
 9
 10 Section 1. Subsection (14) of section 413.615, Florida
 11 Statutes, is amended, and subsections (1) through (13) of that
 12 section are republished, to read:
 13 413.615 Florida Endowment for Vocational Rehabilitation.—
 14 (1) SHORT TITLE.—This section may be cited as the “Florida
 15 Endowment for Vocational Rehabilitation Act.”
 16 (2) DEFINITIONS.—For the purposes of this section:
 17 (a) “Board” means the board of directors of the Florida
 18 Endowment Foundation for Vocational Rehabilitation.
 19 (b) “Endowment fund” means an account established within
 20 the Florida Endowment Foundation for Vocational Rehabilitation
 21 to provide a continuing and growing source of revenue for
 22 vocational rehabilitation efforts.
 23 (c) “Foundation” means the Florida Endowment Foundation for
 24 Vocational Rehabilitation.
 25 (d) “Operating account” means an account established under
 26 paragraph (4) (d) to carry out the purposes provided in
 27 subsection (10).
 28 (3) LEGISLATIVE INTENT.—The Legislature recognizes that it
 29 is in the best interest of the citizens of this state that

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30 citizens with disabilities be afforded a fair opportunity to
 31 become self-supporting, productive members of society. However,
 32 there is a critical need for significant additional funding to
 33 achieve this goal. Accordingly, the Legislature further finds
 34 and declares that:
 35 (a) With skilled evaluation procedures and proper
 36 rehabilitative treatment, plus employment, training, and
 37 supportive services consistent with the needs of the individual,
 38 persons who are disabled can assume the activities of daily
 39 living and join their communities with dignity and independence.
 40 (b) The purpose of this section is to broaden the
 41 participation and funding potential for further significant
 42 support for the rehabilitation of Florida citizens who are
 43 disabled.
 44 (c) It is appropriate to encourage individual and corporate
 45 support and involvement, as well as state support and
 46 involvement, to promote employment opportunities for disabled
 47 citizens.
 48 (4) REVENUE FOR THE ENDOWMENT FUND.—
 49 (a) The endowment fund of the Florida Endowment for
 50 Vocational Rehabilitation is created as a long-term, stable, and
 51 growing source of revenue to be administered, in accordance with
 52 rules promulgated by the division, by the foundation as a
 53 direct-support organization of the division.
 54 (b) The principal of the endowment fund shall derive from
 55 any legislative appropriations which may be made to the
 56 endowment, and such bequests, gifts, grants, and donations as
 57 may be solicited for such purpose by the foundation from public
 58 or private sources.

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59 (c) All remaining liquid balances of funds held for
60 investment and reinvestment by the State Board of Administration
61 for the endowment fund on the effective date of this act shall
62 be transmitted to the foundation within 60 days for use as
63 provided in subsection (10).

64 (d) The board of directors of the foundation shall
65 establish the operating account and shall deposit therein the
66 moneys transmitted pursuant to paragraph (c). Moneys in the
67 operating account shall be available to carry out the purposes
68 of subsection (10).

69 (e) Funds received from state sources shall be accounted
70 for separately from bequests, gifts, grants, and donations which
71 may be solicited for such purposes by the foundation from public
72 or private sources. Earnings on funds received from state
73 sources and funds received from public or private sources shall
74 be accounted for separately.

75 (5) THE FLORIDA ENDOWMENT FOUNDATION FOR VOCATIONAL
76 REHABILITATION.—The Florida Endowment Foundation for Vocational
77 Rehabilitation is hereby created as a direct-support
78 organization of the Division of Vocational Rehabilitation, to
79 encourage public and private support to enhance vocational
80 rehabilitation and employment of citizens who are disabled. As a
81 direct-support organization, the foundation shall operate under
82 contract with the division and shall:

83 (a) Be a Florida corporation not for profit incorporated
84 under the provisions of chapter 617 and approved by the
85 Department of State.

86 (b) Be organized and operated exclusively to raise funds;
87 to submit requests and receive grants from the Federal

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88 Government, the state, private foundations, and individuals; to
89 receive, hold, and administer property; and to make expenditures
90 to or for the benefit of the rehabilitation programs approved by
91 the board of directors of the foundation.

92 (c) Be approved by the division to be operating for the
93 benefit and best interest of the state.

94 (6) DIRECT-SUPPORT ORGANIZATION CONTRACT.—The contract
95 between the foundation and the division shall provide for:

96 (a) Approval of the articles of incorporation of the
97 foundation by the division.

98 (b) Governance of the foundation by a board of directors
99 appointed by the Governor.

100 (c) Submission of an annual budget of the foundation for
101 approval by the division. The division may not approve an annual
102 budget that does not comply with paragraph (9)(j).

103 (d) Certification by the division, after an annual
104 financial and performance review, that the foundation is
105 operating in compliance with the terms of the contract and the
106 rules of the division, and in a manner consistent with the goals
107 of the Legislature in providing assistance to disabled citizens.

108 (e) The release and conditions of the expenditure of any
109 state revenues.

110 (f) The orderly cessation of operations and reversion to
111 the state of funds held in trust by the foundation if the
112 contract is terminated, the foundation is dissolved, or this
113 section is repealed.

114 (g) The fiscal year of the foundation, to begin on July 1
115 and end on June 30 of each year.

116 (7) CONFIDENTIALITY.—

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117 (a) The identity of a donor or prospective donor to the
 118 Florida Endowment Foundation for Vocational Rehabilitation who
 119 desires to remain anonymous and all information identifying such
 120 donor or prospective donor are confidential and exempt from the
 121 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 122 Constitution. Portions of meetings of the Florida Endowment
 123 Foundation for Vocational Rehabilitation during which the
 124 identity of donors or prospective donors is discussed are exempt
 125 from the provisions of s. 286.011 and s. 24(b), Art. I of the
 126 State Constitution.

127 (b) Records relating to clients of or applicants to the
 128 Division of Vocational Rehabilitation that come into the
 129 possession of the foundation and that are confidential by other
 130 provisions of law are confidential and exempt from the
 131 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 132 Constitution, and may not be released by the foundation.
 133 Portions of meetings of the Florida Endowment Foundation for
 134 Vocational Rehabilitation during which the identities of such
 135 clients of or applicants to the Division of Vocational
 136 Rehabilitation are discussed are exempt from the provisions of
 137 s. 286.011 and s. 24(b), Art. I of the State Constitution.

138 (8) BOARD OF DIRECTORS.—The foundation shall be
 139 administered by a board of directors, as follows:

140 (a) *Membership*.—The board of directors shall consist of
 141 nine members who have an interest in service to persons with
 142 disabilities and who:

143 1. Have skills in foundation work or other fundraising
 144 activities, financial consulting, or investment banking or other
 145 related experience; or

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146 2. Have experience in policymaking or management-level
 147 positions or have otherwise distinguished themselves in the
 148 field of business, industry, or rehabilitation.
 149

150 Disabled individuals who meet the above criteria shall be given
 151 special consideration for appointment.

152 (b) *Appointment*.—The board members shall be appointed by
 153 the Governor.

154 (c) *Terms*.—Board members shall serve for 3-year terms or
 155 until resignation or removal for cause.

156 (d) *Filling of vacancies*.—In the event of a vacancy on the
 157 board caused by other than the expiration of a term, a new
 158 member shall be appointed.

159 (e) *Removal for cause*.—Each member is accountable to the
 160 Governor for the proper performance of the duties of office. The
 161 Governor may remove any member from office for malfeasance,
 162 misfeasance, neglect of duty, incompetence, or permanent
 163 inability to perform official duties or for pleading nolo
 164 contendere to, or being found guilty of, a crime.

165 (9) ORGANIZATION, POWERS, AND DUTIES.—Within the limits
 166 prescribed in this section or by rule of the division:

167 (a) Upon appointment, the board shall meet and organize.
 168 Thereafter, the board shall hold such meetings as are necessary
 169 to implement the provisions of this section and shall conduct
 170 its business in accordance with rules promulgated by the
 171 division.

172 (b) The board may solicit and receive bequests, gifts,
 173 grants, donations, goods, and services. Where gifts are
 174 restricted as to purpose, they may be used only for the purpose

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175 or purposes stated by the donor. The board may transmit monetary
176 gifts to the State Board of Administration for deposit in the
177 endowment fund principal.

178 (c) The board may enter into contracts with the Federal
179 Government, state or local agencies, private entities, or
180 individuals to carry out the purposes of this section.

181 (d) The board may identify, initiate, and fund new and
182 creative programs to carry out the purposes of this section,
183 utilizing existing organizations, associations, and agencies to
184 carry out such rehabilitation programs and purposes wherever
185 possible.

186 (e) The board may make gifts or grants:

187 1. To the State of Florida or any political subdivision
188 thereof, or any public agency of state or local government.

189 2. To a corporation, trust, association, or foundation
190 organized and operated exclusively for charitable, educational,
191 or scientific purposes.

192 3. To any citizen who has a documented disability.

193 4. To the division for purposes of program recognition and
194 marketing, public relations and education, professional
195 development, and technical assistance and workshops for grant
196 applicants and recipients, the business community, and
197 individuals with disabilities or recognized groups organized on
198 their behalf.

199 (f) The board may advertise and solicit applications for
200 funding and shall evaluate applications and program proposals
201 submitted thereto. Funding shall be awarded only where the
202 evaluation is positive and the proposal meets both the
203 guidelines for use established in subsection (10) and such

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204 evaluation criteria as the division may prescribe by rule.

205 (g) The board shall monitor, review, and annually evaluate
206 funded programs to determine whether funding should be
207 continued, terminated, reduced, or increased.

208 (h) The board shall establish an operating account as
209 provided in paragraph (4) (d).

210 (i) The board may take such additional actions, including
211 the hiring of necessary staff, as are deemed necessary and
212 appropriate to administer this section, subject to rules of the
213 division.

214 (j) Administrative costs shall be kept to the minimum
215 amount necessary for the efficient and effective administration
216 of the foundation and are limited to 15 percent of total
217 estimated expenditures in any calendar year. Administrative
218 costs include payment of travel and per diem expenses of board
219 members, officer salaries, chief executive officer program
220 management, audits, salaries or other costs for nonofficers and
221 contractors providing services that are not directly related to
222 the mission of the foundation as described in subsection (5),
223 costs of promoting the purposes of the foundation, and other
224 allowable costs. Administrative costs may be paid from the
225 following sources:

226 1. Interest and earnings on the endowment principal for the
227 2017-2018 fiscal year.

228 2. Private sources and up to 75 percent of interest and
229 earnings on the endowment principal for the 2018-2019 fiscal
230 year.

231 3. Private sources and up to 50 percent of interest and
232 earnings on the endowment principal for the 2019-2020 fiscal

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233 year.

234 4. Private sources and up to 25 percent of interest and
235 earnings on the endowment principal for the 2020-2021 fiscal
236 year.

237 5. Solely private sources for the 2021-2022 fiscal year and
238 thereafter.

239 (k) The foundation shall publish on its website:

240 1. The annual audit required by subsection (11) and the
241 annual report required by subsection (12).

242 2. For each position filled by an officer or employee, the
243 position's compensation level.

244 3. A copy of each contract into which the foundation
245 enters.

246 4. Information on each program, gift, or grant funded by
247 the foundation, including:

248 a. Projected economic benefits at the time of the initial
249 award date.

250 b. Information describing the program, gift, or grant
251 funded.

252 c. The geographic area impacted.

253 d. Any matching, in-kind support or other support.

254 e. The expected duration.

255 f. Evaluation criteria.

256 5. The foundation's contract with the division required by
257 subsection (6).

258 (10) DISTRIBUTION OF MONEYS.—The board shall use the moneys
259 in the operating account, by whatever means, to provide for:

260 (a) Planning, research, and policy development for issues
261 related to the employment and training of disabled citizens, and

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262 publication and dissemination of such information as may serve
263 the objectives of this section.

264 (b) Promotion of initiatives for disabled citizens.

265 (c) Funding of programs which engage in, contract for,
266 foster, finance, or aid in job training and counseling for
267 disabled citizens or research, education, demonstration, or
268 other activities related thereto.

269 (d) Funding of programs which engage in, contract for,
270 foster, finance, or aid in activities designed to advance better
271 public understanding and appreciation of the field of vocational
272 rehabilitation.

273 (e) Funding of programs, property, or facilities which aid,
274 strengthen, and extend in any proper and useful manner the
275 objectives, work, services, and physical facilities of the
276 division, in accordance with the purposes of this section.

277
278 Any allocation of funds for research, advertising, or consulting
279 shall be subject to a competitive solicitation process. State
280 funds may not be used to fund events for private sector donors
281 or potential donors or to honor supporters.

282 (11) ANNUAL AUDIT.—The board shall provide for an annual
283 financial audit of the foundation in accordance with s. 215.981.
284 The identities of donors and prospective donors who desire to
285 remain anonymous shall be protected, and that anonymity shall be
286 maintained in the auditor's report.

287 (12) ANNUAL REPORT.—The board shall issue a report to the
288 Governor, the President of the Senate, the Speaker of the House
289 of Representatives, and the Commissioner of Education by
290 December 30 each year summarizing the performance of the

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291 endowment fund for the previous fiscal year, summarizing the
292 foundation's fundraising activities and performance, and
293 detailing those activities and programs supported by the
294 endowment principal or earnings on the endowment principal and
295 those activities and programs supported by private sources,
296 bequests, gifts, grants, donations, and other valued goods and
297 services received. The report shall also include:

298 (a) Financial data, by service type, including expenditures
299 for administration and the provision of services.

300 (b) The amount of funds spent on administrative expenses
301 and fundraising and the amount of funds raised from private
302 sources.

303 (c) Outcome data, including the number of individuals
304 served and employment outcomes.

305 (13) RULES.—The division shall promulgate rules for the
306 implementation of this section.

307 ~~(14) REPEAL.—This section is repealed October 1, 2019,~~
308 ~~unless reviewed and saved from repeal by the Legislature.~~

309 Section 2. 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)

4/4/19

Meeting Date

172

Bill Number (if applicable)

Topic SB172

Amendment Barcode (if applicable)

Name SUE HOMANT

Job Title PRESIDENT/CEO

Address 3320 THOMASVILLE RD, #200

Phone 850-374-4493

City TALLAHASSEE State Zip

Email SUSAN@ABLETRUST.ORG

Speaking: For Against Information

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

Representing THE ABLE TRUST

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)

9/4/2019
Meeting Date

172
Bill Number (if applicable)

Topic Florida Endowment for Vocational Rehabilitation Amendment Barcode (if applicable)

Name Melanie Bostick

Job Title _____

Address P. O. Box 390
Street

Phone (850) 891-1726

Tallahassee FL 32302
City State Zip

Email _____

Speaking: For Against Information

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

Representing Jobs For Florida's Graduates

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)

4/4/2019

Meeting Date

172

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name BRIAN PITTS

Job Title Trustee

Address 1119 Newton Ave S

Phone 727/897-9291

Street

1119 St Petersburg

FL

33705

Email justicedjesus@yahoo.com

City

State

Zip

Speaking: For Against Information

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

Representing Justice-2-Jesus

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 Kelli Stargel, Chair
Appropriations Subcommittee on Education

Subject: Committee Agenda Request

Date: March 13, 2019

I respectfully request that **Senate Bill # 172**, relating to Florida Endowment for Vocational Rehabilitation, be placed on the:

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

A handwritten signature in blue ink that reads "Aaron Bean".

Senator Aaron Bean
Florida Senate, District 4

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

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

BILL: PCS/CS/SB 226 (568896)

INTRODUCER: Appropriations Subcommittee on Education; Education Committee and Senator Brandes

SUBJECT: Mastery-based Education

DATE: April 3, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Bouck</u>	<u>Sikes</u>	<u>ED</u>	Fav/CS
2.	<u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Fav/CS
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 226 renames the Competency-Based Education Pilot Program as the Mastery-Based Education Program (mastery-based program) and:

- Expands participation in the mastery-based program to all school districts and developmental research schools.
- Authorizes district school boards and developmental research schools participating in the mastery-based program to:
 - Determine and award credit based on student’s mastery of core content and skills but requires such school districts and developmental research schools to amend their student progression plans accordingly.
 - Use an alternative interpretation of letter grades to measure student success in grades 6-12 but requires such school districts and developmental research schools to continue to use a 4-point scale for calculating a student’s grade point average.
- Requires the statewide articulation agreement to ensure fair and equitable access for students who earn high school credit through a mastery-based education program and graduate with a standard high school diploma.

The bill has no impact on state revenues or expenditures.

The bill takes effect July 1, 2019.

II. Present Situation:

Competency-Based Education Pilot Program

In 2016¹, the Legislature created the Competency-Based Education Pilot Program (pilot program) within the Department of Education (DOE) to be administered for a period of five years, beginning with the 2016-2017 school year.² The purpose of the pilot program is to provide an educational environment that allows students to advance to higher levels of learning upon the mastery of concepts and skills through statutory exemptions relating to student progression and the awarding of credits.³

The Lake, Palm Beach, Pinellas, and Seminole County School Districts and the P.K. Yonge Developmental Research School may submit an application in a format prescribed by the DOE to participate in the pilot program.⁴

The application to participate in the pilot program must, at a minimum, include:⁵

- The vision and timelines for the implementation of competency-based education within the school district, including a list of the schools that will participate in the pilot program during the first school year and the list of schools that will be integrated into the program in subsequent school years.
- The annual goals and performance outcomes, specified in law, for participating schools.
- A communication plan for parents and other stakeholders, including local businesses and community members.
- The scope of and timelines for professional development for school instructional and administrative personnel.
- A plan for student progression based on the mastery of content, including mechanisms that determine and ensure that a student has satisfied the requirements for grade-level promotion and content mastery.
- A plan for using technology and digital and blended learning to enhance student achievement and facilitate the competency-based education system.
- The proposed allocation of resources for the pilot program at the school and district levels.
- The recruitment and selection of participating schools.
- The rules to be waived for participating schools to implement the pilot program.⁶

¹ Section 1, ch. 2016-149, L.O.F.

² Section 1003.4996, F.S.

³ *Id.*

⁴ Section 1003.4996(1), F.S. The P.K. Yonge Developmental Research School is a public school affiliated with the University of Florida. P.K. Yonge Developmental Research School at the University of Florida, <https://pk Yonge.ufl.edu/> (last visited Mar. 5, 2019).

⁵ Section 1003.4996(2), F.S.

⁶ To facilitate innovative practices and to allow local selection of educational methods, the State Board of Education (SBE) may authorize the commissioner to waive, upon the request of a district school board, SBE rules that relate to district school instruction and school operations, except those rules pertaining to civil rights, and student health, safety, and welfare. Section 1001.10(3), F.S. The SBE may authorize the commissioner to grant an additional waiver of rules relating to student progression and the awarding of credits. Section 1003.4996(2)(i), F.S.

Three of the four eligible school districts and the P.K. Yonge Developmental Research School chose to participate in the pilot program during the 2017-2018 school year.⁷ The Lake County School District participated in the pilot program in 2016-2017 but decided to pause its participation in the pilot as of the 2017-2018 school year.⁸

Definition of Credit

For the purposes of requirements for high school graduation, one full credit means a minimum of 135 hours of bona fide instruction in a designated course of study that contains student performance standards, except as otherwise provided through the Credit Acceleration Program.⁹ For a district school that has been authorized to implement block scheduling by the district school board, one full credit means a minimum of 120 hours of bona fide instruction in a designated course of study that contains student performance standards for purposes of meeting high school graduation requirements.¹⁰

The State Board of Education (SBE) is required to determine the number of postsecondary credit hours earned through dual enrollment¹¹ that satisfy the requirements of a dual enrollment articulation agreement¹² and that equal one full credit of the equivalent high school course.¹³

Middle and High School Grading System

The grading system and interpretation of letter grades used to measure public school student success in grade 6 through grade 12 courses is as follows:¹⁴

- Grade “A” equals 90 percent through 100 percent, has a grade point average value of 4, and is defined as “outstanding progress.”
- Grade “B” equals 80 percent through 89 percent, has a grade point average value of 3, and is defined as “above average progress.”
- Grade “C” equals 70 percent through 79 percent, has a grade point average value of 2, and is defined as “average progress.”
- Grade “D” equals 60 percent through 69 percent, has a grade point average value of 1, and is defined as “lowest acceptable progress.”
- Grade “F” equals zero percent through 59 percent, has a grade point average value of zero, and is defined as “failure.”

⁷ Florida Department of Education, *Competency-Based Education Pilot Program, 2017-18 Annual Report* (June 1, 2018), available at <http://www.fldoe.org/core/fileparse.php/7749/urlt/CBPP-Report.pdf>.

⁸ *Id.* at 11.

⁹ Section 1003.436(1), F.S. The Credit Acceleration Program allows a student to earn high school credit in courses required for high school graduation through passage of an end-of-course assessment, an Advanced Placement Examination, or a College Level Examination Program. Section 1003.4295(3), F.S.

¹⁰ Section 1003.436(1), F.S.

¹¹ The dual enrollment program is the enrollment of an eligible secondary student or home education student in a postsecondary course creditable toward high school completion and a career certificate or an associate or baccalaureate degree. Section 1007.271, F.S.

¹² The dual enrollment articulation agreement between a school district and public postsecondary institution must delineate the high school credit earned for passage of each dual enrollment course. Section 1007.271(21)(f), F.S.

¹³ Section 1003.436(1), F.S. The Commissioner of Education must recommend to the SBE postsecondary courses that meet high school graduation requirements and the number of postsecondary semester credit hours of instruction and equivalent high school credits that are necessary to meet high school graduation requirements. Section 1007.271(9), F.S.

¹⁴ Section 1003.437, F.S.

- Grade “I” equals zero percent, has a grade point average value of zero, and is defined as “incomplete.”

For the purposes of class ranking, district school boards may use a weighted grading system.¹⁵

Developmental Research Schools

Developmental research (laboratory) schools are public schools affiliated with colleges of education within state universities for the conduct of research, demonstration, and evaluation regarding management, teaching, and learning.¹⁶

The president of the university or the president’s designee is considered the district school board only for the purpose of school improvement and education accountability.¹⁷ In addition, developmental research schools are designated as special school districts for the purpose of funding and facilities.¹⁸

Statewide Articulation Agreement

The SBE and the Board of Governors of the State University System are required to enter into a statewide articulation agreement, which must preserve Florida’s “2+2” system of articulation, facilitate the seamless articulation of student credit across and among Florida’s educational entities, and govern, among other provisions, articulation between secondary and postsecondary education.¹⁹

III. Effect of Proposed Changes:

The bill renames the Competency-Based Education Pilot Program as the Mastery-Based Education Program (mastery-based program) and:

- Expands participation in the mastery-based program to all school districts and developmental research schools.
- Authorizes district school boards and developmental research schools participating in the mastery-based program to:
 - Determine and award credit based on student’s mastery of core content and skills, but requires such school districts and developmental research schools to amend its student progression plans accordingly.
 - Use an alternative interpretation of letter grades to measure student success in grades

¹⁵ Section 1003.437, F.S. School districts and Florida College System institutions must weigh dual enrollment courses the same as advanced placement, International Baccalaureate, and Advanced International Certificate of Education courses when grade point averages are calculated. Alternative grade calculation systems, alternative grade weighting systems, and information regarding student education options that discriminate against dual enrollment courses are prohibited. Section 1007.271(18), F.S.

¹⁶ Section 1002.32(2) and (3), F.S. Currently Florida A&M University, Florida Atlantic University, Florida State University, and the University of Florida operate developmental research schools. Florida Department of Education, *Public Schools/Districts*, https://web03.fldoe.org/Schools/schoolmap_text.asp (last visited Mar. 12, 2019).

¹⁷ Section 1002.32(10)(b), F.S.

¹⁸ Section 1011.24, F.S.

¹⁹ Section 1007.23(1), F.S.

- 6-12, but requires such school districts and schools to continue to use a 4-point scale for calculating a student's grade point average (GPA).
- Requires the statewide articulation agreement to ensure fair and equitable access for students who have earned high school credit through a mastery-based education program and graduate with a standard high school diploma.

Mastery-Based Education Program

The bill expands participation in the program to include all public school districts and developmental research schools established in law.²⁰

The bill authorizes that, beginning in the 2019-2020 school year, participating school districts and developmental research schools may amend their applications to include alternatives for:

- Awarding credit, which must include a verification of the student's mastery of the applicable course content using rigorous scoring rubrics to evaluate the student's work. The bill requires that a participating school district and developmental research schools must update its student progression plan accordingly.
- The interpretation of middle school and high school letter grades, which may substitute the applicable language from the school district's rigorous scoring rubric. The bill requires that participating school districts and developmental research schools must continue to use the 4-point scale established in law for calculating a student's GPA.

The bill requires the district school board or developmental research school governing authority, as applicable, to approve any applications that amended to include such provisions.

Definition of Credit

The bill authorizes district school boards and developmental research schools participating in the mastery-based program to determine and award credit based on a student's mastery of the core content and skills, consistent with the Next Generation Sunshine State Standards,²¹ as approved by the district school board or governing authority of the developmental research school, as applicable. The bill may allow a student to progress more rapidly by completing course competencies without the requirement to meet the minimum hours of instruction.

Middle and High School Grading System

The bill authorizes district school boards and developmental research schools participating in the mastery-based program to use an alternative interpretation of letter grades to measure student success in grade 6 through grade 12.

The bill, however, requires the school board and developmental research schools that use an alternative interpretation of letter grades to continue to use the 4-point scale established in law

²⁰ Section 1002.32, F.S.

²¹ The Next Generation Sunshine State Standards establish the core content of the curricula to be taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Standards must be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student's core content knowledge and skills over time. Section 1003.41(1), F.S.

for calculating a student's GPA. Pinellas County, Seminole County, and the P.K. Yonge Developmental Research School have implemented a competency-based education program at the secondary level.²² Participating schools have implemented standards-based grading²³ in classes, but each school has indicated that students continue to receive letter grades in classes and a cumulative GPA based on a 4-point scale.²⁴

Statewide Articulation Agreement

The bill requires the statewide articulation agreement to ensure fair and equitable access for students who have earned high school credit through a mastery-based education program and graduate with a standard high school diploma. Accordingly, the statewide articulation agreement may likely need to be updated in rule by the SBE and in regulation by the Board of Governors of the State University System.²⁵

The bill takes effect July 1, 2019.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

²² Florida Department of Education, *Competency-Based Education Pilot Program, 2017-18 Annual Report* (June 1, 2018), available at <http://www.fldoe.org/core/fileparse.php/7749/urlt/CBPP-Report.pdf>, at 5, 7, and 9. Palm Beach County Schools has implemented competency-based education at 64 elementary schools with a focus on math acceleration. *Id.* at 3.

²³ A standards-based grading system organizes evidence of student progress and mastery according to standards associated with a subject within a course: e.g. interpreting data from maps/charts. A traditional grading system organizes evidence of student progress and mastery by types of learning activities: e.g. classwork, homework, assignments. P.K. Yonge Developmental Research School, *What is Standards-Based Grading?*, <https://pk Yonge.ufl.edu/academics/standards-based-grading/> (last visited Mar. 6, 2019).

²⁴ Telephone interviews with Dr. Rita Vasquez, Pinellas County Schools (Feb. 6, 2019), Ms. Christy Gabbard, P.K. Yonge Developmental Research School (Feb. 26, 2019), and Mr. Derek Jensen, Seminole County Schools (Mar. 6, 2019).

²⁵ Department of Education, *2019 Agency Analysis for SB 226* (Jan. 10, 2019), at 5.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1003.436, 1003.437, 1003.4996, and 1007.23.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

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

Recommended CS/CS by Appropriations Subcommittee on Education on April 4, 2019:

The committee substitute:

- Changes the name of the Mastery-Based Education Pilot Program to the Mastery-Based Education Program; and
- Provides a technical change to add the governing authority of a developmental research school to the provision that student mastery of core content and skills is approved by the district school board.

CS by Education on March 12, 2019:

The committee substitute maintains the substance of the bill with the following modifications. The committee substitute:

- Expands participation in the Mastery-Based Education Pilot Program to developmental research schools established in s. 1002.32, F.S.
- Authorizes developmental research schools participating in the Mastery-Based Education Pilot Program to determine and award credit based on a student's mastery of core content and skills.

- Authorizes participating developmental research schools to amend their applications to include alternatives for awarding credit and for the interpretation of letter grades.
- Requires a district school board and a development research school participating in the Mastery-Based Education Pilot Program that use an alternative interpretation of letter grades to continue to use a 4-point scale for calculating a student's grade point average (GPA).
- Requires a school district and a developmental research school participating in the Mastery-Based Education Pilot Program to amend its student progression plan to conform to the alternative awarding of credits authorized in the bill.
- Replaces reference to a nontraditional diploma and transcript with a reference to a standard high school diploma.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/08/2019	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete lines 47 - 182

and insert:

Based Education Program under s. 1003.4996 may determine and award credit based on a student's mastery of the core content and skills, consistent with s. 1003.41, as approved by the district school board or developmental research school governing authority, as applicable. The State Board of Education shall determine the number of postsecondary credit hours earned



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11 through dual enrollment pursuant to s. 1007.271 that satisfy the
12 requirements of a dual enrollment articulation agreement
13 according to s. 1007.271(21) and that equal one full credit of
14 the equivalent high school course identified pursuant to s.
15 1007.271(9).

16 Section 2. Section 1003.437, Florida Statutes, is amended
17 to read:

18 1003.437 Middle and high school grading system.—

19 (1) The grading system and interpretation of letter grades
20 used to measure student success in grade 6 through grade 12
21 courses for students in public schools is ~~shall be~~ as follows:

22 (a) ~~(1)~~ Grade "A" equals 90 percent through 100 percent, has
23 a grade point average value of 4, and is defined as "outstanding
24 progress."

25 (b) ~~(2)~~ Grade "B" equals 80 percent through 89 percent, has
26 a grade point average value of 3, and is defined as "above
27 average progress."

28 (c) ~~(3)~~ Grade "C" equals 70 percent through 79 percent, has
29 a grade point average value of 2, and is defined as "average
30 progress."

31 (d) ~~(4)~~ Grade "D" equals 60 percent through 69 percent, has
32 a grade point average value of 1, and is defined as "lowest
33 acceptable progress."

34 (e) ~~(5)~~ Grade "F" equals zero percent through 59 percent,
35 has a grade point average value of zero, and is defined as
36 "failure."

37 (f) ~~(6)~~ Grade "I" equals zero percent, has a grade point
38 average value of zero, and is defined as "incomplete."

39 (2) A district school board and a developmental research



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40 school participating in the Mastery-Based Education Program
41 under s. 1003.4996 may use an alternative interpretation of
42 letter grades to measure student success in grade 6 through
43 grade 12; however, the school board and developmental research
44 school must continue to use the 4-point scale established in
45 subsection (1) for calculating a student's grade point average.

46
47 For the purposes of class ranking, district school boards may
48 exercise a weighted grading system pursuant to s. 1007.271.

49 Section 3. Section 1003.4996, Florida Statutes, is amended
50 to read:

51 1003.4996 Mastery-Based ~~Competency-Based~~ Education ~~Pilot~~
52 Program.—Beginning with the 2016-2017 school year, the Mastery-
53 Based ~~Competency-Based~~ Education ~~Pilot~~ Program is created within
54 the Department of Education to be administered for a period of 5
55 years. The purpose of the ~~pilot~~ program is to provide an
56 educational environment that allows students to advance to
57 higher levels of learning upon the mastery of concepts and
58 skills through statutory exemptions relating to student
59 progression and the awarding of credits.

60 (1) PARTICIPATION.—Developmental research schools
61 established under s. 1002.32, including the P.K. Yonge
62 Developmental Research School, and public school districts,
63 including, but not limited to, the Lake, Palm Beach, Pinellas,
64 and Seminole County School Districts, may submit an application
65 in a format prescribed by the department to participate in the
66 ~~pilot~~ program.

67 (2) APPLICATION.—The application to participate in the
68 ~~pilot~~ program must, at a minimum, include:



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69 (a) The vision and timelines for the implementation of
70 mastery-based ~~competency-based~~ education within the school
71 district, including a list of the schools that will participate
72 in the ~~pilot~~ program during the first school year and the list
73 of schools that will be integrated into the program in
74 subsequent school years.

75 (b) The annual goals and performance outcomes for
76 participating schools, including, but not limited to:

- 77 1. Student performance as defined in s. 1008.34.
78 2. Promotion and retention rates.
79 3. Graduation rates.
80 4. Indicators of college and career readiness.

81 (c) A communication plan for parents and other
82 stakeholders, including local businesses and community members.

83 (d) The scope of and timelines for professional development
84 for school instructional and administrative personnel.

85 (e) A plan for student progression based on the mastery of
86 content, including mechanisms that determine and ensure that a
87 student has satisfied the requirements for grade-level promotion
88 and content mastery.

89 (f) A plan for using technology and digital and blended
90 learning to enhance student achievement and facilitate the
91 mastery-based ~~competency-based~~ education system.

92 (g) The proposed allocation of resources for the ~~pilot~~
93 program at the school and district levels.

94 (h) The recruitment and selection of participating schools.

95 (i) The rules to be waived for participating schools
96 pursuant to subsection (3) to implement the ~~pilot~~ program.

97 (3) EXEMPTION FROM RULES.—In addition to the waivers



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98 authorized in s. 1001.10(3), the State Board of Education may
99 authorize the commissioner to grant an additional waiver of
100 rules relating to student progression and the awarding of
101 credits.

102 (4) ALTERNATIVE CREDIT AND LETTER GRADE SYSTEMS.-

103 (a) Beginning with the 2019-2020 school year, participating
104 school districts and developmental research schools may amend
105 their applications to include alternatives for awarding credit,
106 as authorized under s. 1003.436, and for the interpretation of
107 middle school and high school letter grades, as authorized under
108 s. 1003.437.

109 1. Alternatives to awarding credit must include
110 verification of the student's mastery of the applicable course
111 content using rigorous scoring rubrics to evaluate the student's
112 work. A participating school district and developmental research
113 school must amend its student progression plan required by s.
114 1008.25 to conform to the alternative awarding of credits
115 pursuant to this section.

116 2. Alternatives to the interpretation of middle school and
117 high school letter grades may substitute the applicable language
118 from the school district's rigorous scoring rubric; however,
119 participating school districts and developmental research
120 schools must continue to use the 4-point scale established in s.
121 1003.437(1) for calculating a student's grade point average.

122 (b) An application that is amended pursuant to this
123 subsection must be approved by the district school board or
124 developmental research school governing authority, as
125 applicable.

126 (5)-(4) STUDENT FUNDING.-Students enrolled in a



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127 participating school shall be reported for and generate funding
128 pursuant to s. 1011.62.

129 (6)~~(5)~~ DEPARTMENT DUTIES.—The department shall:

130 (a) Compile the student and staff schedules of
131 participating schools before and after implementation of the
132 ~~pilot~~ program.

133 (b) Provide participating schools with access to statewide,
134 standardized assessments required under s. 1008.22.

135 (c) Annually, by June 1, provide to the Governor, the
136 President of the Senate, and the Speaker of the House of
137 Representatives a report summarizing the activities and
138 accomplishments of the ~~pilot~~ program and any recommendations for
139 statutory revisions.

140 (7)~~(6)~~ RULES.—The State Board of Education shall adopt
141 rules to administer this section.

142
143 ===== T I T L E A M E N D M E N T =====

144 And the title is amended as follows:

145 Delete lines 5 - 17

146 and insert:

147 Mastery-Based Education Program to award credit based
148 on student mastery of certain content and skills;
149 amending s. 1003.437, F.S.; authorizing a district
150 school board or developmental research school
151 participating in the Mastery-Based Education Program
152 to use an alternative interpretation of letter grades
153 for certain students; requiring participating district
154 school boards and developmental research schools to
155 use the current 4-point scale in determining student



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156 grade point averages; amending s. 1003.4996, F.S.;

157 renaming the Competency-Based Education Pilot Program

158 as the Mastery-Based Education Program; authorizing

159 public school districts and

By the Committee on Education; and Senator Brandes

581-02949-19

2019226c1

1 A bill to be entitled
 2 An act relating to mastery-based education; amending
 3 s. 1003.436, F.S.; authorizing a district school board
 4 or developmental research school participating in the
 5 Mastery-Based Education Pilot Program to award credit
 6 based on student mastery of certain content and
 7 skills; amending s. 1003.437, F.S.; authorizing a
 8 district school board or developmental research school
 9 participating in the Mastery-Based Education Pilot
 10 Program to use an alternative interpretation of letter
 11 grades for certain students; requiring participating
 12 district school boards and developmental research
 13 schools to use the current 4-point scale in
 14 determining student grade point averages; amending s.
 15 1003.4996, F.S.; renaming the Competency-Based
 16 Education Pilot Program as the Mastery-Based Education
 17 Pilot Program; authorizing public school districts and
 18 developmental research schools to submit applications
 19 for the program; authorizing participating school
 20 districts and developmental research schools to amend
 21 their applications to include alternatives for the
 22 award of credits and interpretation of letter grades;
 23 providing requirements for such alternatives; amending
 24 s. 1007.23, F.S.; requiring the statewide articulation
 25 agreement to ensure fair and equitable access for
 26 students who have earned high school credit through
 27 mastery-based education and graduate with a standard
 28 high school diploma; providing an effective date.
 29

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

31
 32 Section 1. Paragraph (a) of subsection (1) of section
 33 1003.436, Florida Statutes, is amended to read:
 34 1003.436 Definition of "credit."—
 35 (1) (a) For the purposes of requirements for high school
 36 graduation, one full credit means a minimum of 135 hours of bona
 37 fide instruction in a designated course of study that contains
 38 student performance standards, except as otherwise provided
 39 through the Credit Acceleration Program (CAP) under s.
 40 1003.4295(3). One full credit means a minimum of 120 hours of
 41 bona fide instruction in a designated course of study that
 42 contains student performance standards for purposes of meeting
 43 high school graduation requirements in a district school that
 44 has been authorized to implement block scheduling by the
 45 district school board. However, district school boards and
 46 developmental research schools participating in the Mastery-
 47 Based Education Pilot Program under s. 1003.4996 may determine
 48 and award credit based on a student's mastery of the core
 49 content and skills, consistent with s. 1003.41, as approved by
 50 the district school board. The State Board of Education shall
 51 determine the number of postsecondary credit hours earned
 52 through dual enrollment pursuant to s. 1007.271 that satisfy the
 53 requirements of a dual enrollment articulation agreement
 54 according to s. 1007.271(21) and that equal one full credit of
 55 the equivalent high school course identified pursuant to s.
 56 1007.271(9).

57 Section 2. Section 1003.437, Florida Statutes, is amended
 58 to read:

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59 1003.437 Middle and high school grading system.—
 60 (1) The grading system and interpretation of letter grades
 61 used to measure student success in grade 6 through grade 12
 62 courses for students in public schools ~~is shall be~~ as follows:
 63 (a) (1) Grade "A" equals 90 percent through 100 percent, has
 64 a grade point average value of 4, and is defined as "outstanding
 65 progress."
 66 (b) (2) Grade "B" equals 80 percent through 89 percent, has
 67 a grade point average value of 3, and is defined as "above
 68 average progress."
 69 (c) (3) Grade "C" equals 70 percent through 79 percent, has
 70 a grade point average value of 2, and is defined as "average
 71 progress."
 72 (d) (4) Grade "D" equals 60 percent through 69 percent, has
 73 a grade point average value of 1, and is defined as "lowest
 74 acceptable progress."
 75 (e) (5) Grade "F" equals zero percent through 59 percent,
 76 has a grade point average value of zero, and is defined as
 77 "failure."
 78 (f) (6) Grade "I" equals zero percent, has a grade point
 79 average value of zero, and is defined as "incomplete."
 80 (2) A district school board and a developmental research
 81 school participating in the Mastery-Based Education Pilot
 82 Program under s. 1003.4996 may use an alternative interpretation
 83 of letter grades to measure student success in grade 6 through
 84 grade 12; however, the school board and developmental research
 85 school must continue to use the 4-point scale established in
 86 subsection (1) for calculating a student's grade point average.
 87

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88 For the purposes of class ranking, district school boards may
 89 exercise a weighted grading system pursuant to s. 1007.271.
 90 Section 3. Section 1003.4996, Florida Statutes, is amended
 91 to read:
 92 1003.4996 ~~Mastery-Based Competency-Based~~ Education Pilot
 93 Program.—Beginning with the 2016-2017 school year, the Mastery-
 94 Based Competency-Based Education Pilot Program is created within
 95 the Department of Education to be administered for a period of 5
 96 years. The purpose of the pilot program is to provide an
 97 educational environment that allows students to advance to
 98 higher levels of learning upon the mastery of concepts and
 99 skills through statutory exemptions relating to student
 100 progression and the awarding of credits.
 101 (1) PARTICIPATION.—Developmental research schools
 102 established under s. 1002.32, including the P.K. Yonge
 103 Developmental Research School, and public school districts,
 104 including, but not limited to, the Lake, Palm Beach, Pinellas,
 105 and Seminole County School Districts, may submit an application
 106 in a format prescribed by the department to participate in the
 107 pilot program.
 108 (2) APPLICATION.—The application to participate in the
 109 pilot program must, at a minimum, include:
 110 (a) The vision and timelines for the implementation of
 111 ~~mastery-based competency-based~~ education within the school
 112 district, including a list of the schools that will participate
 113 in the pilot program during the first school year and the list
 114 of schools that will be integrated into the program in
 115 subsequent school years.
 116 (b) The annual goals and performance outcomes for

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117 participating schools, including, but not limited to:

118 1. Student performance as defined in s. 1008.34.

119 2. Promotion and retention rates.

120 3. Graduation rates.

121 4. Indicators of college and career readiness.

122 (c) A communication plan for parents and other

123 stakeholders, including local businesses and community members.

124 (d) The scope of and timelines for professional development

125 for school instructional and administrative personnel.

126 (e) A plan for student progression based on the mastery of

127 content, including mechanisms that determine and ensure that a

128 student has satisfied the requirements for grade-level promotion

129 and content mastery.

130 (f) A plan for using technology and digital and blended

131 learning to enhance student achievement and facilitate the

132 mastery-based ~~competency-based~~ education system.

133 (g) The proposed allocation of resources for the pilot

134 program at the school and district levels.

135 (h) The recruitment and selection of participating schools.

136 (i) The rules to be waived for participating schools

137 pursuant to subsection (3) to implement the pilot program.

138 (3) EXEMPTION FROM RULES.—In addition to the waivers

139 authorized in s. 1001.10(3), the State Board of Education may

140 authorize the commissioner to grant an additional waiver of

141 rules relating to student progression and the awarding of

142 credits.

143 (4) ALTERNATIVE CREDIT AND LETTER GRADE SYSTEMS.—

144 (a) Beginning with the 2019-2020 school year, participating

145 school districts and developmental research schools may amend

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146 their applications to include alternatives for awarding credit,

147 as authorized under s. 1003.436, and for the interpretation of

148 middle school and high school letter grades, as authorized under

149 s. 1003.437.

150 1. Alternatives to awarding credit must include

151 verification of the student's mastery of the applicable course

152 content using rigorous scoring rubrics to evaluate the student's

153 work. A participating school district and developmental research

154 school must amend its student progression plan required by s.

155 1008.25 to conform to the alternative awarding of credits

156 pursuant to this section.

157 2. Alternatives to the interpretation of middle school and

158 high school letter grades may substitute the applicable language

159 from the school district's rigorous scoring rubric; however,

160 participating school districts and developmental research

161 schools must continue to use the 4-point scale established in s.

162 1003.437(1) for calculating a student's grade point average.

163 (b) An application that is amended pursuant to this

164 subsection must be approved by the district school board or

165 developmental research school governing authority, as

166 applicable.

167 (5)-(4) STUDENT FUNDING.—Students enrolled in a

168 participating school shall be reported for and generate funding

169 pursuant to s. 1011.62.

170 (6)-(5) DEPARTMENT DUTIES.—The department shall:

171 (a) Compile the student and staff schedules of

172 participating schools before and after implementation of the

173 pilot program.

174 (b) Provide participating schools with access to statewide,

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175 standardized assessments required under s. 1008.22.
 176 (c) Annually, by June 1, provide to the Governor, the
 177 President of the Senate, and the Speaker of the House of
 178 Representatives a report summarizing the activities and
 179 accomplishments of the pilot program and any recommendations for
 180 statutory revisions.
 181 ~~(7)~~~~(6)~~ RULES.—The State Board of Education shall adopt
 182 rules to administer this section.
 183 Section 4. Subsection (1) of section 1007.23, Florida
 184 Statutes, is amended to read:
 185 1007.23 Statewide articulation agreement.—
 186 (1) The State Board of Education and the Board of Governors
 187 shall enter into a statewide articulation agreement which the
 188 State Board of Education shall adopt by rule. The agreement must
 189 preserve Florida's "2+2" system of articulation, facilitate the
 190 seamless articulation of student credit across and among
 191 Florida's educational entities, and reinforce the provisions of
 192 this chapter by governing:
 193 (a) Articulation between secondary and postsecondary
 194 education, including fair and equitable access for students who
 195 have earned high school credit through a mastery-based education
 196 program pursuant to s. 1003.4996 and graduate with a standard
 197 high school diploma;
 198 (b) Admission of associate in arts degree graduates from
 199 Florida College System institutions and state universities;
 200 (c) Admission of applied technology diploma program
 201 graduates from Florida College System institutions or career
 202 centers;
 203 (d) Admission of associate in science degree and associate

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204 in applied science degree graduates from Florida College System
 205 institutions;
 206 (e) The use of acceleration mechanisms, including
 207 nationally standardized examinations through which students may
 208 earn credit;
 209 (f) General education requirements and statewide course
 210 numbers as provided for in ss. 1007.24 and 1007.25; and
 211 (g) Articulation among programs in nursing.
 212 Section 5. This act shall take effect July 1, 2019.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

4 April 19

Meeting Date

226

Bill Number (if applicable)

Topic Mastery Based Education

Amendment Barcode (if applicable)

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Street

Tallahassee

FL

32309

Email JamesM@excelined.org

City

State

Zip

Speaking: For Against Information

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

Representing Foundation for Florida's Future

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)

3/4

Meeting Date

226

Bill Number (if applicable)

Topic Mastery Based Education

Amendment Barcode (if applicable)

Name Matthew Choy

Job Title Director

Address 136 S Bronough St

Phone 501-386-3451

Street

Tallahassee

City

FL

State

32301

Zip

Email MChoy@~~FL~~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.

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S-001 (10/14/14)

THE FLORIDA SENATE
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4/4/19

Meeting Date

226

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Chuck Shaw

Job Title Palm Beach School Board Member

Address 3200 Forrest Hill Blvd

Phone _____

Street

WPB

FL

33406

Email _____

City

State

Zip

Speaking: For Against Information

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

Representing Palm Beach School Board

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)

04/03/2019

Meeting Date

SB 226

Bill Number (if applicable)

Topic MASTERY-BASED EDUCATION

Amendment Barcode (if applicable)

Name CESAR GRAJALES

Job Title DIRECTOR OF COALITIONS

Address 200 W COLLEGE AVE.

Phone 786.260.9283

Street

TALLAHASSEE

FL

Email Cgrajales@belib.org

City

State

Zip

Speaking: For Against Information

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

Representing THE LIBRE INITIATIVE

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)

04/04/19

Meeting Date

SB 226

Bill Number (if applicable)

Topic Mastery-based Education

Amendment Barcode (if applicable)

Name Alli Liby-Schoonover

Job Title Metz, Husband & Daughter

Address 119 S Monroe St. Suite 200

Phone 850-205-9000

Street

TLH

City

FL

State

32301

Zip

Email

Allison.Liby-Schoonover@MHDFFIRM.COM

Speaking: For Against Information

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

Representing Seminole County Public Schools

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)

4/4/2019
Meeting Date

226
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name BRIAN PITTS

Job Title Trustee

Address 1119 Newton Ave S.

Phone 727/897-9291

Street

St Peterburg

City

FL

State

33705

Zip

Email justicedjesus@yahoo.com

Speaking: For Against Information

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

Representing Justice-2-Jesus

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 Kelli Stargel
Appropriations Subcommittee on Education

Subject: Committee Agenda Request

Date: March 14, 2019

I respectfully request that **Senate Bill #226**, relating to **Mastery-based Education**, be placed on the:

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

A handwritten signature in black ink, appearing to read "Jeff Brandes", written over a horizontal line.

Senator Jeff Brandes
Florida Senate, District 24

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

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

BILL: PCS/CS/SB 464 (112706)

INTRODUCER: Appropriations Subcommittee on Education; Education Committee and Senator Flores

SUBJECT: Prepaid College Plans

DATE: April 3, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Bouck</u>	<u>Sikes</u>	<u>ED</u>	<u>Fav/CS</u>
2.	<u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	<u>Recommend Fav/CS</u>
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 464 modifies the Stanley G. Tate Florida Prepaid College Program to authorize students at a state university or Florida College System (FCS) institution to use the fees associated with a dormitory residence plan to cover the cost of housing provided by a qualified nonprofit organization that is approved by the state university or FCS institution. The bill defines a “qualified nonprofit organization” as a nonprofit organization under s. 501(c)(3) of the Internal Revenue Code that provides housing to full-time students at an FCS institution or state university, primarily supports students who lack financial resources, and has been approved by the Florida Prepaid Board.

The bill also specifies that dormitory fees paid to a qualified nonprofit organization may not exceed the average fees charged for state university dormitories, or for fees charged for dormitories or residency opportunities provided by FCS institution or FCS institution direct-support organizations, whichever is less.

The bill also modifies membership of the Florida Prepaid College Board direct-support organization.

The bill has no impact on state revenues or expenditures.

The bill takes effect July 1, 2019.

II. Present Situation:

Stanley G. Tate Florida Prepaid College Program

The Legislature created the Stanley G. Tate Florida Prepaid College Program (Prepaid Program) in 1987¹ to provide Florida's families a mechanism through which the cost of registration and dormitory residence may be paid in advance of enrollment in a state postsecondary institution at a rate lower than the projected corresponding cost at the time of actual enrollment.² Since its inception, more than 1.9 million Prepaid Program plans have been purchased, and more than 464,000 students have attended college using Prepaid Program plans.³

The Prepaid Program is administered by the Florida Prepaid College Board (Prepaid Board).⁴ The Prepaid Board is required to make advance payment contracts available for two independent plans called the Florida College System institution plan and the university plan.⁵ The advance payment contracts are financially guaranteed by the State of Florida⁶ and lock-in many of the costs associated with enrollment in state universities and FCS institutions (e.g., registration fees, tuition differential fees, local fees, and dormitory fees) at the time such contracts are purchased.⁷ Families may choose from the following Prepaid Program options:⁸

- 2-Year Florida College Plan (10.9 percent of 2016-2017 Prepaid Plans sold).
- 4-Year Florida College Plan (6.7 percent of 2016-2017 Prepaid Plans sold).
- 2+2 Florida Plan (12.9 percent of 2016-2017 Prepaid Plans sold).
- 1-Year Florida University Plan (18.4 percent of 2016-2017 Prepaid Plans sold).
- 4-Year Florida University Plan (51.1 percent of 2016-2017 Prepaid Plans sold).⁹

Dormitory Residence Plan

Dormitory plans may be added to the 2+2 Florida Plan, the 1-Year Florida University Plan, and the 4-Year Florida University Plan.¹⁰

¹ Section 1, ch. 1987-132, L.O.F.; see also Florida Prepaid College Board, *Our History*, <https://www.myfloridaprepaid.com/about-us/our-history/> (last visited Mar. 12, 2019).

² Section 1009.98(1), F.S.

³ Florida Prepaid College Board, *2017 Annual Report*, available at https://www.myfloridaprepaid.com/wp-content/uploads/fpcb_2017_annual_report.pdf, at 2.

⁴ Section 1009.971(1), F.S. The Florida Prepaid College Board consists of seven members to be 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 for a term of three years. Each member appointed by the Governor must possess knowledge, skill, and experience in the areas of accounting, actuary, risk management, or investment management. Section 1009.971(2), F.S.

⁵ Section 1009.98(2), F.S. In Fall, 2016, 34,018 students attended 28 Florida College System institutions, and 56,661 students attended 12 state universities using a Prepaid Plan. Florida Prepaid College Board, *2017 Annual Report*, available at https://www.myfloridaprepaid.com/wp-content/uploads/fpcb_2017_annual_report.pdf, at 10-11.

⁶ Section 1009.98(7), F.S.

⁷ Section 1009.98(2), F.S.

⁸ Florida Prepaid College Board, *Plans & Pricing*, <https://www.myfloridaprepaid.com/prepaid-plans/plans-and-pricing/> (last visited Mar. 12, 2019).

⁹ Florida Prepaid College Board, *2017 Annual Report*, available at https://www.myfloridaprepaid.com/wp-content/uploads/fpcb_2017_annual_report.pdf, at 7.

¹⁰ Florida Prepaid College Plan, *Plans and Pricing*, <https://www.myfloridaprepaid.com/prepaid-plans/plans-and-pricing/> (last visited Mar. 12, 2019).

State University Dormitory Plan

Through the dormitory residence plan, the advance payment contract may provide prepaid housing fees for a maximum of 10 semesters of full-time undergraduate enrollment in a state university.¹¹ The dormitory plan is designed to pay for a double-occupancy, air-conditioned dormitory room at a state university in Florida. Qualified beneficiaries have the highest priority in the assignment of housing within university residence halls. Each state university may specify the residence halls or other university-held residences eligible for inclusion in the plan.¹² The value of the dormitory plan may be used to cover other university-held housing, as approved by the Prepaid Board.¹³ The Prepaid Board will provide a specified refund if the university does not have available units, or if the student lives off-campus or in privately held housing.¹⁴

Florida College System Dormitory Plan

A qualified beneficiary who chooses to attend an FCS institution, or who is not admitted to a state university, may use the fees associated with a dormitory residence plan for dormitory or residency opportunities operated by an FCS institution or FCS institution direct-support organization (DSO).¹⁵ Such dormitory fees may not exceed the maximum fees charged for state university dormitories, or the fees charged for an FCS institution or FCS institution DSO, whichever is less.¹⁶

An FCS institution or DSO has limited authority to plan and construct facilities and to acquire additional property.¹⁷ Residency opportunities within the FCS are predominately off campus and provided through a third party, often for specific student populations such as international students, student athletes, or specific scholarship recipients.¹⁸ However, Florida law authorizes an FCS institution campus within a municipality designated as an area of critical state concern,¹⁹ which meets planning and development requirements, to construct dormitories for up to 300 beds for FCS institution students.²⁰

¹¹ Section 1009.98(2)(d), F.S. A maximum of two semesters of dormitory fees may be prepaid for each year of state university coverage. *Id.*

¹² Section 1009.98(2)(d), F.S.

¹³ Florida Prepaid, *Prepaid Plans FAQs, Dormitory Specific Questions*, <https://www.myfloridaprepaid.com/prepaid-plans/faqs/#what-residence-halls-are-covered> (last visited Mar. 12, 2019).

¹⁴ If there are no available units, the refund will equal the statewide average for eligible double-occupancy, air-conditioned dormitory rooms payable by the Prepaid Plan in the State of Florida. If the student lives off-campus or in privately held housing, then the refund is equal to payments made, less any fees, usage and other refunds. *Id.*

¹⁵ Section 1009.98(2)(d), F.S.

¹⁶ *Id.*

¹⁷ Section 1013.40, F.S.

¹⁸ Florida College System, *Student Housing in the Florida College System*, available at <http://www.fldoe.org/core/fileparse.php/7480/urlt/0082726-faqhousing.pdf>.

¹⁹ Section 380.05, F.S. The Areas of Critical State Concern Program was created by the "Florida Environmental Land and Water Management Act of 1972." The program is intended to protect resources and public facilities of major statewide significance, within designated geographic areas, from uncontrolled development that would cause substantial deterioration of such resources. The designated Areas of Critical State Concern are the Apalachicola Bay Area, the Green Swamp Area, the Big Cypress Area, the Florida Keys Area, and the City of Key West Area.

²⁰ Section 1013.40(4), F.S. Currently, only Florida Keys Community College meets this requirement and is able to construct such dormitory facilities.

Florida Prepaid College Board Direct-Support Organization

In 1989, the Legislature authorized the Prepaid Board to establish a direct support organization.²¹ The Prepaid 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.²²

The chair and the executive director of the Prepaid Board serve as directors of the Foundation and jointly name, at a minimum, three other individuals to serve as directors of the Foundation.²³

III. Effect of Proposed Changes:

This bill amends s. 1009.98, F.S., to authorize a beneficiary at a state university to use the fees associated with a dormitory residence plan to cover the costs of housing provided by a qualified nonprofit organization that is approved by the state university. In addition, the bill authorizes that a beneficiary at a Florida College System (FCS) institution may use the fees associated with a dormitory residence plan to cover the costs of housing provided by a qualified nonprofit organization that is approved by the FCS institution.

The bill defines a “qualified nonprofit organization” as a nonprofit organization under s. 501(c)(3) of the Internal Revenue Code²⁴ that provides dormitories or residency opportunities to full-time students at a FCS institution or state university, primarily supports students that lack financial resources, and has been approved by the Florida Prepaid Board for inclusion in the dormitory residence plan.

The bill also specifies that the fees from a dormitory residence plan paid to a qualified nonprofit organization may not exceed the average fees charged for state university dormitory residences, or for fees charged for FCS institution or FCS institution direct-support organization dormitories or residency opportunities, whichever is less.

The bill also modifies the membership of the Florida Prepaid Board’s direct-support organization (DSO), to specify that only the chair of the Prepaid Board serves as director of the DSO. In addition, the bill requires that the chair of the Prepaid Board and the executive director of the Florida Prepaid College Program appoint four, rather than three, other individuals to serve as directors of the DSO.

The bill takes effect July 1, 2019.

²¹ Section 1, ch. 1989-316, L.O.F., codified as section 240.551(22), F.S., recodified in 2002 as section 1009.983(1), F.S.

²² Stanley G. Tate Florida Prepaid College Foundation, *2017 Annual Report*, available at <https://www.floridaprepaidcollegefoundation.com/documents/pdf/foundation/foundation-annual-report-2017.pdf> at 3.

²³ Section 1009.983(5), F.S.

²⁴ To be tax-exempt under section 501(c)(3) of the Internal Revenue Code, an organization must be organized and operated exclusively for exempt purposes set forth in section 501(c)(3), and none of its earnings may inure to any private shareholder or individual. Organizations described in section 501(c)(3) are commonly referred to as charitable organizations. Internal Revenue Service, *Exemption Requirements - 501(c)(3) Organizations*, <https://www.irs.gov/charities-non-profits/charitable-organizations/exemption-requirements-section-501c3-organizations> (last visited Mar. 12, 2019).

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has no fiscal impact on state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1009.98 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.)

Recommended CS/CS by Appropriations Subcommittee on Education on April 4, 2019:

The committee substitute:

Modifies the membership of the Florida Prepaid College Board (Prepaid Board) direct-support organization (DSO) to specify that the chair of the Prepaid Board serves as director of the DSO, and that the chair and the executive director of the Florida Prepaid College Program appoint four, rather than three, other individuals to serve as directors of the DSO.

CS by Education on March 19, 2019:

The committee substitute:

- Maintains the provision in the bill that a state university may approve a qualified nonprofit organization that provides housing, but provides a technical process change to specify that a state university may transfer or cause to have transferred dormitory residence fees to such nonprofit organization.
- Specifies that a Florida College System (FCS) institution may approve a qualified nonprofit organization that provides housing, and that the FCS institution may transfer or cause to have transferred dormitory residence fees to such nonprofit organization.
- Maintains in the definition of a qualified nonprofit organization the requirement relating to the Internal Revenue Code, but modifies the definition by:
 - Removing the requirement that student living housing provided by a qualified nonprofit organization must be on or near the state university or FCS institution campus; and
 - Adding to the definition that the nonprofit organization must primarily support students that lack financial resources, and that the nonprofit organization must be approved by the Florida Prepaid Board for inclusion in the dormitory residence plan.
- Changes the restriction on fees paid to a qualified nonprofit organization to specify that the fees may not exceed the average fees, rather than maximum fees, charged for dormitories or residences at state universities, FCS institutions, or FCS institution direct-support organizations.

- B. **Amendments:**

None.



326072

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/08/2019	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Flores) recommended the following:

Senate Amendment (with title amendment)

Between lines 86 and 87

insert:

Section 2. Subsection (5) of section 1009.983, Florida Statutes, is amended to read:

1009.983 Direct-support organization; authority.—

(5) The chair ~~and the executive director~~ of the board shall be a director ~~directors~~ of the direct-support organization. The chair and the executive director of the board ~~and~~ shall jointly



326072

11 name, at a minimum, four ~~three~~ other individuals to serve as
12 directors of the organization.

13

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

15 And the title is amended as follows:

16 Delete line 8

17 and insert:

18 "qualified nonprofit organization"; amending s.

19 1009.983, F.S.; revising the governance of the Florida

20 Prepaid College Board's direct-support organization;

21 providing an

By the Committee on Education; and Senator Flores

581-03243-19

2019464c1

1 A bill to be entitled
 2 An act relating to prepaid college plans; amending s.
 3 1009.98, F.S.; authorizing the transfer of fees
 4 associated with dormitory residency to approved
 5 qualified nonprofit organizations under certain
 6 circumstances; prohibiting transferred fees from
 7 exceeding a specified amount; defining the term
 8 "qualified nonprofit organization"; providing an
 9 effective date.

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

11 Section 1. Paragraph (d) of subsection (2) of section
 12 1009.98, Florida Statutes, is amended to read:
 13 1009.98 Stanley G. Tate Florida Prepaid College Program.—
 14 (2) PREPAID COLLEGE PLANS.—At a minimum, the board shall
 15 make advance payment contracts available for two independent
 16 plans to be known as the Florida College System institution plan
 17 and the university plan. The board may also make advance payment
 18 contracts available for a dormitory residence plan. The board
 19 may restrict the number of participants in the Florida College
 20 System institution plan, university plan, and dormitory
 21 residence plan, respectively. However, any person denied
 22 participation solely on the basis of such restriction shall be
 23 granted priority for participation during the succeeding year.
 24 (d)1. Through the dormitory residence plan, the advance
 25 payment contract may provide prepaid housing fees for a maximum
 26 of 10 semesters of full-time undergraduate enrollment in a state
 27 university. Dormitory residence plans must ~~shall~~ be purchased in

Page 1 of 3

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

581-03243-19

2019464c1

30 increments of 2 semesters. The cost of participation in the
 31 dormitory residence plan shall be based primarily on the average
 32 current and projected housing fees within the State University
 33 System and the number of years expected to elapse between the
 34 purchase of the plan on behalf of a qualified beneficiary and
 35 the exercise of the benefits provided in the plan by such
 36 beneficiary. Qualified beneficiaries shall have the highest
 37 priority in the assignment of housing within university
 38 residence halls. Qualified beneficiaries shall bear the cost of
 39 any additional elective charges such as laundry service or long-
 40 distance telephone service. Each state university may specify
 41 the residence halls or other university-held residences eligible
 42 for inclusion in the plan. In addition, any state university may
 43 request immediate termination of a dormitory residence contract
 44 based on a violation or multiple violations of rules of the
 45 residence hall or other university-held residences. In the event
 46 that sufficient housing is not available for all qualified
 47 beneficiaries, the board shall refund the purchaser or qualified
 48 beneficiary an amount equal to the fees charged for dormitory
 49 residence during that semester. If a qualified beneficiary is
 50 admitted to the state university and finds housing with a
 51 qualified nonprofit organization, as defined in subparagraph 2.,
 52 that is approved by the state university, the state university
 53 may transfer or cause to have transferred to the qualified
 54 nonprofit organization the fees associated with dormitory
 55 residence. If a qualified beneficiary fails to be admitted to a
 56 state university or chooses to attend a Florida College System
 57 institution that operates one or more dormitories or residency
 58 opportunities, or has one or more dormitories or residency

Page 2 of 3

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

581-03243-19

2019464c1

59 opportunities operated by the Florida College System institution
60 direct-support organization, the qualified beneficiary may
61 transfer or cause to have transferred to the Florida College
62 System institution, or Florida College System institution
63 direct-support organization, the fees associated with dormitory
64 residence. If a qualified beneficiary attends a Florida College
65 System institution and finds housing with a qualified nonprofit
66 organization, as defined in subparagraph 2., that is approved by
67 the Florida College System institution, the Florida College
68 System institution may transfer or cause to have transferred to
69 the qualified nonprofit organization the fees associated with
70 dormitory residence. Dormitory fees transferred to a the Florida
71 College System institution, ~~or~~ Florida College System
72 institution direct-support organization, or qualified nonprofit
73 organization may not exceed the average ~~maximum~~ fees charged for
74 state university dormitory residence for the purposes of this
75 section, or the fees charged for Florida College System
76 institution or Florida College System institution direct-support
77 organization dormitories or residency opportunities, whichever
78 is less.

79 2. For purposes of this paragraph, the term "qualified
80 nonprofit organization" means a nonprofit organization under s.
81 501(c)(3) of the United States Internal Revenue Code which
82 provides one or more dormitories or residency opportunities to
83 students enrolled full-time in a state university or Florida
84 College System institution, primarily supports students that
85 lack financial resources, and has been approved by the board for
86 inclusion in the plan.

87 Section 2. This act shall take effect July 1, 2019.

THE FLORIDA SENATE
APPEARANCE RECORD

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

4/4/2019
Meeting Date

469
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Brian Pitts

Job Title Trustee

Address 1119 Newton Ave S.

Phone 727/897-9291

Street

St Petersburg

FL

33705

City

State

Zip

Email justice2jesus@yahoo.com

Speaking: For Against Information

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

Representing Justice-2-Jesus

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
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

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

BILL: SB 680

INTRODUCER: Senator Perry

SUBJECT: Excess Credit Hour Surcharges

DATE: April 3, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brick</u>	<u>Sikes</u>	<u>ED</u>	Favorable
2.	<u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Favorable
3.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 680 increases the credit hours a student entering a state university in the summer term of 2019 or thereafter may earn before being required to pay an excess credit hour surcharge. In addition, the bill prohibits each state university from reducing the excess credit hour threshold of a student who transfers to a degree program that requires less credit hours to complete than the student's original degree program.

The bill may result in a loss of revenue for state universities from students who take excess credit hours beyond 110 percent of the requirements for a baccalaureate degree program. Students who exceed 110 percent of the credit hours required for a degree may experience a cost savings.

The bill takes effect upon becoming a law.

II. Present Situation:

The Legislature established the excess credit hour surcharge in 2009¹ to encourage each undergraduate student who enrolls in a state university to complete the student's respective baccalaureate degree program in the most efficient way possible while providing for access to additional college coursework.²

Current law requires a student to pay an excess hour surcharge for each credit hour earned in excess of specified limits.³ The excess hour surcharge is effective for students who enter a state university for the first time and maintain continuous enrollment as follows:⁴

¹ Section 11, ch. 2009-60, L.O.F.

² Section 1009.286(1), F.S.

³ *Id.* at (2).

⁴ *Id.*

- For the 2009-2010 and 2010-2011 academic years, an excess hour surcharge equal to 50 percent of the tuition rate for each credit hour in excess of 120 percent.
- For the 2011-2012 academic year, an excess hour surcharge equal to 100 percent of the tuition rate for each credit hour in excess of 115 percent.
- For the 2012-2013 academic year and thereafter, an excess hour surcharge equal to 100 percent of the tuition rate for each credit hour in excess of 110 percent.

For example, under current law, a student enrolled in a 120 credit hour baccalaureate degree program may take up to 132 credit hours (or 110 percent) before being assessed the excess hour surcharge. Similarly, a student enrolled in a 130 credit hour baccalaureate degree program may take up to 143 credit hours (or 110 percent) before being assessed the excess hour surcharge.

All credit hours for courses taken at the state university from which the student is seeking a baccalaureate degree are included when calculating the number of credit hours taken by a student, including:⁵

- Failed courses.
- Courses that are dropped after the university's advertised last day of the drop and add period.
- Courses from which a student withdraws, except those specified in law.⁶
- Repeated courses, except repeated courses for which the student has paid the full cost of instruction as provided in law.⁷

In addition, all credit hours earned at another institution and accepted for transfer by the state university and applied toward the student's baccalaureate degree program are included when calculating the number of credit hours taken by the student.⁸

Credit hours earned under the following circumstances are not calculated as hours required to earn a baccalaureate degree and are not included in determining excess credit hours:⁹

- College credits earned through an articulated accelerated mechanism identified in law.¹⁰
- Credit hours earned through internship programs.
- Credit hours required for certification, recertification, or certificate programs.
- Credit hours in courses from which a student must withdraw due to reasons of medical or personal hardship.
- Credit hours taken by active-duty military personnel.
- Credit hours required to achieve a dual major taken while pursuing a baccalaureate degree.
- Remedial and English as a Second Language credit hours.
- Credit hours earned in military science courses that are part of the Reserve Officers' Training Corps (ROTC) program.

⁵ Section 1009.286(3)(a), F.S.

⁶ *Id.* at (4).

⁷ Section 1009.285, F.S.

⁸ Section 1009.286(3)(b), F.S.

⁹ *Id.* at (4).

¹⁰ Section 1007.27, F.S. Articulated acceleration mechanisms include, but are not limited to, dual enrollment and early admission, advanced placement, credit by examination, the International Baccalaureate Program, and the Advanced International Certificate of Education Program. *Id.*

A state university must refund the excess hour surcharge assessed for up to 12 credit hours to any first-time-in-college student who completes a baccalaureate degree program within 4 years after his or her initial enrollment in a state university.¹¹

According to the Board of Governors, 14,821 students exceeded the excess credit hour limits in the 2017-2018 academic year, accruing \$13,343,975 in total surcharge fees.¹² 12,568 students were subject to an excess hour surcharge for each credit hour in excess of 110 percent.¹³ 7,225 of these students earned greater than 110 percent but less than 120 percent of the credit hours required to complete their degree program.¹⁴

III. Effect of Proposed Changes:

The bill raises the excess credit hour threshold to 120 percent of the credit hours required to complete the degree program for students who enter a state university for the first time in the summer of 2019 and thereafter and maintain continuous enrollment.

The bill requires each state university to calculate an excess hour threshold for each student based on the number of credit hours required to complete the baccalaureate degree program in which the student is enrolled. For a student who changes degree programs, the bill prohibits the adjustment of the excess hour threshold unless the required credit hours for the new program exceeds the original degree program.

The bill may decrease the number of students subject to the excess credit hour surcharge.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

¹¹ Section 1009.286(2)(c), F.S.

¹² Email, State University System of Florida, Florida Board of Governors (Mar. 4, 2019).

¹³ *Id.*

¹⁴ *Id.*

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Students enrolled in the 2019 summer term and thereafter who exceed 110 percent of the credit hours required for a degree and students who change degree programs may experience cost savings.

C. Government Sector Impact:

State universities may experience a loss of revenue from the reduction in excess credit hour surcharges collected from students who take excess credit hours beyond 110 percent of the requirements for a baccalaureate degree program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1009.286 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

By Senator Perry

8-00817C-19

2019680__

A bill to be entitled

An act relating to excess credit hour surcharges; amending s. 1009.286, F.S.; requiring a state university to calculate an excess hour threshold for each student based on specified criteria; providing that the excess hour threshold may be adjusted only under certain circumstances; revising the threshold for assessing the excess credit hour surcharge; providing an effective date.

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

Section 1. Subsection (2) of section 1009.286, Florida Statutes, is amended to read:

1009.286 Additional payment for hours exceeding baccalaureate degree program completion requirements at state universities.—

(2) State universities shall require a student to pay an excess hour surcharge for each credit hour in excess of the number of credit hours required to complete the baccalaureate degree program in which the student is enrolled. Each university must calculate an excess hour threshold for each student based on the number of credit hours required for the degree. For any student who changes degree programs, the excess hour threshold may not be adjusted unless the number of credit hours required to complete the new degree program exceeds that of the original degree program. The excess hour surcharge ~~shall become effective~~ for students who enter a state university for the first time and maintain continuous enrollment is as follows:

Page 1 of 2

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

8-00817C-19

2019680__

(a) For the 2009-2010 and 2010-2011 academic years, an excess hour surcharge equal to 50 percent of the tuition rate for each credit hour in excess of 120 percent.

(b) For the 2011-2012 academic year, an excess hour surcharge equal to 100 percent of the tuition rate for each credit hour in excess of 115 percent.

(c) For the 2012-2013 academic year through the 2019 spring term and thereafter, an excess hour surcharge equal to 100 percent of the tuition rate for each credit hour in excess of 110 percent. For the 2019 summer term and thereafter, an excess hour surcharge equal to 100 percent of the tuition rate for each credit hour in excess of 120 percent. Notwithstanding the requirements of this subsection, a state university shall refund the excess hour surcharge assessed pursuant to this paragraph for up to 12 credit hours to any first-time-in-college student who completes a baccalaureate degree program within 4 years after his or her initial enrollment in a state university.

Section 2. This act shall take effect upon becoming a law.

Page 2 of 2

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



The Florida Senate

Committee Agenda Request

To: Senator Kelli Stargel, Chair
Appropriations Subcommittee on Education

Subject: Committee Agenda Request

Date: March 12, 2019

I respectfully request that **Senate Bill #680**, relating to Excess Credit Hours, be placed on the:

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

W. Keith Perry

Senator Keith Perry
Florida Senate, District 8

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

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

BILL: SB 720

INTRODUCER: Senator Flores

SUBJECT: Renaming of Florida College System Institutions

DATE: April 3, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Olenick</u>	<u>Sikes</u>	<u>ED</u>	Favorable
2.	<u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Favorable
3.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 720 changes the name of “Florida Keys Community College” to “College of the Florida Keys” and the name of “North Florida Community College” to “North Florida College.”

The bill does not have an impact to state revenues or expenditures.

The bill takes effect July 1, 2019.

II. Present Situation:

Under Florida law, a Florida College System (FCS) institution, with the approval of its district board of trustees, may change its name as listed in s. 1000.21(3), F.S., and use the designation “college” or “state college” if:

- It has been authorized to grant baccalaureate degrees and has been accredited as a baccalaureate-degree-granting institution by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC).¹
- A district board of trustees that approves the use of the designation “college” or “state college” seeks statutory codification of the name change during the next regular legislative session.²

Currently, 24 of the 28 FCS institutions use the designation “college” or “state college”:³

¹ Section 1001.60(2)(b)1., F.S.

² Section 1001.60(2)(c), F.S.

³ (Broward College, College of Central Florida, Chipola College, Daytona State College, Eastern Florida State College, Florida Gateway College, Florida SouthWestern State College, Florida State College at Jacksonville, Gulf Coast State College, Indian River State College, Lake-Sumter State College, Miami-Dade College, Northwest Florida State College, Palm Beach State College, Pasco-Hernando State College, Pensacola State College, Polk State College, Seminole State

On January 6, 2016, the State Board of Education (SBE) approved Florida Keys Community College's proposal to offer its first baccalaureate degree.⁴ On December 4, 2016, the SACSCOC accredited the college to offer the Bachelor of Applied Science in Supervision and Management effective January 2017.⁵

On September 23, 2016, the SBE approved North Florida Community College's proposal to offer its first baccalaureate degree.⁶ On June 15, 2017, the SACSCOC accredited the college to offer the Bachelor of Science in Nursing effective August 2017.⁷

As required by statute, both colleges sought statutory codification of the name change during the 2018 Legislative Session.⁸

III. Effect of Proposed Changes:

The bill amends s. 1000.21, F.S., to change the name of "Florida Keys Community College" to "College of the Florida Keys" and change the name of "North Florida Community College" to "North Florida College." The colleges have complied with the statutory requirements for name changes.⁹

The bill takes effect July 1, 2019.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

College of Florida, South Florida State College, St. Johns River State College, Santa Fe College, St. Petersburg College, State College of Florida, Manatee-Sarasota, Valencia College), Section 1000.21, F.S.

⁴ State Board of Education, State Board of Education Agenda, (Jan. 6, 2016), <http://www.fldoe.org/core/fileparse.php/13170/urlt/agenda.pdf> (last visited March 6, 2019); Florida Keys Community College, Bachelor's Degree Approval, Jan. 6, 2016, <https://www.fkcc.edu/2016/01/bachelors-degree-approved-by-state-board/> (last visited Mar. 6, 2019).

⁵ Southern Association of Colleges and Schools, Commission on Colleges, *Accreditation Actions Taken by the SACSCOC Board of Trustees*, Dec. 4, 2016; p. 2. https://www.usg.edu/assets/academic_programs/documents/SACS_December_2016_Actions_Disclosure_Statement.pdf (last visited Mar. 6, 2019).

⁶ Florida Board of Education, State Board of Education Agenda, Action Item, Sept. 23, 2016, <http://www.fldoe.org/core/fileparse.php/18330/urlt/bacc.pdf> (last visited Feb 26, 2019); Florida Board of Education, State Board of Education Agenda, Action Item, Oct. 26, 2016, <http://www.fldoe.org/core/fileparse.php/18349/urlt/minutes.pdf> (last visited Feb. 26, 2019).

⁷ Southern Association of Colleges and Schools, Commission on Colleges, *Accreditation Actions Taken by the SACSCOC Board of Trustees*, Jun. 15, 2017; p. 3. https://www.usg.edu/assets/academic_programs/documents/sacs_june_2017_accreditation_actions.pdf (last visited Feb. 26, 2019).

⁸ SB 946 (2018) and CS/HB 619 (2018).

⁹ Email, Florida Department of Education (March 8, 2018).

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill does not have an impact to state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1001.21 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

By Senator Flores

39-01152-19

2019720__

A bill to be entitled

An act relating to the renaming of Florida College System institutions; amending s. 1000.21, F.S.; changing the name of "Florida Keys Community College" to "The College of the Florida Keys"; changing the name of "North Florida Community College" to "North Florida College"; providing an effective date.

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

Section 1. Paragraphs (h) and (p) of subsection (3) of section 1000.21, Florida Statutes, are amended to read:

1000.21 Systemwide definitions.—As used in the Florida K-20 Education Code:

(3) "Florida College System institution" except as otherwise specifically provided, includes all of the following public postsecondary educational institutions in the Florida College System and any branch campuses, centers, or other affiliates of the institution:

(h) The College of the Florida Keys ~~Community College~~, which serves Monroe County.

(p) North Florida ~~Community~~ College, which serves Hamilton, Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.

Section 2. This act shall take effect July 1, 2019.

THE FLORIDA SENATE
APPEARANCE RECORD

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

4/4/19

Meeting Date

SB 720

Bill Number (if applicable)

Topic RENAMING OF FL COLLEGE INSTITUTIONS

Amendment Barcode (if applicable)

Name DIANA PADGETT

Job Title GOV. CONSULTANT

Address 1492 VIEUX CARRE DR.

Street

Phone 850-212-4204

TALL.

City

FL

State

32308

Zip

Email DHPCONSULTING@

EARTHINK.NET

Speaking: For Against Information

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

Representing NORTH FLORIDA COMMUNITY COLLEGE

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 Kelli Stargel, Chair
Appropriations Subcommittee on Education

Subject: Committee Agenda Request

Date: March 13, 2019

I respectfully request that **Senate Bill #720**, relating to the Renaming of Florida College System Institution, be placed on the:

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

Anitere Flores

Senator Anitere Flores
Florida Senate, District 39



The Florida Senate

Senator Manny Diaz, Jr.

District 36

District Office:

Hialeah Gardens City Hall
10001 NW 87 Avenue
Hialeah Gardens, Florida 33016
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Tallahassee Office:

306 Senate Building
404 South Monroe Street
Tallahassee, Florida 32399
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VIA EMAIL

The Honorable Kelli Stargel
Chair
Education Appropriations
The Florida Senate
408 Knott Building
404 S. Monroe Street
Tallahassee, FL 32399-11

REF: ABSENCE EXCUSE

Honorable Chair Stargel:

Please excuse my absence from Committee meeting on Thursday, April 4, 2019 at 10:00 am. I will, however, be submitted my late vote on the bills heard on committee.

Please feel free to contact me with any questions. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Manny Diaz, Jr." with a stylized flourish at the end.

Manny Diaz, Jr.

CC: Tim Elwell, Staff Director
Joanne Bennett, Administrative Assistant

**Education Committee Chair, Appropriations Subcommittee on Education, Health Policy,
Appropriations Subcommittee on Health and Human Services, Ethics and Elections,
Joint Select Committee on Collective Bargaining**