<table>
<thead>
<tr>
<th>Tab 2</th>
<th>SB 146 by Ring, Gaetz; (Similar to H 0123) Federal Student Loan Default Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A                              S     RCS     AED, Ring Delete L.130 - 187: 12/07 01:56 PM</td>
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<table>
<thead>
<tr>
<th>Tab 3</th>
<th>SB 350 by Montford (CO-INTRODUCTERS) Hutson, Gaetz; (Compare to CS/H 0305) Online Procurement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>D                              S     RCS     AED, Montford Delete everything after 12/07 01:56 PM</td>
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<table>
<thead>
<tr>
<th>Tab 4</th>
<th>SB 520 by Lee (CO-INTRODUCTERS) Gaetz; (Identical to H 0793) Florida Bright Futures Scholarship Program</th>
</tr>
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<tbody>
<tr>
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<td>D                              S     RCS     AED, Gaetz Delete everything after 12/07 01:56 PM</td>
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<table>
<thead>
<tr>
<th>Tab 5</th>
<th>CS/SB 524 by HE, Gaetz; (Compare to H 7043) State University System Performance-based Incentives</th>
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<tbody>
<tr>
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<td>AA                             S     RCS     AED, Legg Delete L.331 - 384. 12/07 01:56 PM</td>
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<table>
<thead>
<tr>
<th>Tab 6</th>
<th>SB 576 by Flores; (Identical to H 0341) Public Educational Facilities</th>
</tr>
</thead>
</table>
The Florida Senate

COMMITTEE MEETING EXPANDED AGENDA

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION
Senator Gaetz, Chair
Senator Montford, Vice Chair

MEETING DATE: Thursday, December 3, 2015
TIME: 3:30—5:30 p.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Gaetz, Chair; Senator Montford, Vice Chair; Senators Bullard, Galvano, Legg, Ring, Simmons, and Stargel

<table>
<thead>
<tr>
<th>TAB</th>
<th>BILL NO. and INTRODUCER</th>
<th>BILL DESCRIPTION and SENATE COMMITTEE ACTIONS</th>
<th>COMMITTEE ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Update: Florida College System Performance Funding</td>
<td>Discussed</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>SB 146 Ring / Gaetz (Similar H 123)</td>
<td>Federal Student Loan Default Rates; Requiring certain institutions to maintain a federal student loan cohort default rate below a specified percentage; revising the minimum standards the Commission for Independent Education must use to evaluate an institution for licensure to include the institution’s federal student loan cohort default rate; requiring Florida College System institution performance funding for industry certifications to take into consideration an institution’s federal student loan cohort default rate, etc.</td>
<td>Fav/CS Yeas 8 Nays 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>HE 10/20/2015 Temporarily Postponed</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>HE 11/17/2015 Favorable</td>
<td></td>
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<tr>
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<td>AED 12/03/2015 Fav/CS</td>
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<td>AP</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>SB 350 Montford (Compare CS/H 305)</td>
<td>Online Procurement; Revising the powers and duties of the district school board to authorize the adoption of rules regarding procurement practices; authorizing a district school board to use online procurement for certain services and purchases; authorizing each district school board, Florida College System board of trustees, and university board of trustees to make purchases through an online procurement system, etc.</td>
<td>Fav/CS Yeas 7 Nays 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>GO 11/02/2015</td>
<td></td>
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<td></td>
<td></td>
<td>GO 11/17/2015 Favorable</td>
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<td>AED 12/03/2015 Fav/CS</td>
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<tr>
<td>TAB</td>
<td>BILL NO. and INTRODUCER</td>
<td>BILL DESCRIPTION and SENATE COMMITTEE ACTIONS</td>
<td>COMMITTEE ACTION</td>
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<tr>
<td>-----</td>
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<td>------------------</td>
</tr>
<tr>
<td>4</td>
<td>SB 520 Lee</td>
<td>Florida Bright Futures Scholarship Program; Providing that the initial award period and the renewal period for students who are unable to accept an initial award immediately after completion of high school due to a full-time religious or service obligation begin upon the completion of the religious or service obligation; requiring a student, as a prerequisite for the Florida Academic Scholars award, the Florida Medallion Scholars award, or the Florida Gold Seal Vocational Scholars award, to identify a social or civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area, etc.</td>
<td>Fav/CS Yeas 7 Nays 0</td>
</tr>
<tr>
<td>5</td>
<td>CS/SB 524 Higher Education / Gaetz</td>
<td>State University System Performance-based Incentives; Requiring performance-based metrics to include specified wage thresholds; requiring the Board of Governors to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet the state’s threshold from eligibility for a share of the state’s investment performance funding, etc.</td>
<td>Fav/CS Yeas 6 Nays 1</td>
</tr>
<tr>
<td>6</td>
<td>SB 576 Flores</td>
<td>Public Educational Facilities; Authorizing certain Florida College System institutions to construct dormitories for up to 400 students, etc.</td>
<td>Favorable Yeas 7 Nays 0</td>
</tr>
<tr>
<td>7</td>
<td>Florida Education Finance Program (FEFP) Local Dollars Discussion</td>
<td></td>
<td>Discussed</td>
</tr>
<tr>
<td>8</td>
<td>Presentation on Governor's Fiscal Year 2016-2017 Budget Recommendations: Department of Education, Board of Governors, Office of Early Learning</td>
<td></td>
<td>Presented</td>
</tr>
</tbody>
</table>

Other Related Meeting Documents
Florida College System
Madeline Pumariega, Chancellor

Performance Based Incentive Funding
College Excellence Funds – Aspen Award
CAPE Incentive Funds
The Path to the Performance Funding Model

- May 2014: Proviso language
- July 1, 2014: Gathering at Valencia College with representatives from all 28 Florida College System institutions
- July 2014 – January 2015: Working with stakeholders to identify model components
- January 23, 2015: Commissioner’s recommendation
- Spring 2015: Measure refinement & model simulation
- June 19, 2015: Legislation passed
- July 23, 2015: State Board of Education adopts model
- July 28, 2015: Results provided to colleges
- August 2015: Working with colleges in Bronze category on the development of improvement plans
- September 2015: State Board of Education approves improvement plans
Measures

• Four measures were specified in proviso and statute
  • Job Placement and/or Continuing Education (post-graduation success)
  • Completion Rate (graduation)
  • Retention Rate (academic progress)
  • Earnings (career success)

• Measures were scored for both excellence and improvement
  • Excellence compares college data to prior-year(s) system average
  • Improvement compares college data to college’s own prior-year(s)
  • College receives a score for higher value of excellence or improvement
### 2015-16

#### $20 Million - Base Budget
- Proviso and statute delegate State Board of Education to establish threshold to earn restoration of base budget
- Colleges below threshold submit improvement plans for State Board of Education approval
- December and May reports from colleges demonstrating successful implementation of improvement plan actions cause restoration of withheld funds

#### 2015-16

#### $20 Million – New Funds
- Proviso and statute allow new funds for colleges above threshold
- Proviso and statute provide highest seven colleges with new funds from colleges below threshold

- Legislative Budget Request for 2016-17 includes $20 million from base funds and continuation of $20 million in performance funds
## 2015-16 Performance Funding Results

<table>
<thead>
<tr>
<th>Category</th>
<th>Gold</th>
<th>Silver</th>
<th>Bronze</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funding Received</td>
<td>• Base funds</td>
<td>• Base funds</td>
<td>• Base funds restored if improvement plan is approved and progress is made</td>
</tr>
<tr>
<td></td>
<td>• New funds</td>
<td>• New funds</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Bronze portion of new funds</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Colleges</td>
<td>• Santa Fe College</td>
<td>• Chipola College</td>
<td>• Pasco-Hernando State College</td>
</tr>
<tr>
<td></td>
<td>• Valencia College</td>
<td>• Broward College</td>
<td>• College of Central Florida</td>
</tr>
<tr>
<td></td>
<td>• Tallahassee Community College</td>
<td>• Florida Gateway College</td>
<td>• Daytona State College</td>
</tr>
<tr>
<td></td>
<td>• Lake-Sumter State College</td>
<td>• Seminole State College of Florida</td>
<td>• Northwest Florida State College</td>
</tr>
<tr>
<td></td>
<td>• Gulf Coast State College</td>
<td>• Hillsborough Community College</td>
<td>• Pensacola State College</td>
</tr>
<tr>
<td></td>
<td>• State College of Florida, Manatee-Sarasota</td>
<td>• Miami Dade College</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Florida SouthWestern State College</td>
<td>• Eastern Florida State College</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Palm Beach State College</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Polk State College</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• St. Johns River State College</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Florida Keys Community College</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• South Florida State College</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Florida State College at Jacksonville</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• North Florida Community College</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• St. Petersburg College</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Indian River State College</td>
<td></td>
</tr>
</tbody>
</table>
Florida College System

Performance Based Incentive Funding
College Excellence Funds – Aspen Award
CAPE Incentive Funds
Florida College System Success

**Aspen Award**

National Community College Excellence Award that is awarded every two years.

<table>
<thead>
<tr>
<th>Year</th>
<th>College</th>
<th>Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>Winner: Santa Fe College</td>
<td>$400,000</td>
</tr>
<tr>
<td></td>
<td>Finalist: Indian River State College</td>
<td>$400,000</td>
</tr>
<tr>
<td>2013</td>
<td>Finalist: Broward College</td>
<td>$400,000</td>
</tr>
<tr>
<td></td>
<td>Finalist: Santa Fe College</td>
<td>$400,000</td>
</tr>
<tr>
<td>2011</td>
<td>Winner: Valencia College</td>
<td>$800,000</td>
</tr>
<tr>
<td></td>
<td>Finalist: Miami Dade College</td>
<td>$400,000</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>$2,400,000</strong></td>
</tr>
</tbody>
</table>

Florida was one of only three states with multiple finalists. The award recognizes colleges for exceptional student outcomes in four areas: Student Learning, Certificate and Degree Completion, Employment and Earnings, and High Levels of Access and Success for Minority & Low-income Students.


Proviso language states “Funds in the amount of $2,400,000 are provided in Specific Appropriation 122 to be allocated on an equal basis among Florida College System institutions qualifying as a finalist or higher in the biennial Aspen Institute’s Prize for Community College Excellence within the last five years.”
Florida College System Performance

Florida College System (FCS) institutions are consistently recognized nationally.

The FCS is delivering on our promise for Florida’s future.

In 2013, five FCS institutions landed in the top 50 of Washington Monthly’s list of best community colleges in the nation, a rating based on data in a number of areas including collaborative learning, student effort, academic rigor, student-faculty interaction and support for learning. These rankings highlight the mission of providing access to low-cost, quality education and job training for high-skill, high-wage jobs.

According to Washington Monthly, North Florida Community College ranked second among national community colleges. Chipola College, Miami Dade College, Valencia College and South Florida State College also made the list.

In 2014, U.S. News and World Report ranked Indian River State College as the 9th top public regional college in the Southern United States in its 2015 rankings of Best Colleges, moving up from the 12th last year. Over 1,300 colleges and universities were ranked by U.S. News and World Report based on 16 measures of quality, including student/faculty ratio, class size, faculty credentials, and retention and graduation rates.

US News and World Report named Daytona State College #2 in online education.
Florida College System

Performance Based Incentive Funding
College Excellence Funds – Aspen Award
CAPE Incentive Funds
# Record Number of Graduates: Over 110,000 Awards Earned in 2014-15

## Completions by Award Type

<table>
<thead>
<tr>
<th>Award Type</th>
<th>Completions</th>
</tr>
</thead>
<tbody>
<tr>
<td>AA</td>
<td>55,888</td>
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<tr>
<td>Certificates</td>
<td>32,462</td>
</tr>
<tr>
<td>AAS/AS</td>
<td>14,943</td>
</tr>
<tr>
<td>Workforce</td>
<td>6,776</td>
</tr>
<tr>
<td>Bachelors</td>
<td></td>
</tr>
<tr>
<td>EPI</td>
<td>716</td>
</tr>
<tr>
<td>CPP</td>
<td>59</td>
</tr>
</tbody>
</table>


#1 in certificate rankings

Florida is the number one certificate and associate degree producer among southern states affiliated with the Southern Regional Education Board (SREB State Database Exchange, February 2014)

Source: PK-20 Education Reporting & Accessibility (PERA) and FCS Research & Analytics
Fundable Certifications Earned (2013-14 and 2014-15)

- 2013-14: 1,212
- 2014-15: 8,426
## CAPE Postsecondary Allocation

<table>
<thead>
<tr>
<th></th>
<th>2013-14</th>
<th>2014-15</th>
<th>2015-16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allocation</td>
<td>$5,000,000</td>
<td>$5,000,000</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Number of certificates earned</td>
<td>1,212</td>
<td>8,426</td>
<td>TBD*</td>
</tr>
<tr>
<td>Funding per certificate earned</td>
<td>$1,000</td>
<td>$593.40</td>
<td>TBD*</td>
</tr>
</tbody>
</table>

Per statutory language, if the funds are insufficient to fully fund the calculated total award, such funds shall be prorated.

*- Data will be available at the end of the next school year.
## Top 10 CAPE Postsecondary Industry Certifications Earned, 2014-15

<table>
<thead>
<tr>
<th>Certifications</th>
<th># Earned</th>
<th>Average Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Licensed Registered Nurse (NCLEX-RN)</td>
<td>2,265</td>
<td>$65,470</td>
</tr>
<tr>
<td>Law Enforcement Officer</td>
<td>1,459</td>
<td>$56,980</td>
</tr>
<tr>
<td>Emergency Medical Technician (EMT)</td>
<td>836</td>
<td>$31,020</td>
</tr>
<tr>
<td>Paramedic (EMT-P)</td>
<td>567</td>
<td>$31,020</td>
</tr>
<tr>
<td>Correctional Officer</td>
<td>465</td>
<td>$38,970</td>
</tr>
<tr>
<td>Fire Fighter II</td>
<td>347</td>
<td>$36,300</td>
</tr>
<tr>
<td>National Licensed Practical Nurse (NCLEX-PN)</td>
<td>311</td>
<td>$41,540</td>
</tr>
<tr>
<td>Registered Technologist (Radiography)</td>
<td>224</td>
<td>$55,910</td>
</tr>
<tr>
<td>CompTIA A+</td>
<td>177</td>
<td>$70,120</td>
</tr>
<tr>
<td>Certified Nursing Assistant (CNA)</td>
<td>138</td>
<td>$22,880</td>
</tr>
</tbody>
</table>

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT
(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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

BILL: PCS/SB 146 (241948)
INTRODUCER: Appropriations Subcommittee on Education; Senators Ring and Gaetz
SUBJECT: Federal Student Loan Default Rates
DATE: December 7, 2015

ANALYST STAFF DIRECTOR REFERENCE ACTION
1. Bailey Klebacha HE Favorable
2. Sikes Elwell AED Recommend: FAV/CS
3. _______________________________ AP

Please see Section IX. for Additional Information:
COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/SB 146 utilizes federal student loan cohort default rates as an accountability measure for private postsecondary educational institutions. Specifically, the bill defines and applies federal student loan cohort default rates as a criteria affecting the licensure of certain private postsecondary educational institutions and tuition assistance award eligibility for the William L. Boyd, IV, Florida Resident Access Grant (FRAG) and the Access to Better Learning and Education (ABLE) Grant.

The bill has no impact on state funds. Currently, no institutions eligible to award FRAG or ABLE awards would be impacted by this bill. A very small number of proprietary schools may lose their license under the provisions of this bill.

The bill takes effect July 1, 2016.

II. Present Situation:

The United States Department of Education (ED) annually calculates the federal student loan cohort default rates. The ED releases the cohort default rates annually by September 30.1

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Defaulted federal student loans cost taxpayers money. Cohort default rate sanctions and benefits provide an incentive for schools to work with their borrowers to reduce default. Sanctions can prevent a school with a high percentage of defaulters from continuing to participate in the William D. Ford Federal Direct Loan (Direct Loan) Program and federal Pell Grant programs.

**Federal Student Loan Default Rates**

Federal student loans are borrowed funds that must be repaid with interest. Failure to repay a loan can result in default. For most federal student loans, an individual will default if he or she does not make a payment in more than 270 days.

On October 28, 2009, ED published the regulations enacted by the Higher Education Opportunity Act of 2009 that govern the calculation of cohort default rates. An institution’s cohort default rate is calculated as a percentage of borrowers in the cohort who default before the end of the second fiscal year after the fiscal year in which the borrowers entered repayment. This extends the length of time in which a student can default from two to three years. “A 3-year cohort default rate is the percentage of a school’s borrowers who enter repayment on certain Federal Family Education Loan (FFEL) Program or Direct Loan Program loans during a particular federal fiscal year, October 1 to September 30, and default or meet other specified conditions prior to the end of the second following fiscal year.”

If an institution’s three most recent cohort default rates are 30 percent or higher for the 3-year cohort default rate calculation, the institution will lose Direct Loan and federal Pell Grant program eligibility for the remainder of the fiscal year in which the school is notified of its sanction and for the following two fiscal years, unless the institution successfully adjusts or appeals the sanctions. If an institution’s cohort default rate is higher than 40 percent for the 3-year cohort default rate calculation, the institution will lose Direct Loan program eligibility for the remainder of the fiscal year in which the institution is notified of its sanction and the following two fiscal years, unless the institution successfully adjusts or appeals the sanction.

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3 Id.

4 Id.


6 Id.

7 Id.


9 Id.

10 Id.

11 Id.


13 Id.
Operation of Private Postsecondary Educational Institutions

Private postsecondary educational institutions must be licensed to operate in Florida and meet specified fair consumer practices requirements.

Licensure of Institutions

The Commission for Independent Education (CIE or commission) is responsible for developing minimum standards to evaluate institutions for licensure. Current law requires that the standards must, at a minimum, include the institution’s name, financial stability, purpose, administrative organization, admissions and recruitment, educational programs and curricula, retention, completion, career placement, faculty, learning resources, student personnel services, physical plant and facilities, publications, and disclosure statements about the status of the institution related to professional certification and licensure. A postsecondary educational institution must obtain licensure from the commission to operate in the state of Florida, unless such institution is not under the commission’s jurisdiction or purview.

Institutions that are exempt from licensure by the commission include, but are not limited to, Independent Colleges and Universities of Florida (ICUF) institutions that are eligible to participate in the FRAG program. Such colleges and universities must be not for profit, located and chartered in Florida, and accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (SACS) to grant baccalaureate degrees.

Licensure by Means of Accreditation

A private postsecondary educational institution that meets the following criteria may apply for a license by means of accreditation from the commission:

- The institution has operated legally in this state for at least five consecutive years.
- The institution holds institutional accreditation by an accrediting agency evaluated and approved by the commission as having standards substantially equivalent to the commission’s licensure standards.
- The institution has no unresolved complaints or actions in the past 12 months.
- The institution meets minimum requirements for financial responsibility as determined by the commission.
- The institution is a Florida corporation.

An institution that is granted a license by means of accreditation must comply with the standards and requirements in law.

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14 Section 1005.31(2), F.S.
15 Id.
16 Sections 1005.31(1)(a) and 1005.06(1), F.S.
17 Section 1005.06(1)(c), F.S.
18 Id.
19 Section 1005.32, F.S.
**Fair Consumer Practices**

A private postsecondary educational institution that is under the jurisdiction of the commission or is exempt from the jurisdiction or purview of the commission must do the following:

- Disclose to each prospective student specified information (e.g., a statement of the purpose of the institution, its educational programs and curricula, a description of its physical facilities, its status regarding licensure, and its fee schedule and policies). The institution must make the required written disclosures at least 1 week prior to enrollment or collection of any tuition from the prospective student.
- Use a reliable method to assess, before accepting a student into a program, the student’s ability to successfully complete the course of study for which he or she has applied.
- Inform each student accurately about financial assistance and obligations for repayment of loans, describe any employment placement services provided and the limitations thereof, and refrain from misinforming the public about guaranteed placement, market availability, or salary amounts.
- Provide to prospective and enrolled students accurate program licensure information for practicing related occupations and professions in Florida.
- Ensure that all advertisements are accurate and not misleading.
- Publish and follow an equitable prorated refund policy for all students, and follow both the federal refund guidelines for students receiving federal financial assistance and the minimum refund guidelines established by commission rule.
- Follow state and federal requirements for annual reporting of crime statistics and physical plant safety, and make such reports available to the public.
- Publish and follow procedures for handling student complaints, disciplinary actions, and appeals.

**Florida Resident Access Grant Program**

The Legislature, through the William L. Boyd, IV, Florida Resident Access Grant (FRAG) Program, provides tuition assistance to undergraduate students enrolled in degree programs at eligible not-for-profit, SACS-accredited private colleges or universities that are located and chartered in Florida. Currently, there are 31 eligible private colleges and universities. FRAG

20 The Commission for Independent Education, established in the Department of Education, is responsible for exercising independently all powers, duties, and functions concerning independent postsecondary educational institutions in consumer protection, program improvement, and licensure of institutions under its purview. The commission is also responsible for authorizing the granting of diplomas and degrees by independent postsecondary educational institutions under its jurisdiction. Section 1005.21(1)-(2), F.S. Independent postsecondary educational institution means “any postsecondary educational institution that operates in this state or makes application to operate in this state, and is not provided, operated, and supported by the State of Florida, its political subdivisions, or the Federal Government.” Section 1005.02(11), F.S.
21 Section 1005.04(1), F.S.
22 Section 1009.89(1) and (3), F.S.
23 Independent Colleges and Universities of Florida, About Us, [http://www.icuf.org/newdevelopment/about-icuf/](http://www.icuf.org/newdevelopment/about-icuf/) (last visited October 14, 2015). FRAG-eligible institutions are Adventist University of Health Sciences, Ave Maria University, Barry University, Beacon College, Bethune-Cookman University, Eckerd College, Edward Waters College, Embry-Riddle Aeronautical University, Everglades University, Flagler College, Florida College, Florida Institute of Technology, Florida Memorial University, Florida Southern College, Hodges University, Jacksonville University, Keiser University, Lynn University, Nova Southeastern University, Palm Beach Atlantic University, Ringling College of Art and Design, Rollins College, Saint Leo University, Southeastern University, St. Thomas University, Stetson University, The Baptist College of Florida, University of Miami, University of Tampa, Warner University, and Webber International University. Florida
is administered as a decentralized program, which means that each participating institution
determines application deadlines, student eligibility, and award amounts.\textsuperscript{24} Eligibility criteria and
maximum award amounts are specified in law.\textsuperscript{25} For the 2015-2016 fiscal year, the Legislature
appropriated $115,269,000 to support 38,423 qualified Florida resident students at $3,000 per
student for tuition assistance.\textsuperscript{26}

\textbf{Access to Better Learning and Education Grant Program}

The Access to Better Learning and Education (ABLE) Grant Program provides tuition assistance
to undergraduate students enrolled in degree programs at eligible private Florida postsecondary
educational institutions.\textsuperscript{27} ABLE is administered as a decentralized program, which means that
each participating institution determines application deadlines, student eligibility, and award
amounts.\textsuperscript{28} Eligibility criteria and award maximums are specified in law.\textsuperscript{29} For the 2015-2016
fiscal year, the Legislature appropriated $5,673,000 to support 3,782 qualified Florida resident
students at $1,500 per student for tuition assistance.\textsuperscript{30}

Private postsecondary educational institutions must meet the following criteria to be qualified to
provide ABLE awards to eligible students:\textsuperscript{31}

- Be a for-profit college or university that is located in and chartered by the state and is
accredited by SACS, or be a not-for-profit college or university that has been located in
Florida for 10 years or more and is accredited by SACS, the Middle States Association of
Colleges and Schools, the North Central Association of Colleges and Schools, or the New
England Association of Colleges and Schools.
- Grant baccalaureate degrees.
- Have a secular purpose.

Currently, 16 postsecondary educational institutions meet the established criteria and are eligible
to disburse ABLE awards.\textsuperscript{32}

\begin{itemize}
\item Florida Department of Education, \textit{Annual Report to the Commissioner} (2013-14), available at
\url{http://www.floridastudentfinancialaid.org/SSFAD/pdf/annualreportcurrent.pdf}, at 41 of 78.
\item Section 1009.891(4)-(7), F.S.; Specific Appropriation 62, s. 2, ch. 2015-232, L.O.F.
\item Section 1009.891(3), F.S.; Florida Department of Education, \textit{Annual Report to the Commissioner} (2013-14), available at
\url{http://www.floridastudentfinancialaid.org/SSFAD/pdf/annualreportcurrent.pdf}, at 41 of 78.
\end{itemize}
III. Effect of Proposed Changes:

The bill utilizes federal student loan cohort default rates as an accountability measure for private postsecondary educational institutions.

Specifically, the bill specifies that private postsecondary educational institutions:
- Must provide federal student loan default rate information as part of the fair consumer practices reporting requirements.
- Must maintain federal student loan cohort default rates below 30 percent for three consecutive years or at or below 40 percent for any given year. A private postsecondary educational institution that is eligible to receive the FRAG or the ABLE Grant for incoming students will be deemed ineligible to receive such funds until the institution’s federal student loan cohort default rate falls below the threshold. Additionally, an institution, if licensed by the CIE, will lose its license to operate in Florida.

The bill requires the CIE to revoke the license and deny renewal of an annual license of an institution that is under the commission’s jurisdiction, if that institution’s federal student loan cohort default rate exceeds the percent threshold. An institution’s ineligibility to receive FRAG or ABLE funds or maintain a license will be effective for the academic year after the disclosure of the federal student loan cohort default rate in the fall semester each year. The bill deems an institution ineligible for a minimum of one academic year until the institution’s federal student loan cohort default rate falls below the threshold.

Additionally, the bill requires:
- The minimum standards developed by the commission to include federal student loan cohort default rates as calculated by the ED.
- The criteria for applying for licensure by means of accreditation to also include a condition that the institution’s federal student loan cohort default rate, as calculated by the ED, does not exceed 30 percent for three consecutive years or 40 percent for any given year.

The bill takes effect July 1, 2016.

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, no institutions eligible to award FRAG or ABLE awards would be impacted by PCS/SB 146. There are a very small number of private, proprietary postsecondary institutions which may have their license revoked as a result of provisions in the bill.

C. Government Sector Impact:

The bill has no fiscal impact.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1005.04, 1005.31, and 1005.32.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

Recommended CS by Appropriations Subcommittee on Education on December 3, 2015:

The committee substitute:

- Makes the federal student loan cohort default rate requirements for private postsecondary institution licensure consistent throughout the bill.
- Removes federal student loan cohort default rate as a factor in Florida College System and state university performance funding.
B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
Appropriations Subcommittee on Education (Ring) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 130 - 187 and insert:

(16) The commission shall deny a renewal of an annual license for an institution whose federal student loan cohort default rate exceeds the threshold established in s. 1005.04(1)(d).

Section 3. Present paragraph (e) of subsection (1) of section 1005.32, Florida Statutes, is redesignated as paragraph
(f), and a new paragraph (e) is added to that subsection, to read:

1005.32 Licensure by means of accreditation.—
(1) An independent postsecondary educational institution that meets the following criteria may apply for a license by means of accreditation from the commission:

(e) The institution’s federal student loan cohort default rate, as calculated by the United States Department of Education, does not exceed the threshold established in s. 1005.04(1)(d).

And the title is amended as follows:

Delete lines 21 - 35 and insert:

cohort default rate exceeds a specified threshold; amending s. 1005.32, F.S.; revising the minimum criteria for an independent postsecondary educational institution to apply for a license by accreditation to include a maximum threshold for the institution’s federal student loan cohort default rate; providing an effective date.

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A bill to be entitled
An act relating to federal student loan default rates;
amending s. 1005.04, F.S.; requiring certain
institutions to maintain a federal student loan cohort
default rate below a specified percentage; providing
that an institution is ineligible to receive certain
grant payments or maintain a license, and remains
ineligible, until the institution’s federal student
loan cohort default rate falls below a specified
percentage; requiring the Commission for Independent
Education to revoke the license of an institution
whose federal student loan cohort default rate exceeds
the threshold percentage; defining such an
institution’s period of ineligibility; amending s.
1005.31, F.S.; revising the minimum standards the
Commission for Independent Education must use to
evaluate an institution for licensure to include the
institution’s federal student loan cohort default
rate; requiring the commission to deny a renewal
license for an institution whose federal student loan
cohort default rate exceeds a specified percentage;
amending s. 1005.32, F.S.; revising the minimum
criteria for an independent postsecondary educational
institution to apply for a license by accreditation to
include a maximum percentage for the institution’s
federal student loan cohort default rate; amending s.
1011.81, F.S.; requiring Florida College System
institution performance funding for industry
certifications to take into consideration an

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

Section 1. Section 1005.04, Florida Statutes, is amended to
read:

1005.04 Fair consumer practices; federal student loan
default rates.—
(1) Every institution that is under the jurisdiction of the
commission or is exempt from the jurisdiction or purview of the
commission pursuant to s. 1005.06(1)(c) or (f) and that either
directly or indirectly solicits for enrollment any student
shall:
(a) Disclose to each prospective student a statement of the
purpose of such institution, its educational programs and
curricula, a description of its physical facilities, its status
regarding licensure, its fee schedule and policies regarding
retaining student fees if a student withdraws, and a statement
regarding the transferability of credits to and from other
institutions. The institution shall make the required
disclosures in writing at least 1 week prior to enrollment or
collection of any tuition from the prospective student. The
required disclosures may be made in the institution’s current
catalog;
(b) Use a reliable method to assess, before accepting a student into a program, the student’s ability to complete successfully the course of study for which he or she has applied;

(c) Inform each student accurately about financial assistance and obligations for repayment of loans; describe any employment placement services provided and the limitations thereof; and refrain from promising or implying guaranteed placement, market availability, or salary amounts;

(d) Maintain a federal student loan cohort default rate, released during the fall of each academic year, below 30 percent for 3 consecutive years or at or below 40 percent for any given year. An institution eligible for a William L. Boyd, IV, Florida Resident Access Grant pursuant to s. 1009.89 and an institution eligible for an Access to Better Learning and Education Grant pursuant to s. 1009.891 whose federal student loan cohort default rate exceeds these rates shall be ineligible to receive payments from such grants for incoming students until the institution’s federal student loan cohort default rate falls below the threshold. The commission shall revoke the license of an institution under its jurisdiction whose federal student loan cohort default rate exceeds the threshold. The commission may not reinstate an institution’s license until the institution’s federal student loan cohort default rate falls below the threshold. An institution’s ineligibility to receive such funds or maintain a license is effective for the academic year following the fall disclosure of the federal student loan cohort default rate. The institution will remain ineligible for a minimum of 1 academic year until the institution’s federal default rate drops below the threshold.

(e) Provide to prospective and enrolled students accurate information regarding the relationship of its programs to state licensure requirements for practicing related occupations and professions in Florida;

(f) Ensure that all advertisements are accurate and not misleading;

(g) Publish and follow an equitable prorated refund policy for all students, and follow both the federal refund guidelines for students receiving federal financial assistance and the minimum refund guidelines set by commission rule;

(h) Follow the requirements of state and federal laws that require annual reporting with respect to crime statistics and physical plant safety and make those reports available to the public; and

(i) Publish and follow procedures for handling student complaints, disciplinary actions, and appeals.

(2) In addition, institutions that are required to be licensed by the commission shall disclose to prospective students that additional information regarding the institution may be obtained by contacting the Commission for Independent Education, Department of Education, Tallahassee.

Section 2. Subsection (2) of section 1005.31, Florida Statutes, is amended, and subsection (16) is added to that section, to read:

1005.31 Licensure of institutions.—

(2) The commission shall develop minimum standards by which to evaluate institutions for licensure. These standards must include at least the institution’s name, financial stability,
Section 4. Subsection (2) of section 1011.81, Florida Statutes, is amended to read:

"(2) Performance funding for industry certifications for Florida College System institutions must take into consideration an institution’s federal student loan cohort default rate and is contingent upon specific appropriation in the General Appropriations Act and shall be determined as follows:

(a) Occupational areas for which industry certifications may be earned, as established in the General Appropriations Act, are eligible for performance funding. Priority shall be given to the occupational areas emphasized in state, national, or corporate grants provided to Florida educational institutions.

(b) The Chancellor of the Florida College System shall identify the industry certifications eligible for funding on the CAFE Postsecondary Industry Certification Funding List approved by the State Board of Education pursuant to s. 1008.44, based on the occupational areas specified in the General Appropriations Act.

(c) Each Florida College System institution shall be provided $1,000 for each industry certification earned by a student. The maximum amount of funding appropriated for performance funding pursuant to this subsection shall be limited to $15 million annually. If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.

Section 5. Paragraph (c) of subsection (1) of section 1011.905, Florida Statutes, is amended to read:

"1011.905 Performance funding for state universities.—

(1) State performance funds for the State University System shall be based on indicators of system and institutional attainment of performance expectations. For the 2012-2013..."
through at least the 2016-2017 fiscal year, the Board of Governors shall review and rank each state university that applies for performance funding, as provided in the General Appropriations Act, based on the following formula:

(c) Fifty percent of a state university’s score shall be based on:

1. Factors determined by the Board of Governors which relate to increasing the probability that graduates who have earned degrees in the programs described in paragraph (a) will be employed in high-skill, high-wage, and high-demand employment; and

2. An institution’s federal student loan cohort default rate.

Section 6. This act shall take effect July 1, 2016.
I. **Summary:**

PCS/SB 350 authorizes district school boards, Florida College System institution boards of trustees and university boards of trustees to make purchases through an online procurement system, electronic auction service, or other efficient procurement tool.

The bill has an indeterminate fiscal impact. Online procurement may result in costs savings for district school boards, Florida College System institution boards of trustees and university boards of trustees; however, the extent of those potential cost savings is not known.

The bill is effective July 1, 2016.

II. **Present Situation:**

Chapter 287, F.S., regulates state agency\(^1\) procurement of personal property and services.\(^2\) Agencies may use a variety of procurement methods, depending on the cost and characteristics

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\(^1\) As defined in s. 287.012(1), F.S., “agency” means any of the various state officers, departments, boards, commissions, divisions, bureaus, and councils and any other unit of organization, however designated, of the executive branch of state government. “Agency” does not include the university and college boards of trustees or the state universities and colleges.

\(^2\) Local governments are not subject to the provisions of ch. 287, F.S. Local governmental units may look to the chapter for guidance in the procurement of goods and services, but many have local policies or ordinances to address competitive solicitations.
of the needed good or service, the complexity of the procurement, and the number of available vendors. These include the following:

- "Single source contracts," which are used when an agency determines that only one vendor is available to provide a commodity or service at the time of purchase;
- "Invitations to bid (ITB)," which are used when an agency determines that standard services or goods will meet needs, wide competition is available, and the vendor's experience will not greatly influence the agency's results;
- "Requests for proposals (RFP)," which are used when the procurement requirements allow for consideration of various solutions and the agency believes more than two or three vendors exist who can provide the required goods or services; and
- "Invitations to negotiate (ITN)," which are used when negotiations are determined to be necessary to obtain the best value and involve a request for high complexity, customized, mission-critical services, by an agency dealing with a limited number of vendors.³

Contracts for commodities or contractual services in excess of $35,000 must be procured utilizing a competitive solicitation process.⁴ However, specified contractual services and commodities are not subject to competitive-solicitation requirements.⁵

Chapters 120 and 287, F.S., establish a process by which a person may file an action protesting a decision or intended decision pertaining to contracts administered by the Department of Management Services (DMS), a water management district, or state agencies.⁶

### Online Procurement of Commodities and Contractual Services

Pursuant to s. 287.057(22), F.S., the DMS is required to maintain a program for online procurement of commodities and contractual services in consultation with the Chief Financial Officer (Department of Financial Services) and the Agency for State Technology (AST). The DMS has authority to contract for equipment and services to develop and implement online procurement in consultation with the AST and in compliance with standards of AST.⁷ The DMS is required to adopt rules for the administration of the program for online procurement.⁸ The DMS may also impose and collect fees for use of the online procurement system.⁹

The DMS’s online procurement program is MyFloridaMarketPlace (MFMP). MFMP is used by the Division of State Purchasing for formal solicitations (ITB, RFP, and ITN) and by state

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³ See ss. 287.012(6) and 287.057, F.S.
⁴ Section 287.057(1), F.S., requires all projects that exceed the Category Two ($35,000) threshold contained in s. 287.017, F.S., to be competitively bid. As defined in s. 287.012(6), F.S., “competitive solicitation” means the process of requesting and receiving two or more sealed bids, proposals, or replies submitted by responsive vendors in accordance with the terms of a competitive process, regardless of the method of procurement.
⁵ See s. 287.057(3)(e), F.S.
⁶ See ss. 287.042(2)(c) and 120.57(3), F.S.
⁷ Section 287.057(22)(a), F.S. Also, see s. 282.0051(4), F.S. (AST has responsibility to perform project oversight on all state agency information technology project costs of $10 million or more that are funded in the General Appropriations Act or other law.)
⁸ Section 287.057(22)(b), F.S. See Rules 60A-1.030-1.033, F.A.C.
⁹ Section 287.057(22)(c), F.S.
agencies for informal quotes and electronic invoicing.\textsuperscript{10} MFMP has been in operation for more than ten years.\textsuperscript{11}

III. **Effect of Proposed Changes:**

The bill authorizes district school boards, Florida College System institution boards of trustees and university boards of trustees to make purchases through an online procurement system, an electronic auction service, or other efficient procurement tools.

The bill provides an effective date of July 1, 2016.

IV. **Constitutional Issues:**

A. **Municipality/County Mandates Restrictions:**

The mandate restrictions do not apply because the bill does not require counties and municipalities to spend funds, reduce counties’ or municipalities’ ability to raise revenue, or reduce the percentage of a state tax shares with counties and municipalities.

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

None.

C. **Trust Funds Restrictions:**

None.

V. **Fiscal Impact Statement:**

A. **Tax/Fee Issues:**

None.

B. **Private Sector Impact:**

The bill may have an indeterminate fiscal impact on the private sector.

C. **Government Sector Impact:**

The bill has an indeterminate fiscal impact on the government sector. Online procurement may result in costs savings for district school boards, Florida College System institutions and universities, but the extent of those potential cost savings is not known.

VI. **Technical Deficiencies:**

None.

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\textsuperscript{10} Analysis from the DMS dated February 3, 2015, on file with the Committee on Governmental Oversight and Accountability.

\textsuperscript{11} See http://www.dms.myflorida.com/business_operations/state_purchasing.
VII. **Related Issues:**

None.

VIII. **Statutes Affected:**

This bill substantially amends section 1010.04 of the Florida Statutes.

IX. **Additional Information:**

A. **Committee Substitute – Statement of Changes:**

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

**Recommended CS by Appropriations Subcommittee on Education on December 3, 2015:**

The committee substitute:
- Removes the definition of “online procurement” or “electronic procurement” created under s. 287.012, F.S.
- Removes the authorization for district school boards to adopt rules under s. 1001.42 (12)(i), F.S., to facilitate the efficient and effective procurement of materials, supplies, and services, including the use of online procurement as defined in the bill.
- Removes the reference to district school boards using online procurement, as defined in the bill, to facilitate the purchase of school buses and related equipment under s. 1006.27, F.S.

B. **Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
Appropriations Subcommittee on Education (Montford) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Subsection (2) of section 1010.04, Florida Statutes, is amended to read:

1010.04 Purchasing.—

(2) Each district school board and Florida College System institution board of trustees shall adopt rules, and each university board of trustees shall adopt regulations, to be
followed in making purchases. Purchases may be made through an online procurement system, an electronic auction service, or other efficient procurement tool.

Section 2. This act shall take effect July 1, 2016.

And the title is amended as follows:
Delete everything before the enacting clause and insert:

A bill to be entitled An act relating to procurement procedures for educational institutions; amending s. 1010.04, F.S.; authorizing specified educational institutions to make purchases through an online procurement system, an electronic auction service, or other efficient procurement tool; providing an effective date.
By Senator Montford

A bill to be entitled
An act relating to online procurement; amending s. 287.012, F.S.; defining the term "online procurement"; amending s. 1001.42, F.S.; revising the powers and duties of the district school board to authorize the adoption of rules regarding procurement practices; amending s. 1006.27, F.S.; authorizing a district school board to use online procurement for certain services and purchases; amending s. 1010.04, F.S.; authorizing each district school board, Florida College System board of trustees, and university board of trustees to make purchases through an online procurement system; providing an effective date.

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

Section 1. Present subsections (20) through (29) of section 287.012, Florida Statutes, are redesignated as subsections (21) through (30), respectively, and a new subsection (20) is added to that section, to read:

287.012 Definitions.—As used in this part, the term: (20) "Online procurement" or "electronic procurement" means a competitive bid process that uses a vendor bid system, an electronic auction service, or other types of procurement that use a web-based system developed by a governmental entity or a third-party software, and that conforms to the procurement process specified in s. 287.057 or by rules adopted by the State Board of Education, school districts, or other state agencies.

Section 2. Paragraph (i) of subsection (12) of section 1006.27, Florida Statutes, is amended to read:

Section 3. Subsection (1) of section 1006.27, Florida Statutes, is amended to read:

(1) The department shall assist district school boards in securing school buses, contractual needs, equipment, and supplies at as reasonable prices as possible by providing a plan under which district school boards may voluntarily pool their bids for such purchases. The department shall prepare bid forms and specifications, obtain quotations of prices and make such information available to district school boards in order to facilitate the efficient and effective procurement of materials, supplies, and services, including the use of online procurement as defined in s. 287.012.
facilitate this service and may use online procurement, as defined in s. 287.012. District school boards from time to time, as prescribed by State Board of Education rule, shall furnish the department with information concerning the prices paid for such items and the department shall furnish to district school boards periodic information concerning the lowest prices at which school buses, equipment, and related supplies are available based upon comparable specifications.

Section 4. Subsection (2) of section 1010.04, Florida Statutes, is amended to read:

1010.04 Purchasing.—

(2) Each district school board and Florida College System institution board of trustees shall adopt rules, and each university board of trustees shall adopt regulations, to be followed in making purchases. Purchases may be made through an online procurement system that includes electronic auction services or through other efficient procurement tools.

Section 5. This act shall take effect July 1, 2016.
I. Summary:

PCS/SB 520 modifies the permissible activities in which a student can participate to meet the service work requirements for Florida Bright Futures Scholarship Program awards, allows an eligible student to defer the award while participating in a full-time religious or service obligation, and repeals the higher SAT or ACT score requirement for home education students.

Specifically the bill:

- Modifies student community service requirements for Florida Bright Futures Scholarship Program awards by clarifying that community service work means volunteer service work;
- Expands the permissible activities in which the student can participate to meet the volunteer service work requirement to include civic or professional areas, and places parameters on such activities;
- Allows a student who is eligible for a Florida Bright Futures Scholarship award, but unable to accept the award immediately following high school graduation due to a full-time religious or service obligation lasting at least 18 months, to defer the 2-year initial award period and the 5-year renewal period until the student completes the religious or service obligation; and
- Repeals the higher SAT or ACT score required for a student in a home education program whose parent cannot document college-preparatory curriculum to be eligible for the Florida Medallion Scholars (FMS) award.
- Establishes new initial eligibility requirements and allowable uses for the Florida Gold Seal Vocational Scholars (FGSV) award.

During the 2015A Special Session, the Legislature adopted provisions similar to the Bright Futures Scholarship Program volunteer service provisions of PCS/SB 520 in ch. 2015-222, L.O.F., the implementing bill for the 2015-2016 General Appropriations Act (GAA). These provisions will expire on July 1, 2016, unless the Legislature acts to codify the policy beyond the 2015-2016 fiscal year. PCS/SB 520 protects the volunteer service provisions from repeal by enacting modified provisions and providing an effective date of July 1, 2016.
The fiscal impact of the number of students who could potentially benefit from the award deferment authorized in the bill is not known, but is expected to be nominal. The fiscal impact of repealing the higher test score requirement for a home education program student to earn an FMS award is estimated to be between $100,000 and $300,000 in recurring expenditures to the Educational Enhancement Trust Fund (EETF) due to more home education students qualifying for the FMS award. The fiscal impact of the FGSV eligibility and award changes is expected to be minimal beginning in the 2019-2020 fiscal year.

The bill takes effect July 1, 2016.

II. Present Situation:

Florida Bright Futures Scholarship Program

The Florida Bright Futures Scholarship Program (program) is a lottery-funded scholarship program to reward a Florida high school graduate who merits recognition for high academic achievement and who enrolls in a degree program, certificate program, or applied technology program at an eligible public or private postsecondary institution in Florida after graduating from high school. The Department of Education (DOE) administers the program in accordance with rules and procedures adopted by the State Board of Education.

The program consists of three types of awards:

- Florida Academic Scholars (FAS);
- Florida Medallion Scholars (FMS); and
- Florida Gold Seal Vocational Scholars (FGSV).

Service Work Requirements

To be eligible for a scholarship award, a student must complete service hours during high school and by high school graduation. To fulfill the community service work requirements, students graduating in the 2011-2012 academic year, and thereafter, must complete community service work, identify a social problem of interest, develop a plan for personal involvement in addressing the problem, and reflect on such experience through papers or presentations. The number of community service work hours required differ among the three programs. For FAS, students

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1 Sections 1009.53(1) and 1009.531(2)(a)-(c), F.S., specify that a student graduating from high school prior to the 2010-2011 academic year is eligible to accept an initial award for 3 years following high school graduation and to accept a renewal award for 7 years following high school graduation. Each student graduating in the 2010-2011 and 2011-2012 academic school years is eligible to accept an initial award for 3 years following high school graduation and to accept a renewal award for 5 years following high school graduation. In the 2012-2013 academic school year, and thereafter, a student graduating from high school is able to accept an initial award for 2 years following high school and to accept a renewal award for 5 years following high school graduation.
2 Section 1009.53(3), F.S.
3 Section 1009.53(2), F.S.
4 Section 1009.534, F.S.
5 Section 1009.535, F.S.
6 Section 1009.536, F.S.
8 Section 1009.534(1), F.S.
must perform a minimum of 100 hours of community service work, FMS students must perform a minimum of 75 hours of community service work, and FGSV students must perform a minimum of 30 hours of community service work. The community service work must be approved by the district school board, the administrators of a nonpublic school, or the DOE for home education program students.

For the 2015-2016 fiscal year, the GAA implementing bill expanded opportunities for a student to fulfill the community service work requirements by completing a program of volunteer service work. Specifically, the program of volunteer service work:

- Requires approval by the district school board, the administrators of a nonpublic school, or the DOE for home education program students;
- Requires the student to identify a social or civic issue or a professional area of interest;
- Requires the student to develop a plan for personal involvement in addressing the issue or learning about the professional area, as well as evaluating and reflecting on such experience through papers or presentations;
- Prohibits a student from receiving compensation or academic credit for the volunteer service work, except for credit earned through service-learning courses;
- Requires the volunteer service hours to be documented in writing and signed by the student, the student’s parent or guardian, and a representative of the organization where the student volunteered; and
- Authorizes volunteer service work to include, but not be limited to:
  - Internship with a business or government entity;
  - Work for a nonprofit community service organization; or
  - Activity on behalf of a candidate for public office.

The program of volunteer service work expires on July 1, 2016.

**Student Eligibility Requirements**

Currently, a student who graduates from high school having met the requirements of a Florida Bright Futures Scholarship award is eligible to accept:

- An initial award for a period of two years, and
- A renewal award for five years after graduating from high school.

A student who enlists in the United States Armed Forces immediately after high school graduation can defer the 2-year eligibility period for initial award and 5-year renewal period of

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9 Section 1009.535(1), F.S.
10 Section 1009.536(1)(e), F.S.
11 Supra note 12.
12 S. 11, chapter 2015-222, L.O.F.
13 Section 11, ch. 2015-222, L.O.F. Implementing Specific Appropriation 4, s. 1, ch. 2015-232, L.O.F.
14 Section 11, ch. 2015-222, L.O.F. Service-learning courses are adopted pursuant to s. 1003.497, F.S.
15 Section 1009.531(2)(c), F.S.
16 Id.
the award until the student separates from active duty.\textsuperscript{17} Also, for a student who receives the scholarship award but discontinues his or her education to enlist in the United States Armed Forces, the remainder of his or her 5-year renewal period commences upon the date of separation from active duty.\textsuperscript{18}

To be eligible to receive a program award, students must meet the general eligibility criteria\textsuperscript{19} and specific academic and community service work requirements.\textsuperscript{20} The FAS and FMS require certain SAT or ACT scores, depending on the academic year. For the 2013-2014 academic year and on, a student must earn a SAT score of 1290 or ACT score of 29 for the FAS, and a SAT score of 1170 or ACT score of 26 for the FMS. However, for the FMS, a student in a home education program whose parent cannot document a college-preparatory curriculum must earn a SAT score of 1220 or ACT score of 27 to be eligible.\textsuperscript{21} The FGSV requires a student to earn a minimum of a 3.0 weighted cumulative grade point average (GPA) on all subjects required for a standard high school diploma, excluding elective courses; complete at least three sequential courses in a career education program and earn a minimum of a 3.5 unweighted GPA in those courses; and demonstrate postsecondary education readiness by earning a passing score on the Florida Postsecondary Education Readiness Test.\textsuperscript{22}

### III. Effect of Proposed Changes:

PCS/SB 520 modifies the permissible activities in which a student can participate in to meet the service work requirements for Florida Bright Futures Scholarship Program awards, allows an eligible student to defer the award while participating in a full-time religious or service obligation, repeals the requirement of higher SAT or ACT scores for home education students, and establishes new FGSV initial eligibility requirements and allowable uses of the award.

#### Service Work Requirements

The bill protects the volunteer service provisions from repeal by enacting modified provisions and providing an effective date of July 1, 2016.

Specifically, the bill:

- Codifies the substance of the program of volunteer service work beyond the 2015-2016 fiscal year;\textsuperscript{23}
- Clarifies that “community” service work means “volunteer” service work; and
- Modifies service requirements affecting student eligibility for the FAS, FMS, and FGSV awards.
- Establishes new FGSV initial eligibility requirements and the allowable uses of the award.

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\textsuperscript{17} Id.
\textsuperscript{18} Id.
\textsuperscript{19} Section 1009.531, F.S.
\textsuperscript{20} Sections 1009.534(1), 1009.535(1), and 1009.536(1)(e), F.S.
\textsuperscript{21} Section 1009.531(6), F.S.
\textsuperscript{22} Section 1009.536 (1), F.S.
\textsuperscript{23} S. 11, ch. 2015-222, L.O.F. This section expires July 1, 2016.
Student Eligibility Requirements

The bill modifies the student eligibility requirements for initial award of the Florida Bright Futures Scholarship. The bill allows a student who is eligible for a Florida Bright Futures Scholarship award, but unable to accept the award immediately following high school graduation due to a full-time religious or service obligation lasting at least 18 months, to defer the 2-year initial award period and the 5-year renewal period until the student completes the religious or service obligation.

For the student to be eligible for the deferment, the religious or service obligation sponsoring organization must meet the requirements for nonprofit status under s. 501(c)(3) of the Internal Revenue Code or be a federal government service organization, such as the Peace Corps and AmeriCorps programs. The sponsoring organization must document, in writing, and verify the student’s religious obligation or service work on a standardized form prescribed by the DOE.

In effect, students that would otherwise forfeit a scholarship due to participation in a religious or service obligation may retain eligibility, similar to the flexibility currently granted to students who enlist in the United States Armed Forces.

General Eligibility Requirements

Additionally, the bill repeals the higher SAT or ACT score required for a student in a home education program whose parent cannot document college-preparatory curriculum to be eligible for the FMS award. Under the proposed legislation, a home education program student would be required to meet the same test score requirements as other high school students.

The bill repeals obsolete requirements for certain SAT and ACT scores for the FAS and FMS awards for past academic years.

During the 2015A Special Session, the Legislature adopted provisions similar to the Bright Futures Scholarship Program volunteer service provisions of PCS/SB 520 in ch. 2015-222, L.O.F., the implementing bill for the 2015-2016 GAA. These provisions will expire on July 1, 2016, unless the Legislature acts to codify the policy beyond the 2015-2016 fiscal year.

Florida Gold Seal Vocational Scholarship

The bill creates new initial eligibility requirements for students to qualify for the FGSV award. Beginning with 2016-2017 high school graduates, a student may earn a FGSV award through the current requirements, or by meeting the general eligibility and volunteer service work requirements and earning a minimum of five postsecondary credits through CAPE industry certifications which articulate for college credit. High school students graduating in the 2019-2020 academic year and thereafter will only be able to qualify for a FGSV award through the new initial eligibility requirements specified in the bill.

A student who earns a FGSV award by meeting the new requirements and who completes a technical degree education program as defined in s. 1004.02 (13), F.S., may also receive an award for:
- A maximum of 60 credit hours for a bachelor of science degree program in which there is a statewide associate in science to bachelor of science degree program articulation agreement; or
- A maximum of 60 credit hours for a bachelor of applied science degree program at a Florida College System institution.

The bill takes effect on July 1, 2016.

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:

Under the bill, more students may remain eligible for the Florida Bright Futures Scholarship Program award due to the religious or service obligation deferment option. The bill may encourage more students to participate in religious or service activities immediately after high school graduation because they can remain eligible for a Bright Futures Scholarship Program award. 24

In addition, more students participating in a home education program may be eligible for the FMS award due to the repeal of the higher SAT or ACT score requirements. 25

In the 2014-2015 fiscal year, the average FMS award was $1,740. 26

The bill allows students who earn a FGSV award by meeting the new requirements and who complete a technical degree education program as defined in s. 1004.02 (13), F.S., to

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24 Florida Department of Education, 2016 Agency Legislative Bill Analysis for SB 520 (on file with the Committee on Higher Education).
25 Id.
26 Id.
receive additional funding for specific bachelor degree programs. In the 2014-2015 fiscal year, the average FGSV award was $949.27

C. Government Sector Impact:

Approximately 80 percent of students initially eligible for a Florida Bright Futures Scholarship award enroll in a Florida postsecondary institution and receiving funding.28 The number of students who don’t accept an award immediately after high school graduation, who could potentially benefit from the award deferment authorized in the bill is not known, but is expected to be nominal.

The fiscal impact of repealing the higher test score requirement for a home education program student to earn an FMS award is estimated to be between $100,000 and $300,000 in recurring expenditures to the Educational Enhancement Trust Fund due to more home education students qualifying for the FMS award.29

For the 2013-2014 high school graduating class, there were 6,342 students who earned an initial FGSV award, of which only 882 (13.9 percent) actually received funding. For that same 2013-2014 high school graduating class, 3,146 students, approximately half of the initially eligible FGSV students, met the new requirement specified in the bill of earning a minimum of five postsecondary credits through CAPE industry certifications which articulate for college credit. However, it is unknown how many of these students would have received funding for a FGSV award or how many would meet the requirements and utilize the new funding eligibility for an additional 60 credit hours for specific bachelor degree programs. The fiscal impact of the FGSV eligibility and award changes is expected to be minimal beginning in the 2019-2020 fiscal year.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1009.531, 1009.532, 1009.534, 1009.535, and 1009.536.

29 Florida Department of Education, 2016 Agency Legislative Bill Analysis for SB 520 (on file with the Committee on Higher Education).
IX. Additional Information:

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

Recommended CS by Appropriations Subcommittee on Education on December 3, 2015:
The committee substitute:
• Maintains provisions regarding deferring the 2-year initial eligibility period and 5-year renewal eligibility period due to a full-time religious or service obligation.
• Maintains changes to volunteer service work requirements.
• Establishes new initial eligibility requirements and allowable uses for the Florida Gold Seal Vocational Scholars (FGSV) award.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
Appropriations Subcommittee on Education (Gaetz) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (2) and paragraphs (a) and (b) of subsection (6) of section 1009.531, Florida Statutes, are amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(2)
(c) A student graduating from high school in the 2012-2013 academic year and thereafter is eligible to accept an initial award for 2 years following high school graduation and to accept a renewal award for 5 years following high school graduation. A student who applies for an award by high school graduation and who meets all other eligibility requirements, but who does not accept his or her award, may reapply during subsequent application periods up to 2 years after high school graduation. For a student who enlists in the United States Armed Forces immediately after completion of high school, the 2-year eligibility period for his or her initial award and the 5-year renewal period shall begin upon the date of separation from active duty. For a student who is receiving a Florida Bright Futures Scholarship award and discontinues his or her education to enlist in the United States Armed Forces, the remainder of his or her 5-year renewal period shall commence upon the date of separation from active duty. For a student who is unable to accept an initial award immediately after completion of high school due to a full-time religious or service obligation lasting at least 18 months, the 2-year eligibility period for his or her initial award and the 5-year renewal period begin upon the completion of his or her religious or service obligation. The organization sponsoring the full-time religious or service obligation must meet the requirements for nonprofit status under s. 501(c)(3) of the Internal Revenue Code or be a federal government service organization, including, but not limited to, the Peace Corps and AmeriCorps programs. The obligation must be documented in writing and verified by the entity for which the student completed the obligation on a
standardized form prescribed by the department. If a course of study is not completed after 5 academic years, an exception of 1 year to the renewal timeframe may be granted due to a verifiable illness or other documented emergency pursuant to s. 1009.40(1)(b)4.

(6)(a) The State Board of Education shall publicize the examination score required for a student to be eligible for a Florida Academic Scholars award, pursuant to s. 1009.534(1)(a) or (b), as follows:
1. For high school students graduating in the 2010-2011 and 2011-2012 academic years, the student must earn an SAT score of 1270 or a concordant ACT score of 28.
2. For high school students graduating in the 2012-2013 academic year, the student must earn an SAT score of 1280 which corresponds to the 88th SAT percentile rank or a concordant ACT score of 28.
3. For high school students graduating in the 2013-2014 academic year and thereafter, the student must earn an SAT score of 1290 which corresponds to the 89th SAT percentile rank or a concordant ACT score of 29.

(b) The State Board of Education shall publicize the examination score required for a student to be eligible for a Florida Medallion Scholars award, pursuant to s. 1009.535(1)(a) or (b), as follows:
1. For high school students graduating in the 2010-2011 academic year, the student must earn an SAT score of 970 or a concordant ACT score of 20 or the student in a home education program whose parent cannot document a college preparatory curriculum must earn an SAT score of 1070 or a concordant ACT score.
score of 23.

2. For high school students graduating in the 2011-2012 academic year, the student must earn an SAT score of 980 which corresponds to the 44th SAT percentile rank or a concordant ACT score of 21 or the student in a home education program whose parent cannot document a college-preparatory curriculum must earn an SAT score of 1070 or a concordant ACT score of 23.

3. For high school students graduating in the 2012-2013 academic year, the student must earn an SAT score of 1020 which corresponds to the 51st SAT percentile rank or a concordant ACT score of 22 or the student in a home education program whose parent cannot document a college-preparatory curriculum must earn an SAT score of 1070 or a concordant ACT score of 23.

4. For high school students graduating in the 2013-2014 academic year and thereafter, the student must earn an SAT score of 1170 which corresponds to the 75th SAT percentile rank or a concordant ACT score of 26 or the student in a home education program whose parent cannot document a college-preparatory curriculum must earn an SAT score of 1220 or a concordant ACT score of 27.

Section 2. Paragraph (d) is added to subsection (3) of section 1009.532, Florida Statutes, to read:

1009.532 Florida Bright Futures Scholarship Program; student eligibility requirements for renewal awards.—

(3)

(d) A student who is initially eligible in the 2017-2018 academic year and thereafter for a Florida Gold Seal Vocational Scholars award under s. 1009.536(2) and who completes a technical degree education program as defined in s. 1004.02(13)
may also receive an award for:

1. A maximum of 60 credit hours for a bachelor of science degree program for which there is a statewide associate in science degree program to bachelor of science degree program articulation agreement; or

2. A maximum of 60 credit hours for a bachelor of applied science degree program at a Florida College System institution.

Section 3. Subsection (1) of section 1009.534, Florida Statutes, is amended to read:

1009.534 Florida Academic Scholars award.—
(1) A student is eligible for a Florida Academic Scholars award if he or she the student meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and the student:
   (a) Has achieved a 3.5 weighted grade point average as calculated pursuant to s. 1009.531, or its equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses and has attained at least the score required under pursuant to s. 1009.531(6)(a) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;
   (b) Has attended a home education program according to s. 1002.41 during grades 11 and 12, or has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma, or has completed the Advanced International Certificate of Education curriculum but
failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score **required under** pursuant to s. 1009.531(6)(a) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(c) Has been awarded an International Baccalaureate Diploma from the International Baccalaureate Office or an Advanced International Certificate of Education Diploma from the University of Cambridge International Examinations Office;

(d) Has been recognized by the merit or achievement programs of the National Merit Scholarship Corporation as a scholar or finalist; or

(e) Has been recognized by the National Hispanic Recognition Program as a scholar recipient.

The student must complete a program of **volunteer** community service work, as approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students, which **shall** include a minimum of 75 hours of service work for high school students graduating in the 2010-2011 academic year and 100 hours of service work for high school students graduating in the 2011-2012 academic year and thereafter. **The student** and must identify a social or civic issue or a professional area problem that interests him or her, develop a plan for his or her personal involvement in addressing the issue or learning about the area problem, and, through papers or other presentations,
evaluate and reflect upon his or her experience. Except for credit earned through service-learning courses adopted pursuant to s. 1003.497, the student may not receive remuneration or academic credit for the volunteer service work performed. Such work may include, but is not limited to, a business or government internship, work for a nonprofit community service organization, or activity on behalf of a candidate for public office. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student’s parent or guardian, and a representative of the organization for which the student performed the volunteer service work.

Section 4. Subsection (1) of section 1009.535, Florida Statutes, is amended to read:

1009.535 Florida Medallion Scholars award.—

(1) A student is eligible for a Florida Medallion Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and the student:

(a) Has achieved a weighted grade point average of 3.0 as calculated pursuant to s. 1009.531, or the equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses and has attained at least the score required under pursuant to s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;
(b) Has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score required under pursuant to s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(c) Has attended a home education program according to s. 1002.41 during grades 11 and 12 and has attained at least the score required under pursuant to s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program, if the student’s parent cannot document a college-preparatory curriculum as described in paragraph (a);

(d) Has been recognized by the merit or achievement program of the National Merit Scholarship Corporation as a scholar or finalist but has not completed the program of volunteer community service work required under as provided in s. 1009.534; or

(e) Has been recognized by the National Hispanic Recognition Program as a scholar, but has not completed the program of volunteer community service work required under as provided in s. 1009.534.
A high school student graduating in the 2011-2012 academic year and thereafter must complete at least 75 hours of volunteer community service work approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students. The student, which shall include a minimum of 75 hours of service work, and must identify a social or civic issue or a professional area problem that interests him or her, develop a plan for his or her personal involvement in addressing the issue or learning about the area problem, and, through papers or other presentations, evaluate and reflect upon his or her experience. Except for credit earned through service-learning courses adopted pursuant to s. 1003.497, the student may not receive remuneration or academic credit for volunteer service work performed. Such work may include, but is not limited to, a business or government internship, work for a nonprofit community service organization, or activity on behalf of a candidate for public office. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student’s parent or guardian, and a representative of the organization for which the student performed the volunteer service work.

Section 5. Subsection (1) of section 1009.536, Florida Statutes, is amended, present subsections (2), (3), and (4) of that section are redesignated as subsections (3), (4), and (5), respectively, a new subsection (2) is added to that section, and paragraph (d) is added to present subsection (4) of that section, to read:

1009.536 Florida Gold Seal Vocational Scholars award.—The
Florida Gold Seal Vocational Scholars award is created within the Florida Bright Futures Scholarship Program to recognize and reward academic achievement and career preparation by high school students who wish to continue their education.

(1) A student who entered grade 9 before or in the 2015-2016 academic year is eligible for a Florida Gold Seal Vocational Scholars award if he or she the student meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and the student:

(a) Completes the secondary school portion of a sequential program of studies that requires at least three secondary school career credits. On-the-job training may not be substituted for any of the three required career credits.

(b) Demonstrates readiness for postsecondary education by earning a passing score on the Florida College Entry Level Placement Test or its equivalent as identified by the Department of Education.

(c) Earns a minimum cumulative weighted grade point average of 3.0, as calculated pursuant to s. 1009.531, on all subjects required for a standard high school diploma, excluding elective courses.

(d) Earns a minimum unweighted grade point average of 3.5 on a 4.0 scale for secondary career courses that comprise the career program.

(e) Beginning with high school students graduating in the 2011-2012 academic year and thereafter, completes at least 30 hours a program of volunteer community service work approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education.
program students. The student must identify, which shall include a minimum of 30 hours of service work, and identifies a social or civic issue or a professional area problem that interests him or her, develop a plan for his or her personal involvement in addressing the issue or learning about the area problem, and, through papers or other presentations, evaluate and reflect upon his or her experience.

Except for credit earned through service-learning courses adopted pursuant to s. 1003.497, the student may not receive remuneration or academic credit for the volunteer service work performed. Such work may include, but is not limited to, a business or government internship, work for a nonprofit community service organization, or activity on behalf of a candidate for public office. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student’s parent or guardian, and a representative of the organization for which the student performed the volunteer service work.

(2) A high school student graduating in the 2016-2017 academic year and thereafter is eligible for a Florida Gold Seal Vocational Scholars award if the student meets the requirements under subsection (1) or meets the general eligibility requirements for the Florida Bright Futures Scholarship Program, and the student:

(a) Earns a minimum of 5 postsecondary credit hours through CAPE industry certifications approved pursuant to s. 1008.44 which articulate for college credit; and

(b) Completes at least 30 hours of volunteer service work approved by the district school board, the administrators of a
nonpublic school, or the Department of Education for home
education program students. The student must identify a social
or civic issue or a professional area that interests him or her,
develop a plan for his or her personal involvement in addressing
the issue or learning about the area, and, through papers or
other presentations, evaluate and reflect upon his or her
experience. Except for credit earned through service-learning
courses adopted pursuant to s. 1003.497, the student may not
receive remuneration or academic credit for the volunteer
service work performed. Such work may include, but is not
limited to, a business or government internship, work for a
nonprofit community service organization, or activity on behalf
of a candidate for public office. The hours of volunteer service
work must be documented in writing, and the document must be
signed by the student, the student’s parent or guardian, and a
representative of the organization for which the student
performed the volunteer service work.

A high school student graduating in the 2019-2020 academic year
and thereafter is eligible for a Florida Gold Seal Vocational
Scholars award only if the student meets the requirements under
this subsection.

(5)-(4)

(d) A student who is initially eligible in the 2017-2018
academic year and thereafter for a Florida Gold Seal Vocational
Scholars award under subsection (2) and who completes a
technical degree education program as defined in s. 1004.02(13)
may also receive an award for:

1. A maximum of 60 credit hours for a bachelor of science
degree program for which there is a statewide associate in
science degree program to bachelor of science degree program
articulation agreement; or

2. A maximum of 60 credit hours for a bachelor of applied
science degree program at a Florida College System institution.

Section 6. This act shall take effect July 1, 2016.

And the title is amended as follows:
Delete everything before the enacting clause and insert:

A bill to be entitled
An act relating to the Florida Bright Futures Scholarship Program; amending s. 1009.531, F.S.;
providing that the initial award period and the renewal period for students who are unable to accept an initial award immediately after completion of high school due to a full-time religious or service obligation begin upon the completion of the religious or service obligation; specifying requirements for an entity that is sponsoring the obligation; requiring verification from the entity for which the student completed such obligation; revising eligibility requirements for the Florida Bright Futures Scholarship Program; deleting obsolete provisions; amending s. 1009.532, F.S.; providing that certain students may receive an award for a specified number of credits towards specified bachelor of science degree programs or bachelor of applied science degree programs; amending ss. 1009.534 and 1009.535, F.S.
requiring a student, as a prerequisite for the Florida Academic Scholars award or the Florida Medallion Scholars award, to identify a civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed except in certain circumstances; requiring the hours of volunteer service work to be documented in writing and signed by the student, the student’s parent or guardian, and a representative of the organization for which the student performed the volunteer service work; amending s. 1009.536, F.S.; requiring a student, as a prerequisite for the Florida Gold Seal Vocational Scholars award, to identify a civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed except in certain circumstances; requiring the hours of volunteer service work to be documented in writing and signed by the student, the student’s parent or guardian, and a representative of the organization for which the student performed the volunteer service work; requiring a high school student graduating in the 2016-2017 academic year to meet certain requirements to be eligible for a Florida Gold Seal
Vocational Scholars award; providing that certain students may receive an award for a specified number of credits toward specified bachelor of science degree programs or bachelor of applied science degree programs; providing an effective date.
A bill to be entitled
An act relating to the Florida Bright Futures Scholarship Program; amending s. 1009.531, F.S.; providing that the initial award period and the renewal period for students who are unable to accept an initial award immediately after completion of high school due to a full-time religious or service obligation begin upon the completion of the religious or service obligation; specifying requirements for an entity that is sponsoring the obligation; requiring verification from the entity for which the student completed such obligation; revising eligibility requirements for the Florida Bright Futures Scholars award, the Florida Medallion Scholars award, or the Florida Gold Seal Vocational Scholars award, to identify a social or civic issue or a professional area of interest and develop a plan for his or her personal involvement in addressing the issue or learning about the area; prohibiting the student from receiving remuneration or academic credit for the volunteer service work performed except in certain circumstances; requiring the hours of volunteer service work to be documented in writing and signed by the student, the student’s parent or guardian, and a representative of the organization for which the student performed the volunteer work; providing an effective date.

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

Section 1. Paragraph (c) of subsection (2) and paragraphs (a) and (b) of subsection (6) of section 1009.531, Florida Statutes, are amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

2. (c) A student graduating from high school in the 2012-2013 academic year and thereafter is eligible to accept an initial award for 2 years following high school graduation and to accept a renewal award for 5 years following high school graduation. A student who applies for an award by high school graduation and who meets all other eligibility requirements, but who does not accept his or her award, may reapply during subsequent application periods up to 2 years after high school graduation. For a student who enlists in the United States Armed Forces immediately after completion of high school, the 2-year eligibility period for his or her initial award and the 5-year renewal period shall begin upon the date of separation from active duty. For a student who is receiving a Florida Bright Futures Scholarship award and discontinues his or her education to enlist in the United States Armed Forces, the remainder of his or her 5-year renewal period shall commence upon the date of separation from active duty. For a student who is unable to accept an initial award immediately after completion of high school due to a full-time religious or service obligation.
last at least 18 months, the 2-year eligibility period for
his or her initial award and the 5-year renewal period begin
upon the completion of his or her religious or service
obligation. The organization sponsoring the full-time religious
or service obligation must meet the requirements for nonprofit
status under s. 501(c)(3) of the Internal Revenue Code or be a
federal government service organization, including, but not
limited to, the Peace Corps and AmeriCorps programs. The
obligation must be documented in writing and verified by the
entity for which the student completed the obligation on a
standardized form prescribed by the department. If a course of
study is not completed after 5 academic years, an exception of 1
year to the renewal timeframe may be granted due to a verifiable
illness or other documented emergency pursuant to s.
1009.40(1)(b)4.

6. (a) The State Board of Education shall publicize the
examination score required for a student to be eligible for a
Florida Academic Scholars award, pursuant to s. 1009.534(1)(a)
or (b), as follows:
1. For high school students graduating in the 2010-2011
academic year, the student must earn an SAT score of
1230 or a concordant ACT score of 28.
2. For high school students graduating in the 2011-2012
academic year, the student must earn an SAT score of 1280 which
corresponds to the 88th SAT percentile rank or a concordant ACT
score of 29.
3. For high school students graduating in the 2012-2013
academic year and thereafter, the student must earn an SAT score of 1290 which corresponds to the 89th SAT percentile rank or a

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CODING: Words **stricken** are deletions; words *underlined* are additions.
Section 2. Subsection (1) of section 1009.534, Florida Statutes, is amended to read:

(1) A student is eligible for a Florida Academic Scholars award if the student meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and the student:

(a) Has achieved a 3.5 weighted grade point average as calculated pursuant to s. 1009.531, or its equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses and has attained at least the score required pursuant to s. 1009.531(6)(a) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(b) Has attended a home education program according to s. 1002.41 during grades 11 and 12 and has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma, or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score required pursuant to s. 1009.531(6)(a) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

The student must complete a program of volunteer community service work, as approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students, which must include a minimum of 75 hours of service work for high school students graduating in the 2010-2011 academic year and 100 hours of service work for high school students graduating in the 2011-2012 academic year and thereafter. The student must identify a social or civic issue or a professional area problem that interests him or her, develop a plan for his or her personal involvement in addressing the issue or learning about the area problem, and, through papers or other presentations, evaluate and reflect upon his or her experience. Except for credit earned through service-learning courses adopted pursuant to s. 1003.497, the student may not receive remuneration or academic credit for the volunteer service work performed. Such work may include, but is not limited to, a business or government internship, work for a nonprofit community service program, or work for a school district or other public or private organization.
organization, or activity on behalf of a candidate for public office. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student’s parent or guardian, and a representative of the organization for which the student performed the volunteer service work.

Section 3. Subsection (1) of section 1009.535, Florida Statutes, is amended to read:

1009.535 Florida Medallion Scholars award.—

1009.535 Florida Medallion Scholars award.—

(a) A student is eligible for a Florida Medallion Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and has:

(a) Has achieved a weighted grade point average of 3.0 as calculated pursuant to s. 1009.531, or the equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses; and has attained at least the score required under s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(b) Has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score required under s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(c) Has attended a home education program according to s. 1002.41 during grades 11 and 12 and has attained at least the score required under s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program, if the student’s parent cannot document a college-preparatory curriculum as described in paragraph (a);

(d) Has been recognized by the merit or achievement program of the National Merit Scholarship Corporation as a scholar or finalist but has not completed the program of volunteer community service work required under s. 1009.534; or

(e) Has been recognized by the National Hispanic Recognition Program as a scholar, but has not completed the program of volunteer community service work required under s. 1009.534.

A high school student graduating in the 2011-2012 academic year and thereafter must complete at least 75 hours of volunteer community service work approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students. The student, which shall include a minimum of 75 hours of service work.
work, and must identify a social or civic issue or a professional area problem that interests him or her, develop a
plan for his or her personal involvement in addressing the issue or learning about the area problem, and, through papers or other presentations, evaluate and reflect upon his or her experience.
Except for credit earned through service-learning courses adopted pursuant to s. 1003.497, the student may not receive remuneration or academic credit for volunteer service work performed. Such work may include, but is not limited to, a business or government internship, work for a nonprofit community service organization, or activity on behalf of a candidate for public office. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student’s parent or guardian, and a representative of the organization for which the student performed the volunteer service work.

Section 4. Subsection (1) of section 1009.536, Florida Statutes, is amended to read:

1009.536 Florida Gold Seal Vocational Scholars award.—The Florida Gold Seal Vocational Scholars award is created within the Florida Bright Futures Scholarship Program to recognize and reward academic achievement and career preparation by high school students who wish to continue their education.

(1) A student is eligible for a Florida Gold Seal Vocational Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and:
(a) Completes the secondary school portion of a sequential program of studies that requires at least three secondary school

CODING: Words stricken are deletions; words underlined are additions.
business or government internship, work for a nonprofit community service organization, or activity on behalf of a candidate for public office. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student’s parent or guardian, and a representative of the organization for which the student performed the volunteer service work.

Section 5. This act shall take effect July 1, 2016.
I. Summary:

PCS/CS/SB 524 incorporates into the Florida Statutes on July 1, 2016, and modifies public postsecondary education performance funding and educator liability insurance program provisions affected by the 2015-2016 General Appropriations Act (GAA) and Implementing Bill by:

- Requiring the Board of Governors (BOG) to adopt a regulation implementing the State University System (SUS) Performance-Based Incentive Program. The program must include wage thresholds that reflect the added value of a baccalaureate degree and minimum performance funding eligibility thresholds that, if not met, will make an institution ineligible for the state’s investment in performance funding.

- Requiring the State Board of Education (SBE or state board) to establish, by rule, performance-based metrics for the Florida College System (FCS) and minimum performance funding eligibility thresholds that, if any FCS institution does not meet, will make the institution ineligible for a share of the state’s investment in performance funding. Likewise, any FCS institution that fails to meet the threshold for the institutional investment shall have a portion of its institutional investment withheld.

- Eliminating the July 1, 2016, expiration date of the educator liability insurance program that provides a minimum of $2 million in liability coverage for all full-time public school instructional personnel.

During the 2015A Special Session, the Legislature adopted the substance of PCS/CS/SB 524, related to the SUS Performance-Based Incentive, the FCS Performance-Based Incentive, and the educator liability insurance program, in ch. 2015-222, L.O.F., the implementing bill for the 2015-2016 General Appropriations Act (GAA). These provisions will expire on July 1, 2016, unless the Legislature acts to codify the policy beyond the 2015-2016 fiscal year. PCS/CS/SB 524 protects these policies from repeal by reenacting modified provisions and providing an effective date of July 1, 2016.
The bill also amends the preeminent state research universities program, to require the BOG to designate each state university that meets at least six of the 12 academic and research excellence standards identified in law as an “emerging preeminent state research university.” The bill modifies the academic and research excellence standards of the preeminent state research universities program and establishes funding parameters for universities designated as “preeminent” or “emerging preeminent.”

The bill has no impact on state funds. The amount of performance funding available to SUS and FCS institutions is determined annually in the GAA. In the 2015-2016 fiscal year, the Legislature appropriated $150 million for the state’s investment in the SUS Performance-Based Incentive and $20 million for the state’s investment in the FCS Performance-Based Incentive. Likewise, funding for the preeminent state research universities program, as well as the educator liability insurance program, are contingent upon funding in the GAA. In the 2015-2016 fiscal year, the Legislature appropriated $10 million for the preeminent state research universities program and $1.2 million for the educator liability insurance program.

The bill is effective July 1, 2016.

II. Present Situation:

Performance-Based Funding

The Legislature has established performance-based funding models in the recent years to evaluate the performance of Florida’s public educational institutions, such as state universities and FCS institutions, based on identified performance metrics.

*State University System*

In 2014, the Legislature required that performance funding be allocated based on the BOG’s Performance Funding Model approved on January 16, 2014.¹ The BOG’s Performance Funding Model contained 10 performance metrics that evaluate the state universities on the following:²

- Percent of bachelor’s degree graduates employed and/or continuing their education;
- Average wages of employed baccalaureate graduates;
- Cost per undergraduate degree;
- Six-year graduation rate (full-time and part-time first time in college (FTIC));
- Academic Progress Rate (second year retention with grade point average above 2.0);
- Bachelor’s degrees awarded in areas of strategic emphasis (including Science, Technology, Engineering, and Math (STEM) education);
- University access rate (percent of undergraduates with a Pell Grant);
- Graduate degrees awarded in areas of strategic emphasis (including STEM);

¹ Specific Appropriation 143, ch. 2014-51, L.O.F.
• Two additional metrics, one chosen by each of the following:
  o Board of Governors and
  o University Board of Trustees

The performance of state universities are evaluated based on the benchmarks adopted by the BOG for achievement of excellence or improvement in these specified metrics. The 2014-2015 GAA appropriated $200 million for State University Performance Based Incentives, which included $100 million in new funding and $100 million redistributed from a proportionate share of each state university’s base funds. A state university that qualified for the new funding, also received its full base funding. A state university that failed to meet the minimum performance threshold established by the BOG had a portion of its base funding withheld and was required to submit a performance improvement plan (plan) to the BOG. The board was required to approve the plan and monitor the university’s progress on implementing the performance measures specified in the plan. Full base funding for a state university was restored upon the board’s approval of the plan and progress monitoring reports. Full base funding was not restored for a state university that fails to make satisfactory progress on meeting its performance improvement plan expectations.

During the 2015A Special Session, the Legislature codified the SUS Performance-Based Incentive, which is based on indicators of institutional attainment of performance metrics adopted by the BOG. These performance metrics include graduation rates, retention rates, postgraduation education rates, degree production, affordability, postgraduation employment and salaries, access, and other metrics approved by the board in a noticed meeting. The Legislature instructed the BOG to adopt benchmarks to evaluate each state university’s performance on the metrics to determine a state university’s achievement of institutional excellence or need for improvement. The 2015-2016 GAA appropriated $400 million for the SUS Performance-Based Incentive, which included $150 million for the state investment and $250 million for the institutional investment.

Florida College System

In the 2015-2016 Implementing Bill, the Legislature established the FCS Performance Based Incentive, which is based on indicators of institutional attainment of performance metrics adopted by the state board. These performance metrics include metrics that measure retention; program completion and graduation rates; job placement; and post-graduation employment, salaries, or further education. FCS institutions were evaluated for their performance, based on benchmarks adopted by the state board for achievement of excellence or improvement on the metrics. In the 2015-2016 GAA, the Legislature appropriated $40 million for FCS performance,

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3 Specific Appropriation 143, ch. 2014-51, L.O.F.
4 Id.
5 Id.
6 Specific Appropriation 143, ch. 2014-51, L.O.F.
7 Id.
8 Id.
9 Section 1001.92, F.S., as created by s. 14, ch. 2015-222, L.O.F.
10 Id.
11 Id.
12 Specific Appropriation 138, ch. 2015-232, L.O.F.
including $20 million in new funding and $20 million redistributed from a proportionate share of each institution’s base funds.¹³

**Educator Liability Insurance Program**

The 2015-2016 Implementing Bill amended s. 1012.75, F.S., to require the Department of Education (department) to administer a liability insurance program to protect public school educators from liability for claims arising from incidents occurring while performing job responsibilities.¹⁴ The program must provide coverage amounting to $2 million to all full-time instructional personnel.¹⁵ Part-time instructional personnel, administrative personnel, and student teachers participating in clinical field experience through a state-approved teacher preparation program may opt to receive liability coverage, at cost.¹⁶

The law required the department, by August 1, 2015, to notify eligible personnel of the pending procurement for liability coverage. In addition, the law required each school district, by September 1, 2015, to notify eligible personnel of the liability coverage using a postcard which included:

- The amount of the coverage;
- A general description of the nature of the coverage; and
- The contact information for coverage and claims questions.¹⁷

The law required each district school board to certify to the department, by September 15, 2015, that the district had provided the notification to the eligible personnel.¹⁸

The department must consult with the Department of Financial Services to select the “most economically prudent and cost-effective means of implementing the program through self-insurance, a risk management program, or competitive procurement.”¹⁹

These amendments to the educator liability insurance program will expire on July 1, 2016.

**Preeminent State Research Universities**

The preeminent state research university program is a collaborative partnership between the BOG and the Legislature to elevate the academic and research preeminence of Florida’s highest performing state research universities.²⁰ A state research university that meets at least 11 of the 12 academic and research excellence standards specified in law is designated as a preeminent state research university.²¹

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¹³ Section 15, ch. 2015-222, L.O.F.
¹⁴ See s. 1012.75(3), F.S., as amended by s. 10, ch. 2015-222, L.O.F.
¹⁵ Section 1012.75(3)(a), F.S.
¹⁶ *Id.*
¹⁷ Section 1012.75(3)(b), F.S.
¹⁸ *Id.*
¹⁹ Section 1012.75(3)(c), F.S.
²⁰ Section 1001.7065(1), F.S.
²¹ *Id.* at (3).
The academic and research excellence standards are:  

- An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1800 or higher for fall semester incoming freshmen, as reported annually.  
- A top-50 ranking on at least two well-known and highly respected national public university rankings, reflecting national preeminence, using most recent rankings.  
- A freshman retention rate of 90 percent or higher for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System (IPEDS).  
- A 6-year graduation rate of 70 percent or higher for full-time, first-time-in-college students, as reported annually to the IPEDS.  
- Six or more faculty members at the state university who are members of a national academy, as reported by the Center for Measuring University Performance in the Top American Research Universities (TARU) annual report.  
- Total annual research expenditures, including federal research expenditures, of $200 million or more, as reported annually by the National Science Foundation (NSF).  
- Total annual research expenditures in diversified nonmedical sciences of $150 million or more, based on data reported annually by the NSF.  
- A top-100 university national ranking for research expenditures in five or more science, technology, engineering, or mathematics fields of study, as reported annually by the NSF.  
- One hundred or more total patents awarded by the United States Patent and Trademark Office for the most recent 3-year period.  
- Four hundred or more doctoral degrees awarded annually, as reported in the BOG Annual Accountability Report.  
- Two hundred or more postdoctoral appointees annually, as reported in the TARU annual report.  
- An endowment of $500 million or more, as reported in the BOG Annual Accountability Report.  

A preeminent state research university receives $5 million in recurring funds annually, subject to appropriation in the GAA.  

Currently, only the Florida State University and University of Florida meet the standards for preeminent state research university designation and are Florida’s only two preeminent state research universities.  

III. Effect of Proposed Changes:  

This bill re-enacts and amends the FCS Performance-Based Incentive and the SUS Performance-Based Incentive, re-enacts 2015A Special Session amendments to the educator liability insurance program, and amends the preeminent state research universities program.

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22 Id. at (2).  
23 Section 1001.7065, F.S.  
Performance-Based Funding

*State University System*

The bill re-enacts and modifies the SUS Performance-Based Incentive to:

- Require the performance-based metrics to include wage thresholds that reflect the added value of a baccalaureate degree.
- Require the BOG to establish minimum performance funding eligibility thresholds for the state’s investment and the institutional investment.
- Prohibit a state university that fails to meet the state’s investment performance funding threshold from eligibility to receive a share of the state’s investment performance funding.

Additionally, the bill requires the BOG to adopt a regulation to implement the SUS Performance-Based Incentive statutory provisions.

*Florida College System*

The bill re-enacts the FCS Performance-Based Incentive and requires the state board to adopt rules for its implementation. Specifically, the bill:

- Modifies the performance-based metrics to include metrics that measure: retention; program completion and graduation rates; postgraduation employment, salaries, and continuing education for workforce education and baccalaureate degree programs, with wage thresholds that reflect the added value of the certificate or degree; and outcome measures appropriate for associate degree recipients.
- Requires the state board to establish minimum performance funding eligibility thresholds for both the state’s investment and the institutional investment.
- Specifies that any institution that does not meet the SBE’s performance threshold for the state’s investment is not eligible for a share of the state’s investment in performance funding.
- Specifies that each institution’s share of performance funding shall be calculated based on its relative performance on the established metrics, in conjunction with the institution’s size and scope.
- Requires that any institution that fails to meet the SBE’s performance threshold for the institutional investment shall have a portion of its institutional investment withheld and must submit an improvement plan to the state board which specifies activities and strategies for improving the institution’s performance.
- Requires the SBE, by October 1 of each year, to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the previous fiscal year’s performance funding allocation which must reflect the rankings and award distributions.

*Educator Liability Insurance Program*

The bill re-enacts amendments made to the educator liability insurance program during the 2015A Special Session by eliminating the July 1, 2016, statutory expiration date. The program requires the department and each school district to provide annual notification of the $2 million insurance coverage to eligible personnel. District school boards must annually certify to the department that the notification has been provided. In addition, the bill requires a district school
board providing clinical field experience to students in teacher preparation programs to notify the student electronically or in writing of the availability of educator liability insurance. Postsecondary educational institutions and district school boards are prohibited from requiring a student in a teacher preparation program to purchase liability insurance as a condition of participation in any clinical field experience or related activity on the premises of an elementary or secondary school.

During the 2015A Special Session, the Legislature adopted the substance of PCS/CS/SB 524 related to the SUS Performance-Based Incentive, the FCS Performance-Based Incentive, and the educator liability insurance program in ch. 2015-222, L.O.F., the implementing bill for the 2015-2016 GAA. These provisions will expire on July 1, 2016, unless the Legislature acts to codify the policy beyond the 2015-2016 fiscal year. PCS/CS/SB 524 protects these polices from repeal by reenacting modified provisions and providing an effective date of July 1, 2016.

**Preeminent State Research Universities**

The bill modifies the academic and research excellence standards of the preeminent state research universities program by:

- Aligning the required average SAT score for incoming freshman with recent changes to the SAT examination scoring rubric;
- Specifying that the U.S. News and World Report rankings is one of the rankings that should be considered for the Top-50 Ranking requirement;
- Including the official membership directories maintained by each national academy (in addition to the Top American Research Universities (TARU) annual report) as a source for verification of recognition of faculty members in a national academy; and
- Including professional degrees awarded in medical and healthcare disciplines in the calculation of the number of doctoral degrees awarded annually.

Currently, each state university that meets at least 11 of the 12 academic and research excellence standards above is designated as a “preeminent state research university.” The bill requires the BOG to also designate each state university that meets at least six of the 12 academic and research excellence standards as an “emerging preeminent state research university.” However, the BOG may temporarily suspend or rescind the “preeminent” or “emerging preeminent” designation upon petition from a designated institution. The BOG may also revoke either designation of an institution with concurrence of the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The bill requires a state university that is designated as an “emerging preeminent state research university” to submit to the BOG a 5-year benchmark plan, with target rankings on key performance metrics for national excellence. Once approved by the BOG and upon the university meeting the benchmark goals annually, the BOG shall award the university its proportional share of any funds provided annually in the GAA to support the program.

The bill repeals the preeminent state research university enhancement initiative. This initiative authorizes additional funding for preeminent state research universities for the purpose of recruiting National Academy Members, providing a master’s degree in cloud virtualization, and instituting an enterprise in resident program, if funding was provided in the GAA. The bill also
repeals the preeminent state research university special course requirement authority. This authority allows preeminent state research universities to require incoming first time in college students to take a 9 to 12 credit set of unique courses specifically determined by the university.

Unless otherwise specified in the GAA, funding increases appropriated to support the program must be distributed equally to each designated “preeminent state research university” and each university designated as an “emerging preeminent state research university” shall receive an amount equal to one-half of the total increased amount awarded to each designated “preeminent state research university.”

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:**

   None.

C. **Government Sector Impact:**

   PCS/CS/SB 524 has no impact on state funds. All programs in the bill are contingent upon funding in the GAA. In the 2015-2016 fiscal year, the Legislature appropriated $150 million for the state’s investment in the SUS Performance-Based Incentive, $20 million for the state’s investment in the FCS Performance-Based Incentive, $10 million for the preeminent state research universities program, and $1.2 million for the educator liability insurance program.

VI. **Technical Deficiencies:**

   None.
VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1001.7065, 1001.92, 1012.39, and 1012.75.

This bill creates section 1001.66 of the Florida Statutes.

IX. Additional Information:

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

Recommended CS/CS by Appropriations Subcommittee on Education on December 3, 2015:
The committee substitute:
• Maintains provisions regarding state university performance funding.
• Re-enacts and amends the FCS Performance-Based Incentive.
• Modifies criteria for the preeminent state research university designation.
• Establishes an “emerging preeminent state research university” designation and establishes eligibility criteria.
• Re-enacts 2015A Special Session amendments to the educator liability insurance program.

CS by Higher Education on November 17, 2015:
The committee substitute restores current law regarding limiting to one fiscal year, the ability of state universities to submit performance improvement plans to the Florida Board of Governors of the State University System of Florida to receive institutional investment performance funding.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
Appropriations Subcommittee on Education (Gaetz) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Section 1001.66, Florida Statutes, is created to read:

1001.66 Florida College System Performance-Based Incentive.—

(1) A Florida College System Performance-Based Incentive shall be awarded to Florida College System institutions using
performance-based metrics adopted by the State Board of Education. The performance-based metrics must include retention rates; program completion and graduation rates; postgraduation employment, salaries, and continuing education for workforce education and baccalaureate programs, with wage thresholds that reflect the added value of the certificate or degree; and outcome measures appropriate for associate of arts degree recipients. The state board shall adopt benchmarks to evaluate each institution’s performance on the metrics to measure the institution’s achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.

(2) Each fiscal year, the amount of funds available for allocation to the Florida College System institutions based on the performance-based funding model shall consist of the state’s investment in performance funding plus institutional investments consisting of funds to be redistributed from the base funding of the Florida College System Program Fund as determined in the General Appropriations Act. The State Board of Education shall establish minimum performance funding eligibility thresholds for the state’s investment and the institutional investments. An institution that fails to meet the minimum state investment performance funding eligibility threshold is ineligible for a share of the state’s investment in performance funding. The institutional investment shall be restored for all institutions eligible for the state’s investment under the performance-based funding model.

(3)(a) Each Florida College System institution’s share of the performance funding shall be calculated based on its
relative performance on the established metrics in conjunction with the institutional size and scope.

(b) A Florida College System institution that fails to meet the State Board of Education’s minimum institutional investment performance funding eligibility threshold shall have a portion of its institutional investment withheld by the state board and must submit an improvement plan to the state board which specifies the activities and strategies for improving the institution’s performance. The state board must review and approve the improvement plan and, if the plan is approved, must monitor the institution’s progress in implementing the activities and strategies specified in the improvement plan. The institution shall submit monitoring reports to the state board by December 31 and May 31 of each year in which an improvement plan is in place. The ability of an institution to submit an improvement plan to the state board is limited to 1 fiscal year.

(c) The Commissioner of Education shall withhold disbursement of the institutional investment until the monitoring report is approved by the State Board of Education. A Florida College System institution determined by the state board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. An institution that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the state board’s performance-based metrics.

(4) Distributions of performance funding, as provided in
this section, shall be made to each of the Florida College
System institutions listed in the Florida Colleges category in
the General Appropriations Act.

(5) By October 1 of each year, the State Board of Education
shall submit to the Governor, the President of the Senate, and
the Speaker of the House of Representatives a report on the
previous fiscal year’s performance funding allocation, which
must reflect the rankings and award distributions.

(6) The State Board of Education shall adopt rules to
administer this section.

Section 2. Subsection (1) of section 1001.7065, Florida
Statutes, is reenacted, and subsections (2), (3), and (5)
through (9) of that section are amended, to read:

1001.7065 Preeminent state research universities program.—

(1) STATE UNIVERSITY SYSTEM SHARED GOVERNANCE
COLLABORATION.—A collaborative partnership is established
between the Board of Governors and the Legislature to elevate
the academic and research preeminence of Florida’s highest-
performing state research universities in accordance with this
section. The partnership stems from the State University System
Governance Agreement executed on March 24, 2010, wherein the
Board of Governors and leaders of the Legislature agreed to a
framework for the collaborative exercise of their joint
authority and shared responsibility for the State University
System. The governance agreement confirmed the commitment of the
Board of Governors and the Legislature to continue collaboration
on accountability measures, the use of data, and recommendations
derived from such data.

(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—Effective
July 1, 2013. The following academic and research excellence standards are established for the preeminent state research universities program:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1800 or higher on a 2400-point scale or 1200 or higher on a 1600-point scale for fall semester incoming freshmen, as reported annually.

(b) A top-50 ranking on at least two well-known and highly respected national public university rankings, including, but not limited to, the U.S. News and World Report rankings, reflecting national preeminence, using most recent rankings.

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

(d) A 6-year graduation rate of 70 percent or higher for full-time, first-time-in-college students, as reported annually to the IPEDS.

(e) Six or more faculty members at the state university who are members of a national academy, as reported by the Center for Measuring University Performance in the Top American Research Universities (TARU) annual report or the official membership directories maintained by each national academy.

(f) Total annual research expenditures, including federal research expenditures, of $200 million or more, as reported annually by the National Science Foundation (NSF).

(g) Total annual research expenditures in diversified nonmedical sciences of $150 million or more, based on data reported annually by the NSF.

(h) A top-100 university national ranking for research
expenditures in five or more science, technology, engineering,
or mathematics fields of study, as reported annually by the NSF.

(i) One hundred or more total patents awarded by the United
States Patent and Trademark Office for the most recent 3-year
period.

(j) Four hundred or more doctoral degrees awarded annually,
including professional doctoral degrees awarded in medical and
health care disciplines, as reported in the Board of Governors
Annual Accountability Report.

(k) Two hundred or more postdoctoral appointees annually,
as reported in the TARU annual report.

(l) An endowment of $500 million or more, as reported in
the Board of Governors Annual Accountability Report.

(3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—

(a) The Board of Governors shall designate each state research
university that meets at least 11 of the 12 academic
and research excellence standards identified in subsection (2)
as a “preeminent state research university.” preeminent state
research university.

(b) The Board of Governors shall designate each state
university that meets at least 6 of the 12 academic and research
excellence standards identified in subsection (2) as an
“emerging preeminent state research university.”

The Board of Governors may, upon petition of a university
designated under this subsection, temporarily suspend or rescind
the designation, or may, with the concurrence of the Governor,
the President of the Senate, and the Speaker of the House of
Representatives, revoke the designation of a university under
this subsection.

5. PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM

(a) A state research university that is designated as a preeminent state research university, as of July 1, 2013, meets all 12 of the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university’s meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.

(b) A state university designated as an emerging preeminent state research university shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university’s meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section.

(c) The award of funds under this subsection is contingent upon funding provided in the General Appropriations Act to support the preeminent state research universities program.
created under this section. Funding increases appropriated
beyond the amounts funded in the previous fiscal year shall be
distributed as follows:
1. Each designated preeminent state research university
that meets the criteria in paragraph (a) shall receive an equal
amount of funding.
2. Each designated emerging preeminent state research
university that meets the criteria in paragraph (b) shall
receive an amount of funding that is equal to one-half of the
total increased amount awarded to each designated preeminent
state research university.

(6) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT
INITIATIVE. A state research university that, as of July 1,
2013, meets 11 of the 12 academic and research excellence
standards identified in subsection (2), as verified by the Board
of Governors, shall submit to the Board of Governors a 5-year
benchmark plan with target rankings on key performance metrics
for national excellence. Upon the university’s meeting the
benchmark plan goals annually, the Board of Governors shall
award the university an amount specified in the General
Appropriations Act to be provided annually throughout the 5-year
period for the purpose of recruiting National Academy Members,
expediting the provision of a master’s degree in cloud
virtualization, and instituting an entrepreneurs-in-residence
program throughout its campus. Funding for this purpose is
contingent upon specific appropriation in the General
Appropriations Act.

(7) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE
REQUIREMENT AUTHORITY. In order to provide a jointly shared
educational experience, a university that is designated a preeminent state research university may require its incoming first-time-in-college students to take a 9-to-12-credit set of unique courses specifically determined by the university and published on the university’s website. The university may stipulate that credit for such courses may not be earned through any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271 or any other transfer credit. All accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271 shall be applied toward graduation at the student’s request.

(6)(9) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY AUTHORITY.—The Board of Governors is encouraged to identify and grant all reasonable, feasible authority and flexibility to ensure that a designated preeminent state research university is free from unnecessary restrictions.

(7)(9) PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE UNIVERSITY SYSTEM.—The Board of Governors is encouraged to establish standards and measures whereby individual programs in state universities that objectively reflect national excellence can be identified and make recommendations to the Legislature as to how any such programs could be enhanced and promoted.

Section 3. Section 1001.92, Florida Statutes, is amended to read:

1001.92 State University System Performance-Based Incentive.—

(1) A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System. The performance-based metrics must include
graduation rates, retention rates, postgraduation education rates, degree production, affordability, postgraduation employment and salaries, including wage thresholds that reflect the added value of a baccalaureate degree; access and other metrics approved by the board in a formally noticed meeting. The board shall adopt benchmarks to evaluate each state university’s performance on the metrics to measure the state university’s achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.

(2) Each fiscal year, the amount of funds available for allocation to the state universities based on the performance-based funding model metrics shall consist of the state’s investment in appropriation for performance funding, including increases in base funding plus institutional investments consisting of funds deducted from the base funding of each state university in the State University System in an amount provided in the General Appropriations Act. The Board of Governors shall establish minimum performance funding eligibility thresholds for the state’s investment and the institutional investments. A state university that fails to meet the minimum state investment performance funding eligibility threshold is ineligible for a share of the state’s investment in performance funding. The institutional investment shall be restored for each institution eligible for the state’s investment under the performance-based funding model metrics.

(3)(a) A state university that fails to meet the Board of Governors’ minimum institutional investment performance funding eligibility threshold shall have a portion of its institutional
investment withheld by the board and must submit an improvement plan to the board that specifies the activities and strategies for improving the state university’s performance. The board must review and approve the improvement plan and, if the plan is approved, must monitor the state university’s progress in implementing the activities and strategies specified in the improvement plan. The state university shall submit monitoring reports to the board by December 31 and May 31 of each year in which an improvement plan is in place. The ability of a state university to submit an improvement plan to the board is limited to 1 fiscal year.

(b) The Chancellor of the State University System shall withhold disbursement of the institutional investment until the monitoring report is approved by the Board of Governors. A state university that is determined by the board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. A state university that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the board’s performance-based metrics.

(4) Distributions of performance funding, as provided in this section, shall be made to each of the state universities listed in the Education and General Activities category in the General Appropriations Act.

(5) By October 1 of each year, the Board of Governors shall submit to the Governor, the President of the Senate, and the
Speaker of the House of Representatives a report on the previous fiscal year’s performance funding allocation which must reflect the rankings and award distributions.

(6) The Board of Governors shall adopt regulations to administer this section expires July 1, 2016.

Section 4. Subsection (3) of section 1012.39, Florida Statutes, is amended to read:

1012.39 Employment of substitute teachers, teachers of adult education, nondegreed teachers of career education, and career specialists; students performing clinical field experience.—

(3) A student who is enrolled in a state-approved teacher preparation program in a postsecondary educational institution that is approved by rules of the State Board of Education and who is jointly assigned by the postsecondary educational institution and a district school board to perform a clinical field experience under the direction of a regularly employed and certified educator shall, while serving such supervised clinical field experience, be accorded the same protection of law as that accorded to the certified educator except for the right to bargain collectively as an employee of the district school board. The district school board providing the clinical field experience shall notify the student electronically or in writing of the availability of educator liability insurance under s. 1012.75. A postsecondary educational institution or district school board may not require a student enrolled in a state-approved teacher preparation program to purchase liability insurance as a condition of participation in any clinical field experience or related activity on the premises of an elementary school.
Section 5. Section 1012.731, Florida Statutes, is created to read:

1012.731 The Florida Best and Brightest Teacher Scholarship Program.—

(1) The Legislature recognizes that, second only to parents, teachers play the most critical role within schools in preparing students to achieve a high level of academic performance. The Legislature further recognizes that research has linked student outcomes to a teacher’s own academic achievement. Therefore, it is the intent of the Legislature to designate teachers who have achieved high academic standards during their own education as Florida’s best and brightest teacher scholars.

(2) There is created the Florida Best and Brightest Teacher Scholarship Program to be administered by the Department of Education. The scholarship program shall provide categorical funding for scholarships to be awarded to teachers who have demonstrated a high level of academic achievement.

(3)(a) To be eligible for a scholarship, a teacher:

1. Must have scored at or above the 80th percentile on either the SAT or the ACT based on the percentile ranks in effect when the teacher took the assessment and have been evaluated as highly effective pursuant to s. 1012.34; or

2. If the teacher is a first-year teacher who has not been evaluated pursuant to s. 1012.34, must have scored at or above the 80th percentile on either the SAT or the ACT based on the percentile ranks in effect when the teacher took the assessment.

(b) In order to demonstrate eligibility for an award, an
eligible teacher must submit to the school district, no later
than October 1, an official record of his or her SAT or ACT
score demonstrating that the teacher scored at or above the 80th
percentile based on the percentile ranks in effect when the
teacher took the assessment. Once a teacher is deemed eligible
by the school district, including teachers deemed eligible in
the 2015-2016 fiscal year, the teacher shall remain eligible as
long as he or she is employed by the school district and
maintains or, if the teacher is a first-year teacher, earns the
evaluation designation of highly effective pursuant to s.
1012.34.

(4) Annually, by December 1, each school district shall
submit to the department the number of eligible teachers who
qualify for the scholarship.

(5) Annually, by February 1, the department shall disburse
scholarship funds, in an amount prescribed annually by the
Legislature in the General Appropriations Act, to each school
district for each eligible teacher to receive a scholarship. If
the number of eligible teachers exceeds the total appropriation
authorized in the General Appropriations Act, the department
shall prorate the per-teacher scholarship amount.

(6) Annually, by April 1, each school district shall
provide payment of the scholarship to each eligible teacher.

(7) For purposes of this section, the term “school
district” includes the Florida School for the Deaf and the Blind
and charter school governing boards.

Section 6. Subsection (3) of section 1012.75, Florida
Statutes, is amended to read:

1012.75 Liability of teacher or principal; excessive
(3) The Department of Education shall administer an educator liability insurance program, as provided in the General Appropriations Act, to protect full-time instructional personnel from liability for monetary damages and the costs of defending actions resulting from claims made against the instructional personnel arising out of occurrences in the course of activities within the instructional personnel’s professional capacity. For purposes of this subsection, the terms “full-time,” “part-time,” and “administrative personnel” shall be defined by the individual district school board. For purposes of this subsection, the term “instructional personnel” has the same meaning as provided in s. 1012.01(2).

(a) Liability coverage of at least $2 million shall be provided to all full-time instructional personnel. Liability coverage may be provided to the following individuals who choose to participate in the program, at cost: part-time instructional personnel, administrative personnel, and students enrolled in a state-approved teacher preparation program pursuant to s. 1012.39(3).

(b) By August 1 of each year, the department shall notify the personnel specified in paragraph (a) of the pending procurement for liability coverage. By September 1 of each year, each district school board shall notify the personnel specified in paragraph (a) of the liability coverage provided pursuant to this subsection. The department shall develop the form of the notice which shall be used by each district school board. The notice must be on an 8 1/2-inch by 5 1/2-inch postcard and include the amount of coverage, a general description of the
nature of the coverage, and the contact information for coverage and claims questions. The notification shall be provided separately from any other correspondence. Each district school board shall certify to the department, by September 15 of each year, that the notification required by this paragraph has been provided.

(c) The department shall consult with the Department of Financial Services to select the most economically prudent and cost-effective means of implementing the program through self-insurance, a risk management program, or competitive procurement.

(d) This subsection expires July 1, 2016.

Section 7. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled An act relating to education; creating s. 1001.66, F.S.; creating a Florida College System Performance-Based Incentive for Florida College System institutions; requiring the State Board of Education to adopt certain metrics and benchmarks; providing for funding and allocation of the incentives; authorizing the state board to withhold an institution’s incentive under certain circumstances; requiring the Commissioner of Education to withhold certain disbursements under certain circumstances; providing
for reporting and rulemaking; amending s. 1001.7065, F.S., and reenacting subsection (1), relating to state university system shared governance collaboration; deleting obsolete provisions; revising the academic and research excellence standards for the preeminent state research universities program; requiring the Board of Governors to designate a state university that meets specified requirements as an “emerging preeminent state research university”; authorizing the Board of Governors to suspend, rescind, or revoke a university’s designation under certain circumstances; requiring an emerging preeminent state research university to submit a certain plan to the board and meet specified expectations to receive certain funds; providing for the distribution of certain funding increases; deleting provisions relating to the preeminent state research university enhancement initiative and special course requirement authorization; amending s. 1001.92, F.S.; requiring performance-based metrics to include specified wage thresholds; requiring the board to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet the state’s threshold from eligibility for a share of the state’s investment performance funding; requiring the board to adopt regulations; deleting an expiration; amending s. 1012.39, F.S.; providing requirements regarding liability insurance for students performing clinical field experience; creating s. 1012.731, F.S.;
providing legislative intent; establishing the Florida Best and Brightest Teacher Scholarship Program; providing eligibility criteria; requiring a school district to annually submit the number of eligible teachers to the Department of Education; providing for funding and the disbursement of funds; defining the term “school district”; amending s. 1012.75, F.S.; requiring annual notification of liability insurance to specified personnel; abrogating the scheduled expiration of the educator liability insurance program; providing an effective date.
Appropriations Subcommittee on Education (Legg) recommended the following:

Senate Amendment to Amendment (578672) (with title amendment)

Delete lines 331 - 384.

And the title is amended as follows:

Delete lines 474 - 481

and insert:

clinical field experience; amending s. 1012.75, F.S.;
A bill to be entitled
An act relating to state university system performance-based incentives; amending s. 1001.92, F.S.; requiring performance-based metrics to include specified wage thresholds; requiring the Board of Governors to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet the state’s threshold from eligibility for a share of the state’s investment performance funding; requiring the board to adopt a regulation; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:
Section 1. Section 1001.92, Florida Statutes, is amended to read:
1001.92 State University System Performance-Based Incentive.—
(1) A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System. The performance-based metrics must include graduation rates; retention rates; postgraduation education rates; degree production; affordability; postgraduation employment and salaries, including wage thresholds that reflect the added value of a baccalaureate degree; access; and other metrics approved by the board in a formally noticed meeting. The board shall adopt benchmarks to evaluate each state university’s performance on the metrics to measure the state university’s achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.
(2) Each fiscal year, the amount of funds available for allocation to the state universities based on the performance-based metrics shall consist of the state’s appropriation for performance funding, including increases in base funding plus institutional investments consisting of funds deducted from the base funding of each state university in the State University System in an amount provided in the General Appropriations Act. The Board of Governors shall establish minimum performance funding eligibility thresholds for both the state’s investment and the institutional investment. A state university that fails to meet the state’s investment performance funding threshold is not eligible for a share of the state’s investment performance funding. The institutional investment shall be restored for each institution eligible for the state’s investment under the performance-based metrics.
(3)(a) A state university that fails to meet the Board of Governors’ minimum institutional investment performance funding threshold shall have a portion of its institutional investment withheld by the board and must submit an improvement plan to the board that specifies the activities and strategies for improving the state university’s performance. The board must review and approve the improvement plan and, if the plan is approved, must monitor the state university’s progress in implementing the activities and strategies specified in the improvement plan. The state university shall submit monitoring reports to the board by December 31 and May 31 of each year in which an improvement plan

CODING: Words are deletions; words underlined are additions.
is in place. The ability of a state university to submit an improvement plan to the board is limited to 1 fiscal year.

(b) The Chancellor of the State University System shall withhold disbursement of the institutional investment until the monitoring report is approved by the Board of Governors. A state university that is determined by the board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. A state university that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the board’s performance-based metrics.

(4) Distributions of performance funding, as provided in this section, shall be made to each of the state universities listed in the Education and General Activities category in the General Appropriations Act.

(5) By October 1 of each year, the Board of Governors shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the previous fiscal year’s performance funding allocation which must reflect the rankings and award distributions.

(6) The Board of Governors shall adopt a regulation to implement this section expires July 1, 2016.

Section 2. This act shall take effect July 1, 2016.
I. Summary:

SB 576 authorizes the construction of dormitories for up to 400 beds on a Florida College System (FCS) institution campus located within a municipality designated as an area of critical state concern\(^1\) and having a comprehensive plan and land development regulations containing a building permit allocation system that limits annual growth. Current law authorizes the construction of dormitories for up to 100 beds on such FCS institution campuses.\(^2\)

Currently, the only FCS institution located within a municipality designated as an area of critical state concern is Florida Keys Community College in Monroe County.\(^3\)

The bill has no impact on state funds.

The bill takes effect on July 1, 2016.

II. Present Situation:

The state requirements and guidelines for maintaining and establishing public educational facilities of school districts and FCS institutions are contained in chapter 1013, F.S.\(^4\)

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\(^1\) The state land planning agency, which is the Department of Economic Opportunity, may recommend to the Administration Commission specific areas of critical state concern. Section 380.05(2), F.S., provides the criteria for designating an area of critical state concern.

\(^2\) Section 1013.40(4), F.S.


\(^4\) Sections 1013.01-1013.82, F.S. The State Board of Education has the authority to adopt rules to implement the provisions of chapter 1013, F.S. See Rule 6A-2.0010, F.A.C.
The Florida Building Commission is responsible for adopting a uniform statewide building code for the planning and construction of public educational and ancillary plants by district school boards and FCS institution boards of trustees. The Department of Education’s role relating to educational facilities includes, but is not limited to, the following functions:

- Establishing and recommending minimum and maximum square footage standards;
- Requiring FCS institutions and district school boards to submit educational plant inventories data and statistical data or information relevant to construction, capital improvements, and related costs;
- Developing, reviewing, updating, revising, and recommending a mandatory portion of the Florida Building Code for educational facilities construction and capital improvement by FCS institution and district school boards;
- Providing minimum criteria, procedures, and training to boards to conduct educational plant surveys and document the determination of future needs; and
- Reviewing and validating surveys proposed or amended by boards and recommend approval of such surveys to the Commissioner of Education.

Each FCS institution board of trustees has a duty to administer the institution’s facilities program pursuant to chapter 1013, F.S., including, but not limited to:

- The construction of public educational and ancillary plants;
- The acquisition and disposal of property;
- Compliance with building and life safety codes;
- Submission of data and information relating to facilities and construction;
- Use of buildings and grounds;
- Establishment of safety and sanitation programs for the protection of building occupants; and
- Site planning and selection.

An FCS institution has limited authority to plan and construct facilities and acquire additional property. An FCS institution must demonstrate a need for facilities through its educational plant survey that must be approved by the State Board of Education. An FCS institution is prohibited from expending public funds for the acquisition of additional property without specific approval by the Legislature. Furthermore, a facility may not be acquired or constructed by an FCS institution or its direct-support organization if the facility requires general revenue funds for operation or maintenance, unless the Legislature gives prior approval.

In 2008, the Legislature authorized an FCS institution to construct dormitories for up to 100 beds, if its campus is located within a municipality designated as an area of critical state concern.

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5 Section 1013.37, F.S. The State Uniform Code for Public Educational Facilities is adopted within the Florida Building Code pursuant to s. 553.73, F.S.
6 Section 1013.03, F.S.
7 Section 1001.64(34), F.S.
8 Section 1013.40, F.S.
9 An “educational plant survey” is defined as “a systematic study of present educational and ancillary plants and the determination of future needs to provide an appropriate educational program and services for each student based on projected capital outlay FTE’s approved by the Department of Education.” s. 1013.01(8), F.S.
10 Section 1013.40(1), F.S.
11 Id. at (2).
12 Id. at (3).
which has a comprehensive plan and land development regulations containing a building permit allocation system that limits annual growth. The dormitories are exempt from the building permit allocation system and may be constructed up to 45 feet in height, if:

- The dormitories are consistent with the local comprehensive plan;
- The FCS institution has a hurricane evacuation plan requiring all dormitory occupants to be evacuated 48 hours in advance of tropical force winds; and
- Transportation is provided for dormitory occupants during an evacuation.

III. Effect of Proposed Changes:

SB 576 authorizes the construction of dormitories for up to 400 beds on an FCS institution campus located within a municipality designated as an area of critical state concern and having a comprehensive plan and land development regulations containing a building permit allocation system that limits annual growth. Current law authorizes the construction of dormitories for up to 100 beds on such FCS institution campuses.

Currently, the only FCS institution located within a municipality designated as an area of critical state concern is Florida Keys Community College in Monroe County. In effect, the bill allows Florida Keys Community College to construct a dormitory for up to 400 beds, rather than the current 100 bed limit.

The bill takes effect on July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

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14 Section 1013.40(4), F.S.

15 See s. 380.05(2), F.S., which provides the criteria for designating an area of critical state concern.

16 Section 1013.40(4), F.S.

17 Supra note 3.
V. **Fiscal Impact Statement:**

   A. **Tax/Fee Issues:**

      None.

   B. **Private Sector Impact:**

      None.

   C. **Government Sector Impact:**

      The bill has no impact on state funds.

VI. **Technical Deficiencies:**

None.

VII. **Related Issues:**

None.

VIII. **Statutes Affected:**

This bill substantially amends section 1013.40 of the Florida Statutes.

IX. **Additional Information:**

   A. **Committee Substitute – Statement of Changes:**

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

      None.

   B. **Amendments:**

      None.
A bill to be entitled An act relating to public educational facilities; amending s. 1013.40, F.S.; authorizing certain Florida College System institutions to construct dormitories for up to 400 students; providing an effective date.

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

Section 1. Subsection (4) of section 1013.40, Florida Statutes, is amended to read:

1013.40 Planning and construction of Florida College System institution facilities; property acquisition.—
(4) The campus of a Florida College System institution within a municipality designated as an area of critical state concern, as defined in s. 380.05, and having a comprehensive plan and land development regulations containing a building permit allocation system that limits annual growth, may construct dormitories for up to 400 beds for Florida College System institution students. Such dormitories shall be exempt from the building permit allocation system and may be constructed up to 45 feet in height if the dormitories that they are otherwise consistent with the comprehensive plan, the Florida College System institution has a hurricane evacuation plan that requires all dormitory occupants to be evacuated 48 hours in advance of tropical force winds, and that transportation is provided for dormitory occupants during an evacuation.

Section 2. This act shall take effect July 1, 2016.
The Florida Senate

Senate Appropriations Subcommittee on Education
### Required Local Effort

#### Homestead Property – Retaining 2015 Millage

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<td>$300,000</td>
<td>$300,000</td>
<td>$300,000</td>
<td>$300,000</td>
</tr>
<tr>
<td>4</td>
<td>2015 Required Local Effort Millage</td>
<td>4.925</td>
<td>5.052</td>
<td>4.999</td>
<td>4.949</td>
<td>5.018</td>
<td>5.03</td>
<td>4.957</td>
<td>4.861</td>
<td>4.901</td>
</tr>
<tr>
<td>5</td>
<td>2015 RLE Tax</td>
<td>$1,478</td>
<td>$1,516</td>
<td>$1,500</td>
<td>$1,485</td>
<td>$1,505</td>
<td>$1,509</td>
<td>$1,487</td>
<td>$1,458</td>
<td>$1,470</td>
</tr>
<tr>
<td>6</td>
<td>Estimated 2016 Appreciation Rate</td>
<td>6.2%</td>
<td>7.9%</td>
<td>5.3%</td>
<td>0.8%</td>
<td>5.8%</td>
<td>3.7%</td>
<td>5.0%</td>
<td>5.1%</td>
<td>4.0%</td>
</tr>
<tr>
<td>7</td>
<td>2016 Estimated Value</td>
<td>$318,600</td>
<td>$323,700</td>
<td>$315,900</td>
<td>$302,400</td>
<td>$317,400</td>
<td>$311,100</td>
<td>$315,000</td>
<td>$315,300</td>
<td>$312,000</td>
</tr>
<tr>
<td>8</td>
<td>Homestead Exemption</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>9</td>
<td>2016 Taxable Value</td>
<td>$318,600</td>
<td>$323,700</td>
<td>$315,900</td>
<td>$302,400</td>
<td>$317,400</td>
<td>$311,100</td>
<td>$315,000</td>
<td>$315,300</td>
<td>$312,000</td>
</tr>
<tr>
<td>10</td>
<td>2016 Required Local Effort Millage</td>
<td>4.925</td>
<td>5.052</td>
<td>4.999</td>
<td>4.949</td>
<td>5.018</td>
<td>5.03</td>
<td>4.957</td>
<td>4.861</td>
<td>4.901</td>
</tr>
<tr>
<td>11</td>
<td>2016 RLE Tax</td>
<td>$1,569</td>
<td>$1,635</td>
<td>$1,579</td>
<td>$1,497</td>
<td>$1,593</td>
<td>$1,565</td>
<td>$1,561</td>
<td>$1,533</td>
<td>$1,529</td>
</tr>
<tr>
<td>12</td>
<td>Additional Tax in 2016</td>
<td>$91.61</td>
<td>$119.73</td>
<td>$79.48</td>
<td>$11.88</td>
<td>$87.31</td>
<td>$55.83</td>
<td>$74.36</td>
<td>$74.37</td>
<td>$58.81</td>
</tr>
</tbody>
</table>
Florida Education Finance Program
Governor’s Budget 2016-17
Increased Funding – Equal State and Local Share

<table>
<thead>
<tr>
<th>FEFP Metrics</th>
<th>Governor’s Recommended Budget</th>
<th>Scenario 1 Increase State $ to Equal Local $</th>
<th>Scenario 2 Reduce Local $ to Equal State $</th>
<th>Scenario 3 Increase State $, Reduce Local $ to Maintain Total $ Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1-</td>
<td>-2-</td>
<td>-3-</td>
<td>-4-</td>
</tr>
<tr>
<td>1 Additional State Funds&lt;sup&gt;1&lt;/sup&gt;</td>
<td>$80,000,000</td>
<td>$427,285,836</td>
<td>$80,000,000</td>
<td>$253,642,918</td>
</tr>
<tr>
<td>2 Additional Local Funds&lt;sup&gt;1&lt;/sup&gt;</td>
<td>$427,285,836</td>
<td>$427,285,836</td>
<td>$80,000,000</td>
<td>$253,642,918</td>
</tr>
<tr>
<td>3 Total Funds Increase&lt;sup&gt;1&lt;/sup&gt;</td>
<td>$507,285,836</td>
<td>$854,571,672</td>
<td>$160,000,000</td>
<td>$507,285,836</td>
</tr>
<tr>
<td>4 % Total Funds Increase&lt;sup&gt;1&lt;/sup&gt;</td>
<td>1.63%</td>
<td>3.37%</td>
<td>-0.12%</td>
<td>2.57%</td>
</tr>
<tr>
<td>5 % Funds per FTE Increase&lt;sup&gt;1&lt;/sup&gt;</td>
<td>1.63%</td>
<td>3.37%</td>
<td>-0.12%</td>
<td>2.57%</td>
</tr>
<tr>
<td>6 RLE Mills</td>
<td>4.984</td>
<td>4.984</td>
<td>4.757</td>
<td>-0.227</td>
</tr>
<tr>
<td>7 Total % State - Local Funds</td>
<td>55% - 45%</td>
<td>55% - 45%</td>
<td>55% - 45%</td>
<td>55% - 45%</td>
</tr>
<tr>
<td>8 Funds per FTE Increase&lt;sup&gt;1&lt;/sup&gt;</td>
<td>$115.53</td>
<td>$239.58</td>
<td>($8.52)</td>
<td>$115.53</td>
</tr>
<tr>
<td>9 Total Funds per FTE</td>
<td>$7,220.59</td>
<td>$7,344.64</td>
<td>$7,096.54</td>
<td>$7,220.59</td>
</tr>
<tr>
<td>10 Total Funds</td>
<td>$20,214,411,178</td>
<td>$20,561,697,014</td>
<td>$19,867,125,342</td>
<td>$20,214,411,178</td>
</tr>
<tr>
<td>11 Change in State Funds Compared to Governor’s Budget (Col. 1, Row 1)</td>
<td></td>
<td>$347,285,836</td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>12 Change in Local Funds Compared to Governor’s Budget (Col. 1, Row 2)</td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
</tbody>
</table>

<sup>1</sup> Comparison to the 2015-16 2nd FEFP Calculation @ $7,105.06 total funds per FTE and 3.11% per FTE increase.

<sup>2</sup> Previous Highest Level of Funding per FTE was $7,126.33 in 2007-08.
Education Budget Recommendations
The Governor’s Office of Policy and Budget Education Unit

• Overview and the State University System
  • Ashley Spicola, Governor Scott’s Education Coordinator

• Public Education
  • Pam Stewart, Commissioner of Education

• The Office of Early Learning
  • Rodney MacKinnon, Executive Director
Governor Scott’s priorities to help **diversify** the economy to make Florida First in job creation:

<table>
<thead>
<tr>
<th><strong>Tax Cuts for Florida Families and Businesses</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Over $1 billion in Tax Cuts</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Making Florida more Competitive</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Help small businesses succeed</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Investing Historic Funding in K-12 Education, State Colleges, and Universities</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida will have the most highly skilled workforce in the world</td>
</tr>
</tbody>
</table>
Governor’s Budget Recommendations
By Policy Area

Current Year
$78.4 Billion

- Transportation and Economic Development: 12,020,166,815 (15.3%)
- Public Safety: 4,766,989,683 (6.1%)
- Health and Human Services: 32,956,295,191 (42.0%)
- General Government: 2,021,082,404 (2.6%)
- Administered Funds: 78,424,615 (0.1%)
- Executive Office of the Governor and Legislative Branch: 232,340,155 (0.3%)
- Education: 22,924,592,983 (29.2%)
- Environment: 3,397,332,087 (4.3%)

Governor’s Recommendation
$79.3 Billion

- Transportation and Economic Development: 12,058,867,445 (15.2%)
- Public Safety: 4,946,120,009 (6.2%)
- Health and Human Services: 33,190,080,463 (41.9%)
- General Government: 1,971,824,212 (2.5%)
- Administered Funds: 125,817,863 (0.2%)
- Executive Office of the Governor and Legislative Branch: 232,060,151 (0.3%)
- Education: 23,197,042,301 (29.4%)
- Environment: 3,530,472,636 (4.5%)
Total Governor's Recommended 2016-2017 Budget by Major Funding Area - $23 Billion

- Public Schools: $12,904,132,442 (55.6%)
- Early Learning: $1,073,110,678 (4.6%)
- Workforce Education: $504,891,812 (2.2%)
- Florida College System: $1,199,866,221 (5.2%)
- State University System: $4,629,692,861 (20.0%)
- Other Education: $1,087,131,934 (4.7%)
- Fixed Capital Outlay: $1,798,216,353 (7.8%)
K-12 PUBLIC SCHOOLS
Making Florida First in Education

Historic Total, State, & Per Student K-12 Public School Funding
K-12 Public Schools / FEFP Highlights

- Maintains required local millage tax rate at 4.984
- Historic Per FTE funding - $7,221
- $507.3 Million Increase Over Current Year
  - Digital Learning - $20 million in funding to support school districts, $500,000 minimum per school district
  - Lowest Performing Schools - $86.8 million in funding for the 300 lowest performing elementary schools, which allows districts to provide students an additional hour of intensive reading instruction
  - Safe Schools - $10 million in funding for school safety initiatives, $250,000 minimum per school district
  - Workload - $145.3 million in funding to cover 25,877 new students
  - Class Size - $16.7 million in funding to cover enrollment growth
  - Sparsity - $3 million in funding for the Sparsity Supplement which provides funding to assist rural districts with sparse student populations
  - Florida Retirement System - $30 million in funding to cover the increased costs and unfunded liability for the school district employees that are members of the FRS
  - Other Initiatives - $195.5 million in funding for other education initiatives such as transportation and instructional materials
K-12 Public Schools
Non-FEFP

• New Initiatives Funded
  - STEM Business Partnership Residency Program – $1 million

• Increased Funding
  - Educator Recognition Programs – $1.1 million new funds for a total of $1.2 million
  - School District Matching Grants – $1.5 million new funds and restoration of $500,000 for a total of $6 million
FLORIDA HIGHER EDUCATION
Making Florida First in Education

Historic Total and State Operating Funding for the Florida College System

Operating funding includes Florida College System Program Fund GR and Lottery, performance based incentives, baccalaureate funding, and tuition revenue.
Florida College System Highlights
$18.9 Million Increase Over Current Year Operating Includes:

• **Performance Funding** – Provides $60 million total

• **STEM $10,000 Bachelor’s Degrees** – Provides $5 million to develop or enhance STEM $10,000 Bachelor’s degrees

• **Performance Incentives** – Provides $5 million new funds for students earning high-demand industry certifications
Workforce Education Highlights

• **Technical Center Rapid Response Grant** – Provides $20 million in new funds to assist Florida’s public technical centers with providing programs in areas that are directly linked to workforce demands.

• **Performance Incentives** – Provides $1.5 million in new funds for students earning industry certifications in high-demand areas.
Student Financial Aid Highlights

• **Bright Futures Scholarships** – Fully funds at $222.8 million based on latest estimating conference

• **Summer Bright Futures** – Provides $16.9 million to provide Bright Futures funding for credit hours taken during the summer term
VOCATIONAL REHABILITATION
Vocational Rehabilitation Highlights

• **Adults with Disabilities** – Provides $10 million to reinstate funding for the Adults with Disabilities Program.
EARLY LEARNING
Early Learning Program Highlights
$51.7 Million Increase Over Current Year Budget

• **School Readiness Services** – $20.3 million to reduce the School Readiness Program wait list to serve approximately 3,500 additional children.

• **Voluntary Prekindergarten** – Increase per student funding by $50 for the school-year program and $43 for summer program.

• **Early Learning Performance Funding** – $5 million increase for performance-based funding to improve outcomes for children in the School Readiness Program.
STATE UNIVERSITY SYSTEM
Making Florida First in Education

Historic Total & State Operating Funding for the State University System
(Excludes Moffitt, UF-IFAS, Health Science Centers and Medical School Appropriations and FTE Students)

State Funds (left axis) Tuition (left axis) Total Funds Per FTE (right axis)
State University System Highlights
$84.2 Million Increase Over Current Year Operating Funding Includes:

- **Performance Funding** – Provides $500 million total ($50 million in new state funds)
- **Johnson Matching Gift Program** – Provides $1.2 million in funding for scholarships for students with disabilities
- **Lastinger Center** – $4 million in funding for Algebra Nation and Math Nation
Education Budget
Recommendations
THE FLORIDA SENATE

APPEARANCE RECORD

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

Meeting Date 12/3/15

Bill Number (if applicable) N/A

Amendment Barcode (if applicable) N/A

Topic Prof. Funding

Name Madeline Purnama

Job Title Chancellor

Address 325 W. Gaines Street

Phone 245-0507

Email Madeline.Purnama@flsenate.gov

City Tallahassee

State FL

Zip 32392

Speaking: ☐ For ☐ Against ☑ Information

Waive Speaking: ☐ In Support ☑ Against

(The Chair will read this information into the record.)

Representing DOE - FRS

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.
12-3-15
Meeting Date

Gov. Budget Rec's
Topic

Ashley Spicola
Name

Coordinator
Job Title

The Capitol
Address

Tallahassee FL 32399
City State Zip

Speaking: □ For □ Against □ Information

Governor's Office
Representing

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

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)

**Meeting Date**

12/3

**Bill Number (if applicable)**

**Topic** Governor's Budget Recommendations

**Name** Pam Stewart

**Job Title** Commissioner, Department of Education

**Address** 325 W. Gaines St.

Tallahassee

City

**Street**

**Ft**

**State**

**Zip** 32399

**Phone** 850-245-0505

**Email** Pam. Stewart@fldoe.org

**Speaking:**  □ For  □ Against  □ Information

**Waive Speaking:**  □ In Support  □ Against

(The Chair will read this information into the record.)

**Representing** Florida Department of Education

**Appearing at request of Chair:**  □ Yes  □ No

**Lobbyist registered with Legislature:**  □ Yes  □ No

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

Appearance Record

Meeting Date: 12/3/15

Topic: Governor's Proposed Budget - Early Learning

Name: Rodney Mackinnon

Job Title: Executive Director, Office of Early Learning

Address: 250 Marriott Drive
Tallahassee, FL 32301

Phone: 850-717-8551

Email: rodney.mackinnon@outlook.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing: Office of Early Learning

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.
12/3/2015
Meeting Date

Topic Student Loans

Name Curtis Austin

Job Title Executive Director

Address 150 S. Monroe St.
Tallahassee FL 32301

Phone 577-3139

Email Curtis@faspse

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

Representing The Florida Association of Postsecondary Colleges

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.
10-3-15

Meeting Date

Bob Harris

Topic

Bill Number (if applicable)

Name

SB 146

Job Title

Amendment Barcode (if applicable)

Address 2618 Centennial Place

City Tallahassee

State FL

Zip 32308

Phone 282-0720

Email bharris@laufla.com

Speaking: □ For □ Against □ Information

Waive Speaking: □ In Support □ Against

(The Chair will read this information into the record.)

Representing Florida Barker Academy

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

12/3/15
Meeting Date

Stu. Loans
Topic

Pound
Name

Greg

9166 Sunrise Dr.
Address

33773
Zip

Ft.
State

Phone

Email

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

Representing

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

12/3/15
Meeting Date

Topic Bright Futures

Name Brittney Burch

Job Title Policy Director

Address 135 S. Bronough St.
Street Tallahassee, FL 32301
City State Zip

Phone

Email

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

Representing Florida Chamber of Commerce

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

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

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

APPEARANCE RECORD

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

12/3/2015
Meeting Date

#578672
Bill Number (if applicable)

Topic: IN SUPPORT OF AMD # 578672

Name: MARK WALSH

Job Title: EXEC. DIR. OF UNIVERSITY PARTNERSHIPS

Address: 4202 E. FOWLER AVE, CGS301

Phone: 813 974-1830

Email: mwalsh@usf.edu

According to state law, I am speaking for the following individuals: UNIVERSITY OF SOUTH FLORIDA

Representing: UNIVERSITY OF SOUTH FLORIDA

Appear at request of Chair: No

Lobbyist registered with Legislature: Yes

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.
Meeting Date: 12/13

Bill Number (if applicable): 350

Amendment Barcode (if applicable):

Topic: Online Procurement

Name: Cynthia Henderson

Job Title:

Address: 108 E. Jefferson St. Suite A

Tallahassee, FL 32303

Phone: 850 559 0855

Email: cyhenderson@me.com

Speaking: [ ] For [ ] Against [ ] Information

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

Representing: [ ] Crowe Consulting

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

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

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

S-001 (10/14/14)
THE FLORIDA SENATE
APPEARANCE RECORD

Meeting Date: Dec 3 2015

Bill Number (if applicable): SB 576

Amendment Barcode (if applicable): 

Topic: Public Educational Facilities

Name: John Wayne Smith

Job Title: Lobbyist

Address: 301 S Bronough St
          Tallahassee, FL 32301

Phone: 850-681-7381

Email: john@peebles-smith.com

Speaking: ☑ For ☐ Against ☐ Information

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

Representing: FKCC Foundation

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.
3:31:21 PM  Call to order and roll call
3:31:59 PM  Chair Gaetz Comments
3:33:31 PM  Madeline Pumariaga, Chancellor - Division of Florida Colleges - DOE
3:38:39 PM  Senator Bullard Question
3:42:12 PM  Madeline Pumariaga, Chancellor - Division of Florida Colleges - DOE
3:44:25 PM  Senator Ring Comment
3:45:43 PM  Ashley Spicola, Education Coordinator - Governor's Office
3:48:01 PM  Pam Stewart, Commissioner of Education - Florida Department of Education
3:53:11 PM  Chair Gaetz Question
3:53:28 PM  Pam Stewart, Commissioner of Education - Florida Department of Education
3:53:55 PM  Rodney MacKinnon, Executive Director - Office of Early Learning
3:55:55 PM  Chair Gaetz Comments
3:56:12 PM  Ashley Spicola, Education Coordinator - Governor's Office
3:57:32 PM  Jose Diez-Arguelles, Staff Director - Finance and Tax Committee
4:03:33 PM  Senator Bullard Question
4:04:49 PM  Chair Gaetz Question
4:05:45 PM  Tim Elwell, Staff Director - Appropriations Subcommittee of Education
4:12:36 PM  Chair Gaetz Comments
4:14:22 PM  Senator Montford Comments
4:15:24 PM  Senator Ring - SB 146
4:17:07 PM  Senator Bullard Question
4:21:48 PM  Am. #260942 - Adopted
4:21:54 PM  Senator Ring Explanation
4:23:04 PM  Curtis Austin, Executive Director - The Florida Association of Postsecondary College & Universities
4:27:00 PM  Senator Ring Comments
4:28:18 PM  Bob Harris - Florida Barker Academy (waives in against)
4:28:42 PM  Senator Bullard Comments
4:30:40 PM  Bob Harris - Florida Barker Academy
4:35:32 PM  Greg Pound
4:38:27 PM  Senator Ring Comments
4:39:46 PM  Call Roll
4:39:54 PM  Favorable - CS/SB 146
4:40:14 PM  Senator Lee - SB 520
4:42:49 PM  Am. #143430 - Adopted
4:43:08 PM  Senator Lee Comments
4:44:23 PM  Chair Gaetz - SB 520
4:44:48 PM  Senator Montford Comments
4:45:05 PM  Senator Lee Comments
4:45:14 PM  Call Roll
4:45:23 PM  Favorable - CS/SB 520
4:45:45 PM  Pass Chair to Senator Montford
4:45:47 PM  Chair Gaetz - CS/SB 524
4:45:59 PM  Am. # 578672 - Adopted
4:50:24 PM  Am. #729242 Adopted
4:50:37 PM  Senator Legg Explanation
4:51:42 PM  Chair Gaetz Comments
4:53:07 PM  Senator Bullard Question
4:54:07 PM  Chair Gaetz Comments
4:54:23 PM  Mark Walsh, Executive Director of University Partnerships - University of South Florida
4:54:58 PM  Call Roll
4:55:11 PM  Favorable - CS/SB 524
4:55:27 PM  Pass Chair to Senator Gaetz
4:55:41 PM  Senator Montford - SB 350
4:56:25 PM  Am. 649124 - Adopted
4:56:28 PM  Senator Montford - SB 350
4:56:45 PM  Cynthia Henderson - Crowne Consulting (waives in support)
4:56:46 PM  Call Roll
4:56:58 PM  Favorable - CS/SB 350
4:57:29 PM  William McRea, Legislative Assistant for Senator Flores - SB 576
4:58:15 PM  John Wayne Smith, Lobbyist - Florida Keys Community College
4:58:27 PM  Call Roll
4:58:35 PM  Favorable - SB 576
4:58:56 PM  Senator Gaetz Closing Comments
4:59:16 PM  Meeting Adjourned