

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

HIGHER EDUCATION
Senator Oelrich, Chair
Senator Siplin, Vice Chair

MEETING DATE: Thursday, February 16, 2012
TIME: 10:30 a.m.—12:45 p.m.
PLACE: 301 Senate Office Building

MEMBERS: Senator Oelrich, Chair; Senator Siplin, Vice Chair; Senators Altman, Lynn, Negron, and Ring

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 1156 Flores	<p>State University Student Fees; Prohibiting the sum of the Capital Improvement Trust Fund fee and the building fee from exceeding 10 percent of the tuition for resident students or 10 percent of the sum of tuition and out-of-state fees for nonresident students; authorizing the use of the Capital Improvement Trust Fund fee for certain projects or real property acquisitions; requiring that the Division of Bond Finance of the State Board of Administration analyze any proposed fee reductions to the Capital Improvement Trust Fund fee; requiring that the Board of Governors approve any proposed fee reductions; requiring that each university board of trustees establish a separate Capital Improvement Trust Fund fee and building fee at the main campus of the university; authorizing the university board to establish a separate Capital Improvement Trust Fund fee and building fee at any branch campus or center; requiring that the Board of Governors adopt regulations and timetables to implement the fees, etc.</p> <p>HE 02/09/2012 Temporarily Postponed HE 02/16/2012 Fav/CS BI BC</p>	Fav/CS Yeas 5 Nays 1
2	SB 1010 Oelrich (Identical H 331, Compare CS/H 4195)	<p>Career and Adult Education; Requiring the Next Generation Sunshine State Standards to include financial literacy in the core curricular content of economics; providing that the credit requirement in economics for high school graduation includes instruction in financial literacy; authorizing district school boards and Florida College System institution boards of trustees to vary up to a specified percentage of intended learning outcomes of career education programs; deleting lifelong learning courses or activities and recreational or leisure courses as priorities in the provision of adult education program academic services, etc.</p> <p>ED 02/14/2012 Favorable HE 02/16/2012 Favorable BC</p>	Favorable Yeas 6 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Higher Education
 Thursday, February 16, 2012, 10:30 a.m.—12:45 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
3	SB 1752 Oelrich	Postsecondary Education; Repealing s. 6, ch. 2006-58, Laws of Florida, which provides for the expiration of s. 1004.226, F.S.; reviving and reenacting s. 1004.226, F.S., relating to the 21st Century Technology, Research, and Scholarship Enhancement Act; providing for retroactive operation, etc. HE 02/16/2012 Fav/CS BC	Fav/CS Yeas 6 Nays 0

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
4	Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointments to the offices indicated.		
	Board of Governors of the State University System		
	Corr, Christopher T. (Lake Lure)	01/06/2019	Recommend Confirm Yeas 6 Nays 0
	Kuntz, Thomas G. (Winter Park)	01/06/2019	Recommend Confirm Yeas 6 Nays 0
	Board of Trustees, New College of Florida		
	Snyder, Steven L. (Sarasota)	01/06/2016	Recommend Confirm Yeas 6 Nays 0
	Board of Trustees, University of West Florida		
	Cleveland, David E. (Gulf Breeze)	01/06/2016	Recommend Confirm Yeas 6 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
	Other Related Meeting Materials		

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 Higher Education Committee

BILL: SB 1156

INTRODUCER: Senator Flores

SUBJECT: State University Student Fees

DATE: February 8, 2012 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harkey	deMarsh-Mathues	HE	Pre-meeting
2.	_____	_____	BI	_____
3.	_____	_____	BC	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill would authorize state universities to increase the Capital Improvement Trust Fund (CITF) Fee and building fee to an amount that could not exceed 10 percent of tuition for resident students and 10 percent of the sum of tuition and out-of-state fees for nonresident students. The fees could be used to fund construction projects or property acquisition. A committee comprised of students appointed by the student body president and other members appointed by the university president would have to approve any subsequent increase in the fee. The fee could only be increased once each year and would have to be implemented beginning with the fall term. The bill requires the Board of Governors to adopt regulations and timetables to implement the fees.

The bill requires the Division of Bond Finance of the State Board of Administration to analyze any proposed reduction to the fees to ensure consistency with prudent financial management of the bond program associated with the revenues from the fee.

This bill amends sections 1009.24, and 1011.48, Florida Statutes.

II. Present Situation:

University Student Fees

State university students pay a number of fees in addition to tuition, as authorized in s. 1009.24, F.S. While some fees are authorized as a percentage of tuition, the statutes establish fixed amounts for the CITF fee and the building fee, which currently are limited to a combined total of

\$4.75 per credit hour per semester.¹ Revenue from these fees may be pledged for bond debt service.

University Campuses

University campuses away from the main campus commonly are referred to as branch campuses. However, the Board of Governors (BOG) does not use the term branch campus, but, rather, additional campus, in order to avoid conflict with the definition used by the regional accrediting body, the Southern Association of Colleges and Schools. BOG Regulation 8.009, Educational Sites,² defines and provides processes for establishing, reclassifying, relocating, and closing educational sites. The regulation defines an additional campus as one that has received separate regional accreditation, is defined as an instructional and administrative unit of a university, apart from the main campus, that primarily offers students upper-division undergraduate and graduate programs, as well as a wide range of administrative and student support services appropriate for the number of student FTE served. It also reflects a relatively permanent commitment by a university for the foreseeable future, not an occasional, time-limited, or transitory activity, in facilities which are university-owned, university-leased, or jointly used with another public institution. According to the BOG, as of June 2010, there were 16 additional campuses in the state university system.³

Issuance of Bonds

Section 1010.62, F.S., establishes a process for authorizing and issuing university debt and identifies the revenues that are available for payment of fixed capital outlay debt over a period of time. This section authorizes the use of the CITF fee and building fee to finance capital outlay projects through the issuance of bonds if the BOG approves the issuance of the debt.

State Debt Fiscal Responsibility

Section 215.98, F.S., requires the authorization of state debt to take into account the ability of the state to meet its total debt service requirements in light of other demands on the state's resources. The statute prohibits the Legislature from issuing additional tax-supported debt if such authorization would cause the designated debt ratio of debt service to revenues available to pay debt service to exceed seven percent, unless the Legislature determines that such additional debt is necessary to address a critical state emergency. Bonds financed through required CITF and building fees would be subject to the state's benchmark debt ratio policy cap of seven percent. According to the 2011 Debt Affordability Report, there is no debt capacity available through FY 2013 because the benchmark debt ratio is still projected to exceed the 7 percent policy cap.⁴ As of January, 2012, the projected ratio of debt service to revenues was 7.34 percent.⁵

III. Effect of Proposed Changes:

This bill would authorize state universities to increase the Capital Improvement Trust Fund Fee and building fee which currently are limited to a combined total of \$4.75 per credit hour per

¹ s. 1009.24(8), F.S., establishes the Capital Improvement Trust Fund Fee at \$2.44 per credit hour and the building fee at \$2.32 per credit hour.

² Readable at: http://www.flbog.edu/documents_regulations/regulations/8_009_2011_11_10_FINAL.pdf

³ BOG staff e-mail communication, February 7, 2012, on file with the committee.

⁴ Division of Bond Finance, State of Florida 2011 Debt Affordability Report, December 2011.

⁵ Division of Bond Finance, January 2012 update to the 2-011 Debt Affordability Report, on file with the committee.

semester, to an amount that could not exceed 10 percent of tuition for resident students and 10 percent of the sum of tuition and out-of-state fees for nonresident students. The fees could be used to fund any project or property acquisition that meets the requirements of chapter 1013, F.S., which governs the use, management, planning, construction, and funding of educational facilities. Each university would be required to establish a separate CITF fee and building fee at the main campus of the university and would be authorized to establish a separate fee for each branch campus or center. A committee comprised of students appointed by the student body president and other members appointed by the university president would have to approve any subsequent increase in the fee. The fee could only be increased once each year and would have to be implemented beginning with the fall term. The bill requires the Board of Governors to adopt regulations and timetables to implement the fees.

The bill requires the Division of Bond Finance of the State Board of Administration to analyze any proposed reduction to the fees to ensure consistency with prudent financial management of the bond program associated with the revenues from the fee.

While authorizing an increase in the CITF fee and building fee, the bill maintains in law the current caps on those fees. Adding a date on which the increase could begin would clarify this contradiction in the bill.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Currently, the same amount is charged to resident and non-resident undergraduate and graduate students for the CITF and building fees. State university students would have to pay any authorized increases in the CITF and building fees. Nonresidents would pay a higher fee than Florida residents. The amount of the fee would increase as tuition increased, and the amount could vary from one university to another.

C. Government Sector Impact:

Currently, the Capital Improvement Fee is set at \$2.44 per student credit hour per semester and the Building Fee is set at \$2.32 per student credit hour per semester for a total of \$4.76. According to the Board of Governors, if the fees were increased to the maximum amount authorized in the bill, the amount generated over 4 years would be \$120 million, and if bonded, the fees could generate approximately \$400 million in revenue.⁶

For FY 2011-12, the amount of undergraduate tuition per credit hour for resident students is \$103.32. Ten percent of this amount is \$10.33. Universities would be able to increase the combined fees by no more than \$5.57 per credit hour per semester. For a student taking 30 credit hours the fiscal impact would be \$167.10.⁷

For non-resident undergraduate students, the average tuition and out-of-state fees per credit hour is \$576.48. Ten percent of \$576.48 is \$57.65. Universities would have the option of increasing the combined fees by no more than the average of \$52.89 per student credit hour. For a student taking 30 credit hours the fiscal impact would be \$1,586.70.⁸ Since any increase would be at the option of the university board of trustees, total fiscal impact is indeterminate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

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

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

None.

B. Amendments:

None.

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

⁶ Board of Governors, "Student Life Facilities Survey Report," January 31, 2011.

⁷ Board of Governors legislative bill analysis, on file with the committee.

⁸ *Id.*



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2012	.	
	.	
	.	
	.	

The Committee on Higher Education (Negron) recommended the following:

Senate Amendment (with title amendment)

Delete lines 43 - 72
and insert:

(b) Beginning with the 2012 fall term, each university board of trustees may increase the Capital Improvement Trust Fund fee and the building fee. Any increase in the fees must be recommended by a Capital Improvement Trust Fund and building fee committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chairperson, appointed jointly by the university president and the student



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13 body president, shall vote only in the case of a tie. The
14 recommendations of the committee shall take effect only after
15 approval by the university president, after consultation with
16 the student body president, with final approval by the
17 university board of trustees. An increase in the fees may occur
18 only once each fiscal year and must be implemented beginning
19 with the fall term. The Board of Governors shall adopt
20 regulations and timetables to implement the fees.

21 (c) The sum of the fees may not exceed 10 percent of the
22 tuition for resident students or 10 percent of the sum of
23 tuition and out-of-state fees for nonresident students. The
24 Capital Improvement Trust Fund fee may be used to fund any
25 project or real property acquisition that meets the requirements
26 of chapter 1013. The Division of Bond Finance of the State Board
27 of Administration shall analyze any proposed reductions to the
28 Capital Improvement Trust Fund fee to ensure consistency with
29 prudent financial management of the bond program associated with
30 the revenues from the fee. The Board of Governors shall approve
31 any proposed fee reductions.

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

34 And the title is amended as follows:

35 Delete lines 3 - 28

36 and insert:

37 amending s. 1009.24, F.S.; authorizing each university
38 board of trustees to increase the Capital Improvement
39 Trust Fund fee and the building fee; requiring that a
40 fee committee recommend any increase in the fees;
41 requiring that the fee committee be composed of



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42 students and members appointed by the student body
43 president and the university president, respectively;
44 requiring that the university president approve
45 committee recommendations; providing that any increase
46 in fees may occur only once each fiscal year;
47 requiring that the Board of Governors adopt
48 regulations and timetables to implement the fees;
49 prohibiting the sum of the Capital Improvement Trust
50 Fund fee and the building fee from exceeding 10
51 percent of the tuition for resident students or 10
52 percent of the sum of tuition and out-of-state fees
53 for nonresident students; authorizing the use of the
54 Capital Improvement Trust Fund fee for certain
55 projects or real property acquisitions; requiring that
56 the Division of Bond Finance of the State Board of
57 Administration analyze any proposed fee reductions to
58 the Capital Improvement Trust Fund fee; requiring that
59 the Board of Governors approve any proposed fee
60 reductions;

By Senator Flores

38-00826-12

20121156__

1 A bill to be entitled
 2 An act relating to state university student fees;
 3 amending s. 1009.24, F.S.; prohibiting the sum of the
 4 Capital Improvement Trust Fund fee and the building
 5 fee from exceeding 10 percent of the tuition for
 6 resident students or 10 percent of the sum of tuition
 7 and out-of-state fees for nonresident students;
 8 authorizing the use of the Capital Improvement Trust
 9 Fund fee for certain projects or real property
 10 acquisitions; requiring that the Division of Bond
 11 Finance of the State Board of Administration analyze
 12 any proposed fee reductions to the Capital Improvement
 13 Trust Fund fee; requiring that the Board of Governors
 14 approve any proposed fee reductions; requiring that
 15 each university board of trustees establish a separate
 16 Capital Improvement Trust Fund fee and building fee at
 17 the main campus of the university; authorizing the
 18 university board to establish a separate Capital
 19 Improvement Trust Fund fee and building fee at any
 20 branch campus or center; requiring that a fee
 21 committee recommend any increase in the fees;
 22 requiring that the fee committee be composed of
 23 students and members appointed by the university
 24 president; requiring that the university president
 25 approve committee recommendations; providing that any
 26 increase in fees may occur only once each fiscal year;
 27 requiring that the Board of Governors adopt
 28 regulations and timetables to implement the fees;
 29 reenacting s. 1011.48(5), F.S., relating to the

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

38-00826-12

20121156__

30 establishment of educational research centers for
 31 child development, to incorporate the amendment made
 32 to s. 1009.24(8), F.S., in a reference thereto;
 33 providing an effective date.
 34

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

36
 37 Section 1. Subsection (8) of section 1009.24, Florida
 38 Statutes, is amended to read:
 39 1009.24 State university student fees.—
 40 (8) (a) The Capital Improvement Trust Fund fee is
 41 established as \$2.44 per credit hour per semester. The building
 42 fee is established as \$2.32 per credit hour per semester.
 43 (b) The sum of the fees may not exceed 10 percent of the
 44 tuition for resident students or 10 percent of the sum of
 45 tuition and out-of-state fees for nonresident students. The
 46 Capital Improvement Trust Fund fee may be used to fund any
 47 project or real property acquisition that meets the requirements
 48 of chapter 1013. The Division of Bond Finance of the State Board
 49 of Administration shall analyze any proposed reductions to the
 50 Capital Improvement Trust Fund fee to ensure consistency with
 51 prudent financial management of the bond program associated with
 52 the revenues from the fee. The Board of Governors shall approve
 53 any proposed fee reductions.
 54 (c) Each university board of trustees shall establish a
 55 separate Capital Improvement Trust Fund fee and building fee at
 56 the main campus of the university. The university board may also
 57 establish a separate Capital Improvement Trust Fund fee and
 58 building fee at any branch campus or center. Any subsequent

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

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 59 increase in the fees must be recommended by a Capital
 60 Improvement Trust Fund and building fee committee, at least one-
 61 half of whom are students appointed by the student body
 62 president. The remainder of the committee shall be appointed by
 63 the university president. A chairperson, appointed jointly by
 64 the university president and the student body president, shall
 65 vote only in the case of a tie. The recommendations of the
 66 committee shall take effect only after approval by the
 67 university president, after consultation with the student body
 68 president, with final approval by the university board of
 69 trustees. An increase in the fees may occur only once each
 70 fiscal year and must be implemented beginning with the fall
 71 term. The Board of Governors shall adopt regulations and
 72 timetables to implement the fees.

73 Section 2. For the purpose of incorporating the amendment
 74 made by this act to section 1009.24(8), Florida Statutes, in a
 75 reference thereto, subsection (5) of section 1011.48, Florida
 76 Statutes, is reenacted to read:

77 1011.48 Establishment of educational research centers for
 78 child development.-

79 (5) Each educational research center for child development
 80 shall be funded by a portion of the Capital Improvement Trust
 81 Fund fee established by the Board of Governors pursuant to s.
 82 1009.24(8). Each university that establishes a center shall
 83 receive a portion of such fees collected from the students
 84 enrolled at that university, usable only at that university,
 85 equal to 22.5 cents per student per credit hour taken per term,
 86 based on the summer term and fall and spring semesters. This
 87 allocation shall be used by the university only for the

38-00826-12 20121156__
 88 establishment and operation of a center as provided by this
 89 section and rules adopted hereunder. Said allocation may be made
 90 only after all bond obligations required to be paid from such
 91 fees have been met.

92 Section 3. This act shall take effect July 1, 2012.

THE FLORIDA SENATE
APPEARANCE RECORD

Waive

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

2/16/2012
Meeting Date

Topic CITF - Student Fees Bill Number 1156
(if applicable)

Name ADRIANA PEREIRA Amendment Barcode _____
(if applicable)

Job Title Director of State Relations (FIU)

Address 11200 SW 8 St., PC 519 Phone (305) 348-3505
Street

Miami FL 33199 E-mail aperei@fiu.edu
City State Zip

Speaking: For Against Information

Representing Florida International University

Appearing at request of Chair: Yes No Lobbyist registered with Legislature: Yes No

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

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

The Florida Senate
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 Higher Education Committee

BILL: SB 1010
 INTRODUCER: Senator Oelrich
 SUBJECT: Career and Adult Education
 DATE: February 14, 2012

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Carrouth	deMarsh-Mathues	ED	Favorable
2.	Carrouth	deMarsh-Mathues	HE	Favorable
3.			BC	
4.				
5.				
6.				

I. Summary:

The bill creates “Action Steps to Employment,” strategic activities to be completed prior to the completion of the first term for students entering adult general education programs. This initiative would include, among other activities, identification of and strategies to acquire the knowledge and skills needed to attain employment.

Under the bill, students entering adult general education programs would be provided assistance from employment specialists, guidance counselors, business and industry representatives, and online resources. Online resources would include information on financial literacy, student financial aid, industry certification, and occupational skills and a listing of employment openings.

The bill authorizes district school boards and Florida College System (FCS) institutions to adjust up to ten percent of the intended learning outcomes in their respective career education programs. The flexibility would allow school districts and the FCS institutions to respond quickly to local workforce needs. The flexibility to adjust learning outcomes would not apply to career education programs that train students for occupations requiring state or federal licensure, certification, or registration.

The bill would establish that the one-half credit in economics required for high school graduation¹ include instruction in financial literacy. Financial literacy would also be included within the state adopted social studies curriculum standards.

¹ s. 1003.428(2)(a)4., F.S.

In addition, financial literacy would be included as a component of required instruction as outlined in current law.²

The bill also includes technical changes to career-related education terminology. The term “applied academics for adult education” would replace the term “vocational preparatory instruction,” as it relates to adult education instruction.

This bill amends sections 1003.41, 1003.42, 1003.428, 1003.429, 1003.433, 1004.02, 1004.91, 1004.92, 1004.93, 1007.263, 1007.271, 1008.37, 1009.22, and 1009.25 of the Florida Statutes.

II. Present Situation:

Adult Education

In 2009-2010, more than 340,000 individuals were enrolled in Adult Basic Education (ABE), General Educational Development (GED), Adult High School (AHS), and English for Speakers of Other Languages (ESOL) programs.³ According to the DOE, many of these students lack basic reading skills beyond the eighth-grade level,⁴ making it difficult for them to obtain employment beyond the entry-level. Many of these individuals are unable to secure a job at all.⁵

Current labor market trends indicate that a high school diploma alone will not provide sufficient skills in many areas of forecasted employment. It is projected that more than 70 percent of jobs created from 2006-2020 will require more than a high school diploma.⁶

In June 2008, DOE launched a “re-engineering of adult education programs.”⁷ The specific goal of the program is to increase the number and percentage of adult education students who enter postsecondary education and earn a degree, certificate, or industry credential and secure employment.

Current law encourages adult education services to include lifelong learning courses and activities that address community, social, and economic issues, as well as courses relating to recreational or leisure pursuits of the student.⁸ Current law stipulates that the cost of the recreational or leisure pursuit courses be borne by the enrollees.⁹

Financial Literacy

Section 1003.41 (1)(a)3, F.S., establishes curricular content for mathematics to include financial literacy standards. Financial literacy standards were previously included in mathematics courses

² s. 1003.42, F.S.

³ DOE Bill analysis, October 20, 2011. On file with the Senate Committee on Education Pre-K – 12.

⁴ More than 1.7 million adults in Florida have reading skills below the 8th grade level. See www.fldoe.org/workforce/adulted/pdf/AdultEd-StatePlan.pdf.

⁵ DOE Bill analysis, October 20, 2011. On file with the Senate Committee on Education Pre-K – 12.

⁶ See www.fldoe.org/workforce/dwdgrants/pdf/strategic_plan.pdf. See also <http://www.edweek.org/ew/articles/2011/06/09/34overview.h30.html?intc=EW-DC11-TOC>.

⁷ See http://www.fldoe.org/Workforce/dwdgrants/pdf/strategic_plan.pdf.

⁸ s. 1004.93(4), F.S.

⁹ s. 1004.93(2), F.S.

at the grade 9-12 level.¹⁰ Financial literacy content, however, is not included in the Common Core Standards for mathematics adopted by the SBE in July, 2010.¹¹

For purposes of high school graduation, students are required to earn three credits in social studies, which includes one-half credit in economics. Frameworks for current economics courses do not include financial literacy content and financial literacy content is not included in the newly developed Common Core Standards adopted by the SBE in July, 2010.¹² In order to ensure instruction in financial literacy, the DOE has proposed incorporating the content into an existing required course.¹³

III. Effect of Proposed Changes:

Adult General Education

The bill establishes an increased emphasis on the critical link between adult general education programs and gainful employment. The bill creates “Action Steps to Employment” activities for students entering adult general education programs after July 1, 2012. The activities must be completed prior to the end of the student’s first term. The activities include:

- Identification of employment opportunities using market-driven tools;
- Creation of a personalized employment goal;
- Completion of a personalized skill and knowledge inventory;
- Comparison of the results of the personalized skill and knowledge inventory with the knowledge and skills needed to attain the personalized employment goal; and
- Upgrading of skills and knowledge needed through adult general education programs and additional educational training, if needed, based on the employment goal.

Under the bill, the “Action Steps to Employment” would be developed through assistance provided by adult general education teachers, employment specialists, guidance counselors, business and industry representatives, and online resources. Students would be directed to online resources and provided information on financial literacy, student financial aid, industry certification, occupational skills, and a listing of employment openings.

The bill provides for a ten percent variance on the learning outcomes in non-regulated career education programs offered by local school districts and FCS institutions. This provision would provide flexibility for school districts and state colleges to develop curriculum and learning outcomes in response to local employer needs. Although the Division of Career and Adult Education currently reviews and updates career education curriculum frameworks every three years based on input from business and industry, some program standards and outcomes,

¹⁰ See <http://www.floridastandards.org/index.aspx>. MA.912.A.2.1, was formerly included in state adopted Next Generation Sunshine State Standards.

¹¹ Email correspondence with the DOE Deputy Chancellor for Educator Quality, February 1, 2012. On file with the Senate Committee on Education Pre-K – 12. Common Cores Standards, to date, have not been developed for content areas other than mathematics and reading/language arts. In order to ensure delivery of financial literacy instruction, the content has been integrated into the state standards for social studies, specifically economics for grades 9-12.

¹² See http://www.floridastandards.org/Standards/Common_Core_Standards.aspx.

¹³ Email correspondence with the DOE Deputy Chancellor for Educator Quality, February 1, 2012. On file with the Senate Committee on Education Pre-K – 12.

particularly in the Information Technology Cluster, change rapidly. This flexibility to adjust certain learning outcomes would allow education providers to respond more quickly to the changing needs of local employers.

Adult General Education is defined in law as "comprehensive instructional programs designed to improve the employability of the state's workforce through adult basic education..."¹⁴ and is supported through state funding. State funding is only provided for the programs currently included in the definition of adult general education and does not include financial support for lifelong learning and leisure pursuits. The bill would repeal the inclusion of lifelong learning courses or courses related to recreational or leisure pursuits within the definition of adult general education.¹⁵

Financial Literacy

The bill would require that financial literacy standards be included within the economics course required for high school graduation. The provision will ensure that the content is included within an appropriate course required for high school graduation, irrespective of the content not be included in the Common Core Standards for mathematics. The bill also provides a definition of financial literacy and requires that financial literacy be included in required instruction under s. 1003.42, F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

¹⁴ s. 1004.02(3), F.S.

¹⁵ ch. 2011-63, L.O.F. amended s. 1009.25, F.S., to remove the adult general education fee exemption for students without a high school diploma or students who test at or below the eighth grade in basic skills.

B. Private Sector Impact:

The private sector may realize a financial benefit as the result adult general education being targeted more closely to local workforce needs.

C. Government Sector Impact:

According to the DOE, the costs associated with the development of the “Action Steps to Employment” would be minimal. Costs with respect to professional development for social studies teachers to incorporate financial literacy instruction within economics coursework is also minimal.¹⁶

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

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

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

None.

B. Amendments:

None.

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

¹⁶ DOE Bill analysis, October 20, 2011. On file with the Senate Committee on Education Pre-K – 12.

By Senator Oelrich

14-00899-12

20121010__

1 A bill to be entitled
 2 An act relating to career and adult education;
 3 amending s. 1003.41, F.S.; requiring the Next
 4 Generation Sunshine State Standards to include
 5 financial literacy in the core curricular content of
 6 economics; amending s. 1003.42, F.S.; including the
 7 study of financial literacy in public school required
 8 instruction; amending ss. 1003.428 and 1003.429, F.S.;
 9 providing that the credit requirement in economics for
 10 high school graduation includes instruction in
 11 financial literacy; amending s. 1003.433, F.S.,
 12 relating to learning opportunities for certain
 13 transfer students and students needing additional
 14 instruction to meet high school graduation
 15 requirements; deleting provisions that exempt adult
 16 general education students from payment of tuition and
 17 fees; amending s. 1004.02, F.S.; revising definitions;
 18 replacing the term "vocational-preparatory"
 19 instruction with the term "applied academics for adult
 20 education" instruction with respect to adult general
 21 education; amending s. 1004.91, F.S.; conforming
 22 provisions relating to career education programs;
 23 deleting obsolete provisions; amending s. 1004.92,
 24 F.S.; authorizing district school boards and Florida
 25 College System institution boards of trustees to vary
 26 up to a specified percentage of intended learning
 27 outcomes of career education programs; amending s.
 28 1004.93, F.S.; deleting lifelong learning courses or
 29 activities and recreational or leisure courses as

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30 priorities in the provision of adult education program
 31 academic services; requiring students entering adult
 32 general education programs to complete specified
 33 "Action Steps to Employment" activities; amending ss.
 34 1007.263, 1007.271, 1008.37, 1009.22, and 1009.25,
 35 F.S.; conforming terminology to changes made by the
 36 act; providing an effective date.
 37
 38 Be It Enacted by the Legislature of the State of Florida:
 39
 40 Section 1. Paragraph (a) of subsection (1) of section
 41 1003.41, Florida Statutes, is amended to read:
 42 1003.41 Sunshine State Standards.—
 43 (1) Public K-12 educational instruction in Florida is based
 44 on the "Sunshine State Standards." The State Board of Education
 45 shall review the Sunshine State Standards and replace them with
 46 the Next Generation Sunshine State Standards that establish the
 47 core content of the curricula to be taught in this state and
 48 that specify the core content knowledge and skills that K-12
 49 public school students are expected to acquire. The Next
 50 Generation Sunshine State Standards must, at a minimum:
 51 (a) Establish the core curricular content for language
 52 arts, science, mathematics, and social studies, as follows:
 53 1. Language arts standards must establish specific
 54 curricular content for, at a minimum, the reading process,
 55 literary analysis, the writing process, writing applications,
 56 communication, and information and media literacy. The standards
 57 must include distinct grade level expectations for the core
 58 content knowledge and skills that a student is expected to have

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59 acquired by each individual grade level from kindergarten
 60 through grade 8. The language arts standards for grades 9
 61 through 12 may be organized by grade clusters of more than one
 62 grade level. The language arts standards must also identify
 63 significant literary genres and authors that encompass a
 64 comprehensive range of historical periods. Beginning with the
 65 2011-2012 school year, the reading portion of the language arts
 66 curriculum shall include civics education content for all grade
 67 levels. The State Board of Education shall, in accordance with
 68 the expedited schedule established under subsection (2), review
 69 and replace the language arts standards adopted by the state
 70 board in 2007 with Next Generation Sunshine State Standards that
 71 comply with this subparagraph.

72 2. Science standards must establish specific curricular
 73 content for, at a minimum, the nature of science, earth and
 74 space science, physical science, and life science. The standards
 75 must include distinct grade level expectations for the core
 76 content knowledge and skills that a student is expected to have
 77 acquired by each individual grade level from kindergarten
 78 through grade 8. The science standards for grades 9 through 12
 79 may be organized by grade clusters of more than one grade level.

80 3. Mathematics standards must establish specific curricular
 81 content for, at a minimum, algebra, geometry, probability,
 82 statistics, calculus, discrete mathematics, ~~financial literacy,~~
 83 and trigonometry. The standards must include distinct grade
 84 level expectations for the core content knowledge and skills
 85 that a student is expected to have acquired by each individual
 86 grade level from kindergarten through grade 8. The mathematics
 87 standards for grades 9 through 12 may be organized by grade

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88 clusters of more than one grade level.
 89 4. Social studies standards must establish specific
 90 curricular content for, at a minimum, geography, United States
 91 and world history, government, civics, economics to include
 92 financial literacy, and humanities. The standards must include
 93 distinct grade level expectations for the core content knowledge
 94 and skills that a student is expected to have acquired by each
 95 individual grade level from kindergarten through grade 8. The
 96 social studies standards for grades 9 through 12 may be
 97 organized by grade clusters of more than one grade level.

98 Section 2. Paragraph (u) is added to subsection (2) of
 99 section 1003.42, Florida Statutes, to read:

100 1003.42 Required instruction.—

101 (2) Members of the instructional staff of the public
 102 schools, subject to the rules of the State Board of Education
 103 and the district school board, shall teach efficiently and
 104 faithfully, using the books and materials required that meet the
 105 highest standards for professionalism and historic accuracy,
 106 following the prescribed courses of study, and employing
 107 approved methods of instruction, the following:

108 (u) Financial literacy, including the knowledge,
 109 understanding, skills, behaviors, attitudes, and values that
 110 will enable a student to make responsible and effective
 111 financial decisions in his or her daily life now and during
 112 adulthood.

113
 114 The State Board of Education is encouraged to adopt standards
 115 and pursue assessment of the requirements of this subsection.

116 Section 3. Paragraph (a) of subsection (2) of section

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117 1003.428, Florida Statutes, is amended to read:
 118 1003.428 General requirements for high school graduation;
 119 revised.—
 120 (2) The 24 credits may be earned through applied,
 121 integrated, and combined courses approved by the Department of
 122 Education. The 24 credits shall be distributed as follows:
 123 (a) Sixteen core curriculum credits:
 124 1. Four credits in English, with major concentration in
 125 composition, reading for information, and literature.
 126 2. Four credits in mathematics, one of which must be
 127 Algebra I, a series of courses equivalent to Algebra I, or a
 128 higher-level mathematics course. Beginning with students
 129 entering grade 9 in the 2010-2011 school year, in addition to
 130 the Algebra I credit requirement, one of the four credits in
 131 mathematics must be geometry or a series of courses equivalent
 132 to geometry as approved by the State Board of Education.
 133 Beginning with students entering grade 9 in the 2010-2011 school
 134 year, the end-of-course assessment requirements under s.
 135 1008.22(3)(c)2.a.(I) must be met in order for a student to earn
 136 the required credit in Algebra I. Beginning with students
 137 entering grade 9 in the 2011-2012 school year, the end-of-course
 138 assessment requirements under s. 1008.22(3)(c)2.a.(I) must be
 139 met in order for a student to earn the required credit in
 140 geometry. Beginning with students entering grade 9 in the 2012-
 141 2013 school year, in addition to the Algebra I and geometry
 142 credit requirements, one of the four credits in mathematics must
 143 be Algebra II or a series of courses equivalent to Algebra II as
 144 approved by the State Board of Education.
 145 3. Three credits in science, two of which must have a

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146 laboratory component. Beginning with students entering grade 9
 147 in the 2011-2012 school year, one of the three credits in
 148 science must be Biology I or a series of courses equivalent to
 149 Biology I as approved by the State Board of Education. Beginning
 150 with students entering grade 9 in the 2011-2012 school year, the
 151 end-of-course assessment requirements under s.
 152 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
 153 the required credit in Biology I. Beginning with students
 154 entering grade 9 in the 2013-2014 school year, one of the three
 155 credits must be Biology I or a series of courses equivalent to
 156 Biology I as approved by the State Board of Education, one
 157 credit must be chemistry or physics or a series of courses
 158 equivalent to chemistry or physics as approved by the State
 159 Board of Education, and one credit must be an equally rigorous
 160 course, as determined by the State Board of Education.
 161 4. Three credits in social studies as follows: one credit
 162 in United States history; one credit in world history; one-half
 163 credit in economics to include financial literacy; and one-half
 164 credit in United States government.
 165 5. One credit in fine or performing arts, speech and
 166 debate, or a practical arts course that incorporates artistic
 167 content and techniques of creativity, interpretation, and
 168 imagination. Eligible practical arts courses shall be identified
 169 through the Course Code Directory.
 170 6. One credit in physical education to include integration
 171 of health. Participation in an interscholastic sport at the
 172 junior varsity or varsity level for two full seasons shall
 173 satisfy the one-credit requirement in physical education if the
 174 student passes a competency test on personal fitness with a

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 175 score of "C" or better. The competency test on personal fitness
 176 must be developed by the Department of Education. A district
 177 school board may not require that the one credit in physical
 178 education be taken during the 9th grade year. Completion of one
 179 semester with a grade of "C" or better in a marching band class,
 180 in a physical activity class that requires participation in
 181 marching band activities as an extracurricular activity, or in a
 182 dance class shall satisfy one-half credit in physical education
 183 or one-half credit in performing arts. This credit may not be
 184 used to satisfy the personal fitness requirement or the
 185 requirement for adaptive physical education under an individual
 186 education plan (IEP) or 504 plan. Completion of 2 years in a
 187 Reserve Officer Training Corps (R.O.T.C.) class, a significant
 188 component of which is drills, shall satisfy the one-credit
 189 requirement in physical education and the one-credit requirement
 190 in performing arts. This credit may not be used to satisfy the
 191 personal fitness requirement or the requirement for adaptive
 192 physical education under an individual education plan (IEP) or
 193 504 plan.

194 Section 4. Paragraphs (b) and (c) of subsection (1) of
 195 section 1003.429, Florida Statutes, are amended to read:

196 1003.429 Accelerated high school graduation options.—

197 (1) Students who enter grade 9 in the 2006-2007 school year
 198 and thereafter may select, upon receipt of each consent required
 199 by this section, one of the following three high school
 200 graduation options:

201 (b) Completion of a 3-year standard college preparatory
 202 program requiring successful completion of a minimum of 18
 203 academic credits in grades 9 through 12. At least 6 of the 18

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 204 credits required for completion of this program must be received
 205 in classes that are offered pursuant to the International
 206 Baccalaureate Program, the Advanced Placement Program, dual
 207 enrollment, Advanced International Certificate of Education, or
 208 specifically listed or identified by the Department of Education
 209 as rigorous pursuant to s. 1009.531(3). The 18 credits required
 210 for completion of this program shall be primary requirements and
 211 shall be distributed as follows:

212 1. Four credits in English, with major concentration in
 213 composition and literature;

214 2. Three credits and, beginning with students entering
 215 grade 9 in the 2010-2011 school year, four credits in
 216 mathematics at the Algebra I level or higher from the list of
 217 courses that qualify for state university admission. Beginning
 218 with students entering grade 9 in the 2010-2011 school year, in
 219 addition to the Algebra I credit requirement, one of the four
 220 credits in mathematics must be geometry or a series of courses
 221 equivalent to geometry as approved by the State Board of
 222 Education. Beginning with students entering grade 9 in the 2010-
 223 2011 school year, the end-of-course assessment requirements
 224 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
 225 to earn the required credit in Algebra I. Beginning with
 226 students entering grade 9 in the 2011-2012 school year, the end-
 227 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
 228 must be met in order for a student to earn the required credit
 229 in geometry. Beginning with students entering grade 9 in the
 230 2012-2013 school year, in addition to the Algebra I and geometry
 231 credit requirements, one of the four credits in mathematics must
 232 be Algebra II or a series of courses equivalent to Algebra II as

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233 approved by the State Board of Education;

234 3. Three credits in science, two of which must have a

235 laboratory component. Beginning with students entering grade 9

236 in the 2011-2012 school year, one of the three credits in

237 science must be Biology I or a series of courses equivalent to

238 Biology I as approved by the State Board of Education. Beginning

239 with students entering grade 9 in the 2011-2012 school year, the

240 end-of-course assessment requirements under s.

241 1008.22(3)(c)2.a.(II) must be met in order for a student to earn

242 the required credit in Biology I. Beginning with students

243 entering grade 9 in the 2013-2014 school year, one of the three

244 credits must be Biology I or a series of courses equivalent to

245 Biology I as approved by the State Board of Education, one

246 credit must be chemistry or physics or a series of courses

247 equivalent to chemistry or physics as approved by the State

248 Board of Education, and one credit must be an equally rigorous

249 course, as approved by the State Board of Education;

250 4. Three credits in social sciences, which must include one

251 credit in United States history, one credit in world history,

252 one-half credit in United States government, and one-half credit

253 in economics to include financial literacy;

254 5. Two credits in the same second language unless the

255 student is a native speaker of or can otherwise demonstrate

256 competency in a language other than English. If the student

257 demonstrates competency in another language, the student may

258 replace the language requirement with two credits in other

259 academic courses; and

260 6. Three credits in electives and, beginning with students

261 entering grade 9 in the 2010-2011 school year, two credits in

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262 electives; or

263 (c) Completion of a 3-year career preparatory program

264 requiring successful completion of a minimum of 18 academic

265 credits in grades 9 through 12. The 18 credits shall be primary

266 requirements and shall be distributed as follows:

267 1. Four credits in English, with major concentration in

268 composition and literature;

269 2. Three credits and, beginning with students entering

270 grade 9 in the 2010-2011 school year, four credits in

271 mathematics, one of which must be Algebra I. Beginning with

272 students entering grade 9 in the 2010-2011 school year, in

273 addition to the Algebra I credit requirement, one of the four

274 credits in mathematics must be geometry or a series of courses

275 equivalent to geometry as approved by the State Board of

276 Education. Beginning with students entering grade 9 in the 2010-

277 2011 school year, the end-of-course assessment requirements

278 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student

279 to earn the required credit in Algebra I. Beginning with

280 students entering grade 9 in the 2011-2012 school year, the end-

281 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)

282 must be met in order for a student to earn the required credit

283 in geometry. Beginning with students entering grade 9 in the

284 2012-2013 school year, in addition to the Algebra I and geometry

285 credit requirements, one of the four credits in mathematics must

286 be Algebra II or a series of courses equivalent to Algebra II as

287 approved by the State Board of Education;

288 3. Three credits in science, two of which must have a

289 laboratory component. Beginning with students entering grade 9

290 in the 2011-2012 school year, one of the three credits in

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291 science must be Biology I or a series of courses equivalent to
 292 Biology I as approved by the State Board of Education. Beginning
 293 with students entering grade 9 in the 2011-2012 school year, the
 294 end-of-course assessment requirements under s.

295 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
 296 the required credit in Biology I. Beginning with students
 297 entering grade 9 in the 2013-2014 school year, one of the three
 298 credits must be Biology I or a series of courses equivalent to
 299 Biology I as approved by the State Board of Education, one
 300 credit must be chemistry or physics or a series of courses
 301 equivalent to chemistry or physics as approved by the State
 302 Board of Education, and one credit must be an equally rigorous
 303 course, as approved by the State Board of Education;

304 4. Three credits in social sciences, which must include one
 305 credit in United States history, one credit in world history,
 306 one-half credit in United States government, and one-half credit
 307 in economics to include financial literacy;

308 5. Three credits in a single vocational or career education
 309 program, three credits in career and technical certificate dual
 310 enrollment courses, or five credits in vocational or career
 311 education courses; and

312 6. Two credits and, beginning with students entering grade
 313 9 in the 2010-2011 school year, one credit in electives unless
 314 five credits are earned pursuant to subparagraph 5.

315
 316 Any student who selected an accelerated graduation program
 317 before July 1, 2004, may continue that program, and all
 318 statutory program requirements that were applicable when the
 319 student made the program choice shall remain applicable to the

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320 student as long as the student continues that program.

321 Section 5. Paragraph (c) of subsection (2) of section
 322 1003.433, Florida Statutes, is amended to read:

323 1003.433 Learning opportunities for out-of-state and out-
 324 of-country transfer students and students needing additional
 325 instruction to meet high school graduation requirements.-

326 (2) Students who have met all requirements for the standard
 327 high school diploma except for passage of the grade 10 FCAT or
 328 an alternate assessment by the end of grade 12 must be provided
 329 the following learning opportunities:

330 (c) Participation in an adult general education program as
 331 provided in s. 1004.93 for such time as the student requires to
 332 master English, reading, mathematics, or any other subject
 333 required for high school graduation. ~~Students attending adult
 334 basic, adult secondary, or vocational preparatory instruction
 335 are exempt from any requirement for the payment of tuition and
 336 fees, including lab fees, pursuant to s. 1009.25.~~ A student
 337 attending an adult general education program shall have the
 338 opportunity to take the grade 10 FCAT an unlimited number of
 339 times in order to receive a standard high school diploma.

340 Section 6. Subsections (3) and (24) of section 1004.02,
 341 Florida Statutes, are amended to read:

342 1004.02 Definitions.-As used in this chapter:

343 (3) "Adult general education" means comprehensive
 344 instructional programs designed to improve the employability of
 345 the state's workforce through adult basic education, adult
 346 secondary education, English for Speakers of Other Languages,
 347 applied academics for adult education ~~vocational preparatory~~
 348 instruction, and instruction for adults with disabilities.

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349 (24) "Applied academics for adult education instruction" or
 350 "applied academics instruction" ~~"Vocational-preparatory~~
 351 ~~instruction"~~ means adult general education through which persons
 352 attain academic and workforce readiness skills at the level of
 353 functional literacy (grade levels 6.0-8.9) or higher so that
 354 such persons may pursue technical certificate education or
 355 higher-level technical education.

356 Section 7. Section 1004.91, Florida Statutes, is amended to
 357 read:

358 1004.91 Career education program basic skills requirements
 359 Career preparatory instruction.-

360 (1) The State Board of Education shall adopt, by rule,
 361 standards of basic skill mastery for completion of certificate
 362 career education programs. Each school district and Florida
 363 College System institution that conducts programs that confer
 364 career credit shall provide applied academics ~~career-preparatory~~
 365 ~~instruction~~ through which students receive the basic skills
 366 instruction required pursuant to this section.

367 (2) Students who enroll in a program offered for career
 368 credit of 450 hours or more shall complete an entry-level
 369 examination within the first 6 weeks of admission into the
 370 program. The State Board of Education shall designate
 371 examinations that are currently in existence, the results of
 372 which are comparable across institutions, to assess student
 373 mastery of basic skills. Any student found to lack the required
 374 level of basic skills for such program shall be referred to
 375 applied academics ~~career-preparatory~~ instruction or another
 376 adult general basic ~~education~~ program for a structured program
 377 of basic skills instruction. Such instruction may include

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378 English for speakers of other languages. A student may not
 379 receive a career certificate of completion without first
 380 demonstrating the basic skills required in the state curriculum
 381 frameworks for the career education program.

382 (3) An adult student with a disability may be exempted from
 383 the provisions of this section. A student who possesses a
 384 college degree at the associate in applied science level or
 385 higher is exempt from this section. ~~A student who has completed~~
 386 ~~or who is exempt from the college-level communication and~~
 387 ~~computation skills examination pursuant to s. 1008.29, or who is~~
 388 ~~exempt from the college entry level examination pursuant to s.~~
 389 ~~1008.29, is exempt from the provisions of this section.~~ Students
 390 who have passed a state, national, or industry licensure exam
 391 aligned to the career education program in which a student is
 392 enrolled are exempt from this section. An adult student who is
 393 enrolled in an apprenticeship program that is registered with
 394 the Department of Education in accordance with the provisions of
 395 chapter 446 is exempt from the provisions of this section.

396 Section 8. Paragraph (c) is added to subsection (2) of
 397 section 1004.92, Florida Statutes, to read:

398 1004.92 Purpose and responsibilities for career education.-

399 (2)
 400 (c) District school boards and Florida College System
 401 institution boards of trustees may vary up to 10 percent of the
 402 intended learning outcomes of each career education program. The
 403 variance does not apply to career education programs that train
 404 students for occupations requiring state or federal licensure,
 405 certification, or registration.

406 Section 9. Subsection (2) of section 1004.93, Florida

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 407 Statutes, is amended, subsection (8) is renumbered as subsection
 408 (9), and a new subsection (8) is added to that section, to read:
 409 1004.93 Adult general education.-

410 (2) The adult education program must provide academic
 411 services to students in the following priority:

412 (a) Students who demonstrate skills at less than a fifth
 413 grade level, as measured by tests approved for this purpose by
 414 the State Board of Education, and who are studying to achieve
 415 basic literacy.

416 (b) Students who demonstrate skills at the fifth grade
 417 level or higher, but below the ninth grade level, as measured by
 418 tests approved for this purpose by the State Board of Education,
 419 and who are studying to achieve functional literacy.

420 (c) Students who are earning credit required for a high
 421 school diploma or who are preparing for the General Educational
 422 Development test.

423 (d) Students who have earned high school diplomas and
 424 require specific improvement in order to:

- 425 1. Obtain or maintain employment or benefit from
- 426 certificate career education programs;
- 427 2. Pursue a postsecondary degree; or
- 428 3. Develop competence in the English language to qualify
- 429 for employment.

430 ~~(e) Students who enroll in lifelong learning courses or~~
 431 ~~activities that seek to address community social and economic~~
 432 ~~issues that consist of health and human relations, government,~~
 433 ~~parenting, consumer economics, and senior citizens.~~

434 ~~(f) Students who enroll in courses that relate to the~~
 435 ~~recreational or leisure pursuits of the students. The cost of~~

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 436 ~~courses conducted pursuant to this paragraph shall be borne by~~
 437 ~~the enrollees.~~

438 (8) In order to accelerate the employment of adult
 439 education students, students entering adult general education
 440 programs after July 1, 2012, must complete the following "Action
 441 Steps to Employment" activities prior to the completion of the
 442 first term:

443 (a) Identify employment opportunities using market-driven
 444 tools.

445 (b) Create a personalized employment goal.

446 (c) Conduct a personalized skill and knowledge inventory.

447 (d) Compare the results of the personalized skill and
 448 knowledge inventory with the knowledge and skills needed to
 449 attain the personalized employment goal.

450 (e) Upgrade skills and knowledge needed through adult
 451 general education programs and additional educational pursuits
 452 based on the personalized employment goal.

453
 454 The "Action Steps to Employment" may be developed through a
 455 blended approach with assistance provided to adult general
 456 education students by teachers, employment specialists, guidance
 457 counselors, business and industry representatives, and online
 458 resources. Students should be directed to online resources or
 459 provided information on financial literacy, student financial
 460 aid, industry certifications, and occupational skills and
 461 knowledge tools and a listing of job openings.

462 Section 10. Subsection (1) of section 1007.263, Florida
 463 Statutes, is amended to read:

464 1007.263 Florida College System institutions; admissions of

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 465 students.—Each Florida College System institution board of
 466 trustees is authorized to adopt rules governing admissions of
 467 students subject to this section and rules of the State Board of
 468 Education. These rules shall include the following:

469 (1) Admissions counseling shall be provided to all students
 470 entering college or career credit programs. Counseling shall
 471 utilize tests to measure achievement of college-level
 472 communication and computation competencies by all students
 473 entering college credit programs or tests to measure achievement
 474 of basic skills for career education programs as prescribed in
 475 s. 1004.91.

476
 477 Each board of trustees shall establish policies that notify
 478 students about, and place students into, adult basic education,
 479 adult secondary education, or other instructional programs that
 480 provide students with alternatives to traditional college-
 481 preparatory instruction, including private provider instruction.
 482 A student is prohibited from enrolling in additional college-
 483 level courses until the student scores above the cut-score on
 484 all sections of the common placement test.

485 Section 11. Subsection (2) of section 1007.271, Florida
 486 Statutes, is amended to read:

487 1007.271 Dual enrollment programs.—

488 (2) For the purpose of this section, an eligible secondary
 489 student is a student who is enrolled in a Florida public
 490 secondary school or in a Florida private secondary school which
 491 is in compliance with s. 1002.42(2) and conducts a secondary
 492 curriculum pursuant to s. 1003.43. Students enrolled in
 493 postsecondary instruction that is not creditable toward the high

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 494 school diploma shall not be classified as dual enrollments.
 495 Students who are eligible for dual enrollment pursuant to this
 496 section shall be permitted to enroll in dual enrollment courses
 497 conducted during school hours, after school hours, and during
 498 the summer term. Instructional time for such enrollment may vary
 499 from 900 hours; however, the school district may only report the
 500 student for a maximum of 1.0 FTE, as provided in s. 1011.61(4).
 501 Any student so enrolled is exempt from the payment of
 502 registration, tuition, and laboratory fees. Applied academics
 503 for adult education ~~Vocational preparatory~~ instruction, college-
 504 preparatory instruction, and other forms of precollegiate
 505 instruction, as well as physical education courses that focus on
 506 the physical execution of a skill rather than the intellectual
 507 attributes of the activity, are ineligible for inclusion in the
 508 dual enrollment program. Recreation and leisure studies courses
 509 shall be evaluated individually in the same manner as physical
 510 education courses for potential inclusion in the program.

511 Section 12. Subsection (2) of section 1008.37, Florida
 512 Statutes, is amended to read:

513 1008.37 Postsecondary feedback of information to high
 514 schools.—

515 (2) The Commissioner of Education shall report, by high
 516 school, to the State Board of Education, the Board of Governors,
 517 and the Legislature, no later than November 30 of each year, on
 518 the number of prior year Florida high school graduates who
 519 enrolled for the first time in public postsecondary education in
 520 this state during the previous summer, fall, or spring term,
 521 indicating the number of students whose scores on the common
 522 placement test indicated the need for remediation through

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523 applied academics instruction or college-preparatory ~~or~~
 524 ~~vocational-preparatory~~ instruction pursuant to s. 1004.91 or s.
 525 1008.30.

526 Section 13. Paragraph (a) of subsection (3) of section
 527 1009.22, Florida Statutes, is amended to read:

528 1009.22 Workforce education postsecondary student fees.—

529 (3) (a) Except as otherwise provided by law, fees for
 530 students who are nonresidents for tuition purposes must offset
 531 the full cost of instruction. Residency of students shall be
 532 determined as required in s. 1009.21. Fee-nonexempt students
 533 enrolled in applied academics for adult education ~~vocational-~~
 534 ~~preparatory~~ instruction shall be charged fees equal to the fees
 535 charged for adult general education programs. Each Florida
 536 College System institution that conducts college-preparatory and
 537 applied academics for adult education ~~vocational-preparatory~~
 538 instruction in the same class section may charge a single fee
 539 for both types of instruction.

540 Section 14. Paragraphs (c) and (d) of subsection (1) of
 541 section 1009.25, Florida Statutes, are amended to read:

542 1009.25 Fee exemptions.—

543 (1) The following students are exempt from the payment of
 544 tuition and fees, including lab fees, at a school district that
 545 provides postsecondary career programs, Florida College System
 546 institution, or state university:

547 (c) A student who is or was at the time he or she reached
 548 18 years of age in the custody of the Department of Children and
 549 Family Services or who, after spending at least 6 months in the
 550 custody of the department after reaching 16 years of age, was
 551 placed in a guardianship by the court. Such exemption includes

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552 fees associated with enrollment in applied academics for adult
 553 education ~~career-preparatory~~ instruction. The exemption remains
 554 valid until the student reaches 28 years of age.

555 (d) A student who is or was at the time he or she reached
 556 18 years of age in the custody of a relative under s. 39.5085 or
 557 who was adopted from the Department of Children and Family
 558 Services after May 5, 1997. Such exemption includes fees
 559 associated with enrollment in applied academics for adult
 560 education ~~career-preparatory~~ instruction. The exemption remains
 561 valid until the student reaches 28 years of age.

562 Section 15. This act shall take effect July 1, 2012.

THE FLORIDA SENATE
APPEARANCE RECORD

Waive

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

2/16/12

Meeting Date

Topic Career & Adult Education

Bill Number 1010
(if applicable)

Name Adam Potts

Amendment Barcode _____
(if applicable)

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Speaking: For Against Information

Representing FL Dept. of Education

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

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 Higher Education Committee

BILL: SB 1752
 INTRODUCER: Senator Oelrich
 SUBJECT: Postsecondary Education
 DATE: February 14, 2012

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harkey	deMarsh-Mathues	HE	Pre-meeting
2.	_____	_____	BC	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

When the 2006 Legislature enacted the 21st Century Technology, Research, and Scholarship Act, the law included a repeal date of June 30, 2011, and the law was repealed on that date. Three programs are associated with the act—the Centers of Excellence program, the 21st Century Scholars program, and the State University Research Commercialization Assistance Grants program. This bill would repeal the 2006 repeal and would reenact and save the 21st Century Technology, Research, and Scholarship Act from repeal.

This bill revives and reenacts s. 1004.226, Florida Statutes. The bill repeals s. 6 of ch. 2006-58, Laws of Florida.

II. Present Situation:

The 21st Century Technology, Research, and Scholarship Act¹ was created in 2006 to enhance the research infrastructure at state universities. The act included the Centers of Excellence Program, the State University Research Commercialization Assistance Grant Program, and the 21st Century World Class Scholars Program. The act established the 11-member Florida Technology, Research, and Scholarship Board to guide the establishment of the programs established in the act and to review and approve State University Research Commercialization Assistance Grants.

¹ s. 1004.226, F.S.

The state's investment of \$84.5 million in the 11 SUS Centers of Excellence has yielded \$251 million in competitive grants and another \$24 million in private sector support. The centers collectively have made 223 invention disclosures, executed 43 licenses or options, received nearly a half million dollars in license revenues, initiated 30 companies, created 745 jobs, and provided over 100 specialized industry training sessions. In addition, the centers have supported 1,110 undergraduate and graduate students, and created collaborations with 508 private industry entities.²

The 21st Century World Class Scholars program consists of 16 faculty positions at state universities. Cumulatively, the world class scholars have received nearly \$46 million in external competitive grants and have had 16 patents issued.³

The State University Research Commercialization Assistance Grant Program has been instrumental in moving university-based inventions toward commercialization. Grants awarded under this program total \$1.8 million.⁴

A bill⁵ was filed in the 2011 Legislative session to abrogate the repeal of s. 1004.226, F.S., but the bill did not pass, and the statute was repealed on July 1, 2011.

The Board of Governors' January 2011 report on the 21st Century Technology, Research, and Scholarship programs states that while these programs represent a small portion of the \$1.3 billion in federal, private, and other research and development contracts and grant awards to Florida in 2008-09:

Nevertheless, taken together these 21st Century Act programs represent a significant, focused response to the System's goal of transforming Florida's economy to one that relies less on growth, tourism, and agriculture and, instead, aspires to be a national leader in high-wage, high-skill, cutting-edge technology.⁶

III. Effect of Proposed Changes:

The bill repeals section 6 of ch. 2006-58, L.O.F., which established a June 30, 2011, repeal date for the 21st Century Technology, Research, and Scholarship Act. Notwithstanding that repeal date, the bill revives and reenacts s. 1004.226, F.S., the 21st Century Technology, Research, and Scholarship Act.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

² State University System of Florida Board of Governors. "21st Century Technology, Research, and Scholarship Act Programs, A Report Compiled from the 2009-2010 State University System of Florida Annual Reporting Process," pp.6-7. Readable at: http://www.flbog.edu/new_florida/docs/PUBLISHED_2010_21st_Century_Annual_Report.pdf

³ *Id.* p.14.

⁴ *Id.* p.16.

⁵ SB 970, the text of which was amended into and later removed from SB 1194.

⁶ *Id.* p. 17.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

In the event that funds were appropriated for the programs established in the act, the Board of Governors (BOG) would be fiscally responsible for per diem and travel expenses incurred by Florida Technology, Research, and Scholarship Board members while in the performance of their duties. The BOG would also provide staff support for the activities of the board.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

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

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

None.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/16/2012	.	
	.	
	.	
	.	

The Committee on Higher Education (Lynn) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Section 1001.7065, Florida Statutes, is created to read:

1001.7065 State universities of academic and research excellence and national preeminence.-

(1) This section may be cited as the "State Universities of Academic and Research Excellence and National Preeminence Act."

(2) A partnership initiative is established between the Board of Governors and the Legislature to lift the academic and



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13 research excellence and national preeminence of the highest-
14 performing state research universities in accordance with this
15 section. The initiative derives from the State University System
16 Governance Agreement executed on March 24, 2010, wherein the
17 Board of Governors and leaders of the Legislature agreed to a
18 framework for the collaborative exercise of their joint
19 authority and shared responsibility for the State University
20 System. Specifically, the governance agreement confirmed the
21 commitment of the Board of Governors and the Legislature to
22 continue collaboration on accountability measures, the use of
23 data, and recommendations derived from such data.

24 (3) Beginning with the 2012-2013 academic year, a state
25 research university that the Board of Governors finds has
26 substantially met at least 11 of the following academic and
27 research excellence standards may establish resident and
28 nonresident student tuition and fees for undergraduate and
29 graduate courses and programs at differentiated and market
30 rates, notwithstanding ss. 1009.01 and 1009.24, as approved by
31 the university's board of trustees and the Board of Governors:

32 (a) An average weighted grade point average of 3.8 or
33 higher on a 4.0 scale and an average SAT score of 1800 or higher
34 for incoming freshman during the fall term, as reported
35 annually.

36 (b) A top 50 ranking on at least two well-known and highly
37 respected national public university rankings reflecting
38 national preeminence while using the most recent data.

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



42 (d) Six or more faculty members at the state university who
43 are members of a national academy, as reported annually by the
44 Center for Measuring University Performance for the Top American
45 Research Universities.

46 (e) Total annual research expenditures, including federal
47 research expenditures, of \$200 million or more, as reported
48 annually, while using the most recent data.

49 (f) Total annual research expenditures in diversified
50 health sciences of \$100 million or more, as reported annually by
51 the National Science Foundation (NSF).

52 (g) A top 100 public university national ranking for
53 research expenditures in five or more science, technology,
54 engineering, or mathematics fields of study, as reported
55 annually by the NSF.

56 (h) One hundred or more total patents awarded for the most
57 recent 3-year period, as reported annually to the IPEDS.

58 (i) Two hundred fifty or more doctoral degrees awarded, as
59 reported annually to the IPEDS.

60 (j) Two hundred or more post-doctoral appointees, as
61 reported annually.

62 (k) A national ranking in quality better than predicted by
63 available financial resources, as reported annually by U.S. News
64 and World Report.

65 (l) An endowment of \$400 million or more, as reported
66 annually, while using the most recent data.

67 (m) Annual giving of \$45 million or more, as reported
68 annually, while using the most recent data.

69 (n) Unallocated funds as a percentage of total budget of
70 12.5 percent or more, as reported annually to the Board of



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71 Governors.

72

73 An increase to tuition or fees may occur no more than once each
74 academic year and must be implemented beginning with the fall
75 term. In addition, the Board of Governors may exercise its
76 governing authority to identify and grant additional authority
77 and flexibilities within its constitutional powers and
78 responsibilities as may be appropriate to achieve the goals of
79 this section. However, a qualified beneficiary having a prepaid
80 advance payment contract pursuant to s. 1009.98(2)(b) which was
81 in effect prior to the first year a state university receives
82 tuition and fee authority under this subsection, and that
83 remains in effect, is exempt from the payment of any increase to
84 tuition and fees assessed pursuant to the tuition and fee
85 authority. A qualified beneficiary having a prepaid advance
86 payment contract pursuant to s. 1009.98(2)(b) which is entered
87 into the first year a state university receives tuition and fee
88 authority under this subsection, or thereafter, is liable for
89 the difference between the highest rate of tuition and fees
90 covered by the advance payment contract and the tuition and fees
91 assessed by the state university of national preeminence which
92 the student attends.

93 (4) In order to provide a jointly shared educational
94 experience, and notwithstanding the provisions of part II of
95 chapter 1007 or any other law, rule, or regulation, a state
96 university that the Board of Governors finds has substantially
97 met at least 11 of the academic and research excellence
98 standards set forth in subsection (3) may require its incoming
99 first-time-in college students to take a 9-credit to 12-credit



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100 set of courses specifically determined by the state university.
101 The state university may require that they be taken at the
102 specific state university involved and that credit for any such
103 required courses cannot be fulfilled through any acceleration,
104 transfer, or other similar mechanism.

105 (5) The Board of Governors shall oversee the implementation
106 of this section and may recommend to the Legislature for future
107 consideration additional state university programs of academic
108 and research excellence, or academic programs of national or
109 international preeminence, together with recommended
110 flexibilities designed to move those state universities or
111 programs to a higher preeminence in appropriate nationally
112 recognized rankings.

113 Section 2. This act shall take effect upon becoming a law.
114

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

116 And the title is amended as follows:

117 Delete everything before the enacting clause
118 and insert:

119 A bill to be entitled
120 An act relating to state universities of academic and
121 research excellence and national preeminence; creating
122 s. 1001.7065, F.S.; providing a short title;
123 establishing a partnership initiative between the
124 Board of Governors of the State University System and
125 the Legislature to lift the academic and research
126 excellence and national preeminence of the highest-
127 performing state research universities; authorizing a
128 state research university that meets specified



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129 criteria, and receives approval, to establish resident
130 and nonresident student tuition or fees at
131 differentiated and market rates; providing conditions
132 for increasing such tuition or fees; authorizing the
133 Board of Governors to exercise its governing
134 authority; providing an exemption from the payment of
135 increased tuition or fees for certain students;
136 authorizing a state research university that meets
137 specified criteria, and receives approval, to
138 establish a set of courses having specified credits
139 hours to provide a jointly shared educational
140 experience for all first-time-in-college students;
141 requiring implementation by the Board of Governors;
142 authorizing the Board of Governors to make
143 recommendations to the Legislature; providing an
144 effective date.

By Senator Oelrich

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A bill to be entitled

An act relating to postsecondary education; repealing s. 6, ch. 2006-58, Laws of Florida, which provides for the expiration of s. 1004.226, F.S.; reviving and reenacting s. 1004.226, F.S., relating to the 21st Century Technology, Research, and Scholarship Enhancement Act; providing for retroactive operation; providing an effective date.

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

Section 1. Section 6 of chapter 2006-58, Laws of Florida, is repealed.

Section 2. Notwithstanding the expiration date contained in section 6 of chapter 2006-58, Laws of Florida, operating retroactive to June 30, 2011, section 1004.226, Florida Statutes, is revived and reenacted to read:

1004.226 The 21st Century Technology, Research, and Scholarship Enhancement Act.—

(1) LEGISLATIVE FINDINGS AND INTENT.—

(a) The Legislature finds that diversifying this state's economy requires a focus on building a growing base of high-wage jobs and on nurturing those technologies and clusters that will be the foundation of Florida's growing economic diversity and prosperity.

(b) The Legislature further finds that special programs are needed to facilitate the recruitment of exceptional talent to Florida's research universities and centers and to provide the infrastructure and resources that precipitate joint efforts and

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coinvestment among state research and development institutions, private industry, and government. Florida needs consistent commitment and investment in order to further the state's strategy of capitalizing on innovative research and development to build a thriving, technology-rich economy.

(2) CREATION.—The 21st Century Technology, Research, and Scholarship Enhancement Act is created for the purpose of:

(a) Investing in programs that attract world class scholars and building Centers of Excellence as an important means of increasing technology-based business in this state;

(b) Requiring coinvestment as a means of leveraging state dollars;

(c) Aligning research and development efforts with established, statewide economic development strategies, including an emphasis on identified economic clusters;

(d) Facilitating value-added job creation through continuous improvement in university research, as well as entrepreneurship and capital development programs; and

(e) Establishing Florida as a leading state for entrepreneurship and innovation, with continued commitment to university Centers of Excellence and an expanding base of research and development.

(3) DEFINITIONS.—As used in this section, the term:

(a) "A 21st Century World Class Scholar" means a principal researcher/investigator who has high academic credentials, demonstrated competence, and experience that meets the requirements established by the board for a 21st Century World Class Scholar.

(b) "Applicant" means any state university, private

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 59 university located in this state, or any private or public
 60 research center, Florida College System institution, or training
 61 center in this state which coordinates with a state university
 62 for purposes of this act.

63 (c) "Board" means the Florida Technology, Research, and
 64 Scholarship Board.

65 (d) "Center of Excellence" means an organization of
 66 personnel, facilities, and equipment established to accomplish
 67 the purposes and objectives of this act.

68 (e) "Florida College System institution" means a Florida
 69 College System institution in this state as defined in s.
 70 1000.21.

71 (f) "Private university" means a baccalaureate degree-
 72 granting independent nonprofit university that is accredited by
 73 the Commission on Colleges of the Southern Association of
 74 Colleges and Schools and that is located in and chartered as a
 75 domestic corporation by the state.

76 (g) "Research center" means an institute, center, or clinic
 77 that includes research and development or education as a
 78 principal mission of the organization.

79 (h) "State university" means a public university in this
 80 state as defined in s. 1000.21.

81 (4) FLORIDA TECHNOLOGY, RESEARCH, AND SCHOLARSHIP BOARD.—
 82 The Florida Technology, Research, and Scholarship Board is
 83 created within the Board of Governors of the State University
 84 System to guide the establishment of Centers of Excellence, the
 85 attraction of world class scholars, and the commercialization of
 86 products and services developed from the research and
 87 development conducted at state universities.

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 88 (a) The board shall consist of 11 members. Five members
 89 shall be appointed by the Governor, one of whom the Governor
 90 shall appoint as chair of the board, one of whom must be a
 91 member of the board of directors of Enterprise Florida, Inc.,
 92 and one of whom must be a member of the Board of Governors of
 93 the State University System. Three members shall be appointed by
 94 the President of the Senate, and three members shall be
 95 appointed by the Speaker of the House of Representatives.
 96 Appointed members must be representative of business leaders,
 97 industrial researchers, academic researchers, scientists, and
 98 leaders in the emerging and advanced technology sector.
 99 Appointed members may not serve for more than 4 years, and any
 100 vacancy that occurs during these appointees' terms shall be
 101 filled in the same manner as the original appointment. A
 102 majority of members constitutes a quorum.

103 (b) Members of the board shall serve without compensation,
 104 but are entitled to receive reimbursement for per diem and
 105 travel expenses in accordance with s. 112.061 while in the
 106 performance of their duties.

107 (c) The Board of Governors shall provide staff support for
 108 the activities of the board and per diem and travel expenses for
 109 board members.

110 (d) The board is charged with recommending criteria to the
 111 Board of Governors for the 21st Century World Class Scholars
 112 Program and with providing guidance to the Board of Governors
 113 regarding the implementation and administration of the Centers
 114 of Excellence Program.

115 (e) The board shall recommend to the Board of Governors the
 116 qualifications, standards, and requirements for approval of

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 117 investments in Centers of Excellence under this act. The board
 118 may form committees of its members and is encouraged to consult
 119 with Enterprise Florida, Inc., the Florida Research Consortium,
 120 Bio-Florida, IT Florida, the Florida Aviation Aerospace
 121 Alliance, and any other entity whose input may be helpful in
 122 determining the requirements and standards for the program.

123 (f) The board shall review and approve State University
 124 Research Commercialization Assistance Grants under subsection
 125 (7). The board is encouraged to consult with Enterprise Florida,
 126 Inc.; entities with prior experience in early stage business
 127 investment; and any other entity whose input may be helpful in
 128 evaluating grant proposals.

129 (g) Members of the board must agree to refrain from having
 130 any direct interest in any contract, franchise, privilege, or
 131 other benefit arising from a state university project receiving
 132 a State University Research Commercialization Assistance Grant
 133 during the term of his or her appointment and for 2 years after
 134 the termination of such appointment. It is a misdemeanor of the
 135 first degree, punishable as provided in s. 775.082 or s.
 136 775.083, for a person to serve on the board in violation of this
 137 paragraph or to accept a direct interest in any contract,
 138 franchise, privilege, or other benefit granted by the grant
 139 recipients within 2 years after the termination of his or her
 140 service on the board.

141 (5) THE 21ST CENTURY WORLD CLASS SCHOLARS PROGRAM.—

142 (a) This act allocates state matching funds to attract 21st
 143 Century World Class Scholars to state universities.

144 (b) The 21st Century World Class Scholars Program shall be
 145 used as a tool to develop the state's capabilities in science

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 146 and high-technology research, emphasizing Florida's identified
 147 strengths in science and technology while also recognizing new
 148 technologies as they may emerge.

149 (c) The board, in consultation with senior administrators
 150 of state universities, state university foundation directors,
 151 the Department of Economic Opportunity, the board of directors
 152 of Enterprise Florida, Inc., and leading members of private
 153 industry, shall develop and recommend to the Board of Governors
 154 criteria for the 21st Century World Class Scholars Program. Such
 155 criteria shall address, at a minimum, the following:

156 1. The presence of distinguished faculty members, including
 157 whether the university has a substantial history of external
 158 funding, along with the strong potential for attracting a
 159 scholar of national or international eminence.

160 2. The presence of academically outstanding students, along
 161 with the promise and potential for attracting additional highly
 162 qualified students.

163 3. The presence of adequate research and scholarly support
 164 services.

165 4. The existence of an academic environment having
 166 appropriate infrastructure, including buildings, classrooms,
 167 libraries, laboratories, and specialized equipment, that is
 168 conducive to the conduct of the highest quality of scholarship
 169 and research.

170 5. The demonstration of concordance with Florida's
 171 strategic plan for economic development or an emphasis on one or
 172 more emerging sciences or technologies that could favorably
 173 impact the state's economic future.

174 (d) A state university must raise a minimum of \$1 million

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 175 to be eligible for state matching funds to recruit a 21st
 176 Century World Class Scholar. Funds raised by the university
 177 shall be eligible for a one-to-one match from the state.
 178 Revenues received from state appropriations, student tuition and
 179 fees, and state-funded contracts or grants are not eligible for
 180 state match.

181 (e) Upon the verification by the Board of Governors that a
 182 state university has met the criteria for a 21st Century World
 183 Class Scholar, the Board of Governors shall release matching
 184 funds to the university. Funds shall be used for the purpose of
 185 recruiting a 21st Century World Class Scholar and shall be
 186 expended according to an expenditure plan approved by the Board
 187 of Governors.

188 (f) This act is not intended to replace or obviate existing
 189 programs.

190 (6) CENTERS OF EXCELLENCE.—

191 (a) The purposes and objectives of a Center of Excellence
 192 include:

193 1. Identifying and pursuing opportunities for university
 194 scholars, research center scientists and engineers, and private
 195 businesses to form collaborative partnerships to foster and
 196 promote the research required to develop commercially promising,
 197 advanced, and innovative science and technology and to transfer
 198 those discoveries to commercial sectors.

199 2. Acquiring and leveraging public sector and private
 200 sector funding to provide the totality of funds, personnel,
 201 facilities, equipment, and other resources needed to support the
 202 research required to develop commercially promising, advanced,
 203 and innovative science and technology and to transfer those

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 204 discoveries to commercial sectors.

205 3. Recruiting and retaining world class scholars, high-
 206 performing students, and leading scientists and engineers in
 207 technology disciplines to engage in research in this state and
 208 to develop commercially promising, advanced, and innovative
 209 science and technology.

210 4. Enhancing and expanding science and technology curricula
 211 and laboratory resources at universities and research centers in
 212 this state.

213 5. Increasing the number of high-performing students in
 214 science and technology disciplines who graduate from
 215 universities in this state and pursue careers in this state.

216 6. Stimulating and supporting the inception, growth, and
 217 diversification of science and technology-based businesses and
 218 ventures in Florida and increasing employment opportunities for
 219 the workforce needed to support such businesses.

220 (b) The following entities are eligible to submit proposals
 221 for a center of excellence:

222 1. Any state university.
 223 2. Any private university.
 224 3. The H. Lee Moffitt Cancer Center and Research Institute.
 225 4. The Florida Institute for Human and Machine Cognition,
 226 Inc.

227 5. Any Florida College System institution, training center,
 228 or other public or private research center in the state which
 229 coordinates with a state university for purposes of this act.

230 (c) The board shall recommend to the Board of Governors
 231 criteria for approving proposals to create or expand a Center of
 232 Excellence. Such criteria shall consider:

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- 233 1. The maturity of the applicant's existing programs
234 relating to a proposed Center of Excellence.
- 235 2. The comprehensiveness and effectiveness of site plans
236 relating to a proposed Center of Excellence.
- 237 3. The existing amount of the applicant's resources
238 dedicated to activities relating to a proposed Center of
239 Excellence.
- 240 4. The regional economic structure and climate.
- 241 5. The degree to which the applicant identifies and seizes
242 opportunities to collaborate with other public or private
243 entities for research purposes.
- 244 6. The presence of a comprehensive performance and
245 accountability measurement system.
- 246 7. The use of an integrated research and development
247 strategy using multiple levels of the educational system.
- 248 8. The ability of the applicant to raise research funds and
249 leverage public and private investment dollars to support
250 advanced and emerging scientific and technological research and
251 development projects.
- 252 9. The degree to which the applicant transfers advanced and
253 emerging sciences and technologies from its laboratories to the
254 commercial sector.
- 255 10. The degree to which the applicant stimulates and
256 supports the creation of new ventures.
- 257 11. The existence of a plan to enhance academic curricula
258 by improving communication between academia and industry.
- 259 12. The existence of a plan to increase the number,
260 quality, and retention rate of faculty and graduate students in
261 advancing and emerging science and technology-based disciplines.

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- 262 13. The existence of a plan to increase the likelihood of
263 faculty and graduate students pursuing private sector careers in
264 the state.
- 265 14. The ability of the applicant to provide capital
266 facilities necessary to support research and development.
- 267 (d) To call for proposals, the board shall notify the
268 president or chief executive officer of the eligible entities
269 identified in paragraph (b). The board shall periodically
270 solicit proposals for Centers of Excellence.
- 271 (e) The board shall recommend to the Board of Governors for
272 approval and funding those proposals that meet the criteria
273 approved by the Board of Governors.
- 274 (f) If no proposal is judged worthy of approval during a
275 solicitation cycle, an approval need not be made. This act does
276 not establish a limit for an investment amount; however, any
277 approval for a single Center of Excellence exceeding \$20 million
278 must be documented to have superior prospects for success in its
279 field of research and offer outstanding opportunities to
280 leverage state dollars.
- 281 (7) STATE UNIVERSITY RESEARCH COMMERCIALIZATION ASSISTANCE
282 GRANT PROGRAM.—The State University Research Commercialization
283 Assistance Grant Program is established to promote the
284 commercialization of university research products for the
285 purpose of enhancing the state's economy and the state's public
286 universities. All Phase Two and Phase Three grants established
287 by this program require \$1 in private investment for each \$1 in
288 state funding provided. A state university may apply for early
289 stage capital funding for the purpose of developing products and
290 services resulting from university research. An application may

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 291 include joint participation in the development of products and
 292 services by a cooperating university. Grant funds awarded under
 293 this subsection may be used by the university for a variety of
 294 pre-marketing activities, including, but not limited to,
 295 securing patents, establishing startup companies, developing
 296 license agreements, attracting private investment, and
 297 supporting other activities that are necessary to establish
 298 commercially viable ventures for the marketing and sale of
 299 products resulting from university research. Funds may not be
 300 used for research or development.

301 (a) State University Research Commercialization Assistance
 302 Grants may be provided under the following categories:

303 1. Phase One grants, which may not exceed \$50,000 per
 304 project, shall be available to assist with early market
 305 research, independent evaluation, consultation, and other
 306 initial activities that may be required to develop an initial
 307 business model for a university research product that has the
 308 potential for commercialization.

309 2. Phase Two grants, which may not exceed \$100,000 per
 310 project, shall be available to assist with the development of a
 311 complete business plan for the commercialization of a university
 312 research product.

313 3. Phase Three grants, which may not exceed \$250,000 per
 314 project, shall be available for the implementation and execution
 315 of a completed business plan for a university research product.

316 (b) Based on the availability of funds, the board shall
 317 periodically solicit proposals from state universities for State
 318 University Research Commercialization Assistance Grants. The
 319 board shall establish guidelines prescribing the criteria and

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 320 format for the submission of grant applications by state
 321 universities. Any state university, upon approval of its board
 322 of trustees, may submit a request to the board for a grant to
 323 facilitate the commercialization of a university research
 324 product or the commercialization of a patent held by a state
 325 agency under a cooperative agreement between the state agency
 326 and the university. A state university need not receive prior
 327 stage grants to be eligible for Phase Two or Phase Three grants.
 328 When evaluating the applications submitted for funding, the
 329 board shall consider the following criteria:

330 1. The potential return to the university which may be
 331 reasonably assumed based on the business case presented in
 332 support of the proposed project.

333 2. The potential for the creation of high-wage jobs
 334 resulting from the success of the proposed project.

335 3. The potential of the proposed project to address
 336 pressing needs of the residents of the state.

337 4. The potential of the proposed project to enhance the
 338 economic competitiveness of the state and the university.

339 5. The technical, financial, organizational, and marketing
 340 feasibility of the project and its business plan.

341 6. The potential of the proposed project to create other
 342 related business enterprises.

343
 344 Each proposed project shall be evaluated on its individual
 345 merits.

346 (c) The board shall negotiate and execute contracts with
 347 state universities governing the terms of State University
 348 Research Commercial Assistance Grants. The board may not execute

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349 the contract unless the contract is approved by the affirmative
350 vote of at least 6 of the 11 members of the board. Each
351 contract, at a minimum, must contain provisions that:

352 1. Specify the procedures and schedules that govern the
353 disbursement of funds under this section and specify the
354 conditions or deliverables that the state university must
355 satisfy before the release of each disbursement.

356 2. Require the state university to submit a business plan
357 in a form and manner prescribed by the board.

358 3. Require the state university to submit data to the board
359 concerning the activities and performance of projects funded
360 pursuant to this section and to provide to the board an annual
361 accounting of the expenditure of funds disbursed under this
362 subsection.

363 4. Require the state university to negotiate repayment to
364 the General Revenue Fund of the amount of the grant awarded to a
365 project when the project generates sufficient revenues to
366 sustain a profitable operation.

367 5. Require the state university to expend 95 percent of
368 grant proceeds for described uses in the approved grant
369 application and not otherwise reduce grant proceeds with
370 facilities charges or fees by the university.

371 (d) Upon verification by the Board of Governors that a
372 state university has executed a contract with the board for a
373 State University Research Commercialization Assistance Grant,
374 the Board of Governors shall release grant funds to the
375 university.

376 (8) EXEMPTIONS FROM PUBLIC RECORDS AND PUBLIC MEETINGS
377 REQUIREMENTS; STATE UNIVERSITY RESEARCH COMMERCIALIZATION

14-01429A-12 20121752__

378 ASSISTANCE GRANT PROGRAM.—

379 (a) The following information held by the Florida
380 Technology, Research, and Scholarship Board is confidential and
381 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
382 Constitution:

383 1. Materials that relate to methods of manufacture or
384 production, potential trade secrets, patentable material, trade
385 secrets as defined in s. 688.002, or proprietary information
386 received, generated, ascertained, or discovered by or through
387 state university research projects submitted for funding under
388 the State University Research Commercialization Assistance Grant
389 Program.

390 2. Information that would identify an investor or potential
391 investor, who desires to remain anonymous, in projects reviewed
392 by the Florida Technology, Research, and Scholarship Board.

393 3. Any information received from a person or another state
394 or nation or the Federal Government which is otherwise
395 confidential or exempt under the laws of that state or nation or
396 under federal law.

397 (b)1. That portion of a meeting of the Florida Technology,
398 Research, and Scholarship Board at which information is
399 discussed that is confidential and exempt under subsection (1)
400 is exempt from s. 286.011 and s. 24(b), Art. I of the State
401 Constitution.

402 2. Any records generated during that portion of an exempt
403 meeting are confidential and exempt from s. 119.07(1) and s.
404 24(a), Art. I of the State Constitution.

405 (c)1. Information made confidential and exempt pursuant to
406 this section may be released to a governmental entity in the

14-01429A-12

20121752__

407 furtherance of its duties and responsibilities.

408 2. Any public officer or employee who willfully and
409 knowingly releases such confidential and exempt information, in
410 violation of this subsection, commits a misdemeanor of the first
411 degree, punishable as provided in s. 775.082 or s. 775.083.

412 (d) This section is subject to the Open Government Sunset
413 Review Act in accordance with s. 119.15 and shall stand repealed
414 on October 2, 2012, unless reviewed and saved from repeal
415 through reenactment by the Legislature.

416 (9) ANNUAL REPORT.—The board, in cooperation with the Board
417 of Governors of the State University System and the state
418 universities or research centers receiving investments under
419 this act, shall issue an annual report by December 31 each year
420 of the activities conducted, including the accomplishments and
421 overall economic benefits to the state, the number of 21st
422 Century World Class Scholars attracted, the number of Centers of
423 Excellence created or expanded, the success of collaborations
424 with related industries, the number and amount of State
425 University Research Commercialization Assistance Grants awarded
426 and repaid, and the success of these programs. The annual report
427 shall be presented to the Governor, the President of the Senate,
428 and the Speaker of the House of Representatives. The annual
429 report must include a copy of an independent audit of the board
430 and a review of the progress of programs administered by the
431 board.

432 Section 3. 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)

2/10/12

Meeting Date

Topic Postsecondary Education Bill Number 1752
Name J. Bernard Machen Amendment Barcode _____ (if applicable)
Job Title President, Univ. of Florida
Address Tigert Hall Phone 352-392-1311
Gainesville, FL E-mail jbmachen@ufl.edu
City State Zip

Speaking: For Against Information

Representing University of Florida

Appearing at request of Chair: Yes No Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/16/12

Meeting Date

Topic University reform

Bill Number SB1752
(if applicable)

Name Dr. Eric Barron

Amendment Barcode _____
(if applicable)

Job Title President

Address Westcott Bldg

Phone _____

City

State

Zip

E-mail _____

Speaking: For Against Information

Representing Florida State University

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

960

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Kurt S. Browning, Secretary of State,
do hereby certify that

Chris Corr

is duly appointed a member of the
**Board of Governors of the State
University System**

for a term beginning on the
Twentieth day of January, A.D., 2012,
until the Sixth day of January, A.D., 2019
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital,
this the Thirty-First day of January, A.D.,*

A handwritten signature in black ink, appearing to read "Kurt Browning".

Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

State of Florida appears in small letters across the face of this 8 1/2 x 11" document.



RICK SCOTT
GOVERNOR

2012 JAN 23 PM 4:28

FLORIDA STATE
DIVISION OF ELECTIONS

January 20, 2012

Mr. Kurt S. Browning, Secretary
Department of State
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Browning:

Please be advised I have made the following appointment under the provisions of Article IX, Sec. 7, FL Constitution:

Mr. Christopher T. Corr
150 North Orange Avenue
Suite 200
Orlando, Florida 32801

as a member of the Board of Governors of the State University System, succeeding Ava L. Parker, subject to confirmation by the Senate. This appointment is effective January 20, 2012, for a term ending January 6, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/lm

A black and white copy of this document is not official

960

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Kurt S. Browning, Secretary of State,
do hereby certify that

Thomas G. Kuntz

is duly appointed a member of the

**Board of Governors of the State University
System**

for a term beginning on the
Nineteenth day of January, A.D., 2012,
until the Sixth day of January, A.D., 2019
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Thirty-First day of January, A.D., 2012.*


Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.



RICK SCOTT
GOVERNOR

2012 JAN 23 PM 4:26
DIVISION OF ELECTIONS

January 19, 2012

Mr. Kurt S. Browning, Secretary
Department of State
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Browning:

Please be advised I have made the following appointment under the provisions of Article IX, Sec. 7, FL Constitution:

Mr. Thomas G. Kuntz
200 South Orange Avenue
Sixth Floor
Orlando, Florida 32801

as a member of the Board of Governors of the State University System, succeeding J. Stanley Marshall, subject to confirmation by the Senate. This appointment is effective January 19, 2012, for a term ending January 6, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/lm

3030

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Kurt S. Browning, Secretary of State,
do hereby certify that

Steven L. Snyder

is duly appointed a member of the

**Board of Trustees,
New College of Florida**

for a term beginning on the
Seventeenth day of November, A.D., 2011,
until the Sixth day of January, A.D., 2016
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Sixth day of January, A.D., 2012.*


Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE

2011 NOV 22 PM 2:51

DIVISION OF ELECTIONS
TALLAHASSEE, FL

November 17, 2011

Mr. Kurt S. Browning, Secretary
Department of State
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Browning:

Please be advised I have made the following appointment under the provisions of Section 1004.32, Florida Statutes:

Mr. Steven L. Snyder
7520 Preservation Drive
Sarasota, Florida 34241

as a member of the Board of Trustees, New College of Florida, succeeding Walter L. Presha, subject to confirmation by the Senate. This appointment is effective November 17, 2011, for a term ending January 6, 2016.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/lm

3050

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Kurt S. Browning, Secretary of State,
do hereby certify that

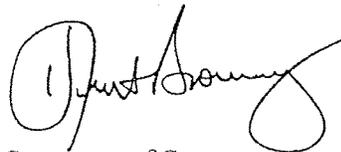
David E. Cleveland

is duly appointed a member of the

**Board of Trustees,
University of West Florida**

for a term beginning on the
Twenty-Third day of June, A.D., 2011,
until the Sixth day of January, A.D., 2016
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Fourteenth day of July, A.D., 2011.*


Secretary of State



If photocopied or chemically altered, the word 'VOID' will appear.

State of Florida appears in small letters across the face of this 8 1/2 x 11" document.



STATE
UNIVERSITY
SYSTEM
of FLORIDA
Board of Governors

RECEIVED
DEPARTMENT OF STATE
2011 JUL -7 AM 9:44
DIVISION OF ELECTIONS
TALLAHASSEE, FL

Office of the Chancellor
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax 850.245.9685
www.flbog.edu

June 29, 2011

Mr. David E. Cleveland
Highpointe Hospitality, Inc.
Post Office Box 760
Gulf Breeze, Florida 32562

Dear Mr. Cleveland:

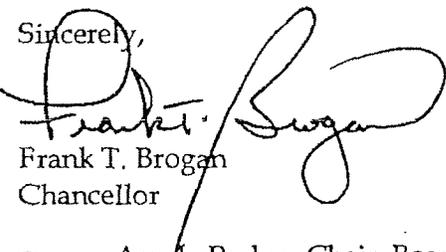
On Thursday, June 23, 2011, the Florida Board of Governors approved the recommendation made by its Trustee Nominating Committee to appoint you as a member of the University of West Florida Board of Trustees. Please accept our congratulations.

The appointment acknowledges your record of public service and numerous career milestones. Your achievements are sure to provide expertise to the State University System of Florida and the University of West Florida as you serve in the capacity of a trustee. The appointment, subject to confirmation by the Florida Senate, is for a five year term that begins immediately and ends on January 6, 2016.

Your role as a trustee is vital to the governance and success of our System. Members of the Board of Governors rely on all the university trustees to provide due diligence in their management responsibilities for our universities.

Thank you for your willingness to serve. We look forward to working with you as a member of the University of West Florida Board of Trustees.

Sincerely,


Frank T. Brogan
Chancellor

c: Ava L. Parker, Chair, Board of Governors
Mori Hosseini, Chair, Trustee Nominating Committee
General Charles Horner, (ret.), Chair, Board of Trustees
Judith Bense, President, University of West Florida
Ms. Patricia Lott, Board of Trustees Liaison
Mikey Bestebreurtje, Corporate Secretary