

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

HIGHER EDUCATION
Senator Oelrich, Chair
Senator Siplin, Vice Chair

MEETING DATE: Thursday, February 9, 2012**TIME:** 1:15 —3:15 p.m.**PLACE:** 301 Senate Office Building**MEMBERS:** Senator Oelrich, Chair; Senator Siplin, Vice Chair; Senators Altman, Lynn, Negron, and Ring

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 1156 Flores	State University Student Fees; Prohibiting the sum of the Capital Improvement Trust Fund fee and the building fee from exceeding 10 percent of the tuition for resident students or 10 percent of the sum of tuition and out-of-state fees for nonresident students; authorizing the use of the Capital Improvement Trust Fund fee for certain projects or real property acquisitions; requiring that the Division of Bond Finance of the State Board of Administration analyze any proposed fee reductions to the Capital Improvement Trust Fund fee; requiring that the Board of Governors approve any proposed fee reductions; requiring that each university board of trustees establish a separate Capital Improvement Trust Fund fee and building fee at the main campus of the university; authorizing the university board to establish a separate Capital Improvement Trust Fund fee and building fee at any branch campus or center; requiring that the Board of Governors adopt regulations and timetables to implement the fees, etc. HE 02/09/2012 Temporarily Postponed BI BC	Temporarily Postponed
2	CS/SB 1366 Education Pre-K - 12 / Gaetz	Education; Requiring that the Department of Economic Opportunity prepare, or contract with an entity to prepare, an economic security report of employment and earning outcomes for degrees earned at a state university; requiring that the Department of Economic Opportunity, in coordination with Workforce Florida, Inc., recruit students who meet specified requirements and match them to potential employers; requiring that the Department of Economic Opportunity refer secondary school students who have been identified as having earned an industry certification in science, technology, engineering, or mathematics to an online registration website or a private placement service that links the student to information, resources, and employment opportunities, etc. ED 01/24/2012 Fav/CS HE 02/09/2012 Favorable BC	Favorable Yeas 4 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Higher Education

Thursday, February 9, 2012, 1:15 —3:15 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
3	SJR 1508 Montford (Similar HJR 931)	Board of Governors/Student Body President; Proposing an amendment to the State Constitution to replace the president of the Florida Student Association or the equivalent as a member of the Statewide Board of Governors with the student body president of a state university, etc. HE 02/09/2012 Favorable JU EE RC	Favorable Yeas 3 Nays 1
4	SB 1606 Bennett (Similar H 1375)	Postsecondary Education; Creating the Postsecondary Education Study Committee, etc. HE 02/09/2012 Favorable BC	Favorable Yeas 3 Nays 1
TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
5	Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointments to the offices indicated.		
	Board of Governors of the State University System		
	Corr, Christopher T. (Lake Lure)	01/06/2019	Not Considered
	Board of Trustees, University of West Florida		
	Cleveland, David E. (Gulf Breeze)	01/06/2016	Not Considered
TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
	Other Related Meeting Documents		

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Higher Education Committee

BILL: SB 1156

INTRODUCER: Senator Flores

SUBJECT: State University Student Fees

DATE: February 8, 2012

REVISED: _____

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

I. Summary:

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

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

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

II. Present Situation:

University Student Fees

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

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

University Campuses

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

Issuance of Bonds

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

State Debt Fiscal Responsibility

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

III. Effect of Proposed Changes:

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

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

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

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

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

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

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

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

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

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

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

C. Government Sector Impact:

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

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

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

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

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

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

None.

B. Amendments:

None.

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

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

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

⁸ *Id.*



740668

LEGISLATIVE ACTION

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

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

Senate Amendment (with title amendment)

Delete lines 43 - 72
and insert:

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



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

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

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

And the title is amended as follows:

Delete lines 3 - 28

and insert:

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



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students and members appointed by the student body president and the university president, respectively; requiring that the university president approve committee recommendations; providing that any increase in fees may occur only once each fiscal year; requiring that the Board of Governors adopt regulations and timetables to implement the fees; prohibiting the sum of the Capital Improvement Trust Fund fee and the building fee from exceeding 10 percent of the tuition for resident students or 10 percent of the sum of tuition and out-of-state fees for nonresident students; authorizing the use of the Capital Improvement Trust Fund fee for certain projects or real property acquisitions; requiring that the Division of Bond Finance of the State Board of Administration analyze any proposed fee reductions to the Capital Improvement Trust Fund fee; requiring that the Board of Governors approve any proposed fee reductions;

By Senator Flores

38-00826-12

20121156__

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

Page 1 of 4

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

38-00826-12

20121156__

30 establishment of educational research centers for
 31 child development, to incorporate the amendment made
 32 to s. 1009.24(8), F.S., in a reference thereto;
 33 providing an effective date.
 34
 35 Be It Enacted by the Legislature of the State of Florida:
 36
 37 Section 1. Subsection (8) of section 1009.24, Florida
 38 Statutes, is amended to read:
 39 1009.24 State university student fees.—
 40 (8) (a) The Capital Improvement Trust Fund fee is
 41 established as \$2.44 per credit hour per semester. The building
 42 fee is established as \$2.32 per credit hour per semester.
 43 (b) The sum of the fees may not exceed 10 percent of the
 44 tuition for resident students or 10 percent of the sum of
 45 tuition and out-of-state fees for nonresident students. The
 46 Capital Improvement Trust Fund fee may be used to fund any
 47 project or real property acquisition that meets the requirements
 48 of chapter 1013. The Division of Bond Finance of the State Board
 49 of Administration shall analyze any proposed reductions to the
 50 Capital Improvement Trust Fund fee to ensure consistency with
 51 prudent financial management of the bond program associated with
 52 the revenues from the fee. The Board of Governors shall approve
 53 any proposed fee reductions.
 54 (c) Each university board of trustees shall establish a
 55 separate Capital Improvement Trust Fund fee and building fee at
 56 the main campus of the university. The university board may also
 57 establish a separate Capital Improvement Trust Fund fee and
 58 building fee at any branch campus or center. Any subsequent

Page 2 of 4

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

38-00826-12 20121156__
 59 increase in the fees must be recommended by a Capital
 60 Improvement Trust Fund and building fee committee, at least one-
 61 half of whom are students appointed by the student body
 62 president. The remainder of the committee shall be appointed by
 63 the university president. A chairperson, appointed jointly by
 64 the university president and the student body president, shall
 65 vote only in the case of a tie. The recommendations of the
 66 committee shall take effect only after approval by the
 67 university president, after consultation with the student body
 68 president, with final approval by the university board of
 69 trustees. An increase in the fees may occur only once each
 70 fiscal year and must be implemented beginning with the fall
 71 term. The Board of Governors shall adopt regulations and
 72 timetables to implement the fees.

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

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

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

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

Waiver

2/9/12

Meeting Date

Topic CITF

Bill Number 1156
(if applicable)

Name Patrick O'Keefe

Amendment Barcode _____
(if applicable)

Job Title Student Government President - FIU

Address 10720 SW 16th St
Street

Phone (305) 741-6450

Miami FL 33165
City State Zip

E-mail pokeefe@fiu.edu

Speaking: ☒ For ☐ Against ☐ Information

Representing Florida Student Association

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 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/9/12
Meeting Date

Waive

Topic State Univ Student Fees

Bill Number SB 1156
(if applicable)

Name Janet Owen

Amendment Barcode _____
(if applicable)

Job Title VP Governmental Affairs

Address 1 UNF Drive
Street

Phone (904) 699-9750

Jax FL 32224
City State Zip

E-mail jowen@unf.edu

Speaking: ☒ For ☐ Against ☐ Information

Representing UNF

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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Waive

Meeting Date _____

Topic CJFF

Bill Number 1156
(if applicable)

Name Kathleen Daly

Amendment Barcode _____
(if applicable)

Job Title ASST. VP GOV. Relations

Address _____

Phone _____

Street Tallahassee FL
City State Zip

E-mail _____

Speaking: ☒ For ☐ Against ☐ Information

Representing Florida State University

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE
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2/9/12

Meeting Date

Topic Capital Improvement

Bill Number 1156
(if applicable)

Name Marion Hoffmann

Amendment Barcode _____
(if applicable)

Job Title Assoc. V.P. Govt Relations - UF

Address 3023 Hawks Landing Dr.

Phone 850-488-2447

Street

Tallahassee

FL

32309

City

State

Zip

E-mail marionhoffm@ufl.edu

Speaking: ☒ For ☐ Against ☐ Information

Representing Univ. of Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

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2-9-12

Meeting Date

Waive

Topic _____

Bill Number 1156
(if applicable)

Name David Mann

Amendment Barcode _____
(if applicable)

Job Title Director of Govt. RELATIONS

Address 777 GLADES Rd.
Street

Phone 561-297-2003

Boca Raton FL 33431
City State Zip

E-mail dmann@PAU.edu

Speaking: ☒ For ☐ Against ☐ Information

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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Waiver

2/9/12
Meeting Date

Topic SB 1156

Bill Number SB 1156
(if applicable)

Name MARK WALSH

Amendment Barcode N/A
(if applicable)

Job Title GOVT RELATIONS, USF

Address 4202 E. FOWLER AVE
Street

Phone 813-974-2660

TAMPA FL
City State Zip

E-mail mwalshe@usf.edu

Speaking: ☒ For ☐ Against ☐ Information

Representing USF

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

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2/9/12

Meeting Date

Waive

Topic CITF Fee

Bill Number SB 1156
(if applicable)

Name Michael Long

Amendment Barcode _____
(if applicable)

Job Title Student Body President

Address Box 620 5800 Bay Shore Rd.

Phone (941) 219-9847

Sarasota FL 34243
City State Zip

E-mail Michael.Long@NCF.edu

Speaking: ☒ For ☐ Against ☐ Information

Representing Florida Student Association

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/20/11)

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Will

2/9/12
Meeting Date

Topic CITF/State University Fees

Bill Number SB 1156
(if applicable)

Name ADRIANA PEREIRA

Amendment Barcode _____
(if applicable)

Job Title Director of State Relations

Address 11200 SW 8 Street #519
Street
Miami FL. 33199
City State Zip

Phone (305) 348-3505

E-mail aperei@fiu.edu

Speaking: ☒ For ☐ Against ☐ Information

Representing Florida International University

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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WAVE

2/9/12
Meeting Date

Topic State Univ Student Fees

Bill Number 1156
(if applicable)

Name Tola Thompson

Amendment Barcode _____
(if applicable)

Job Title Dir Govt Rel's

Address 400 Lee Hall FAMU
Street

Phone 850.599.3225

City

State

Zip

E-mail tola.thompson@famuc.edu

Speaking: ☒ For ☐ Against ☐ Information

Representing FLORIDA A & M Univ

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

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APPEARANCE RECORD

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Waive

2/9/12

Meeting Date

Topic State University Student Fees

Bill Number 1156
(if applicable)

Name Jennifer Goen

Amendment Barcode _____
(if applicable)

Job Title Dir. Gov Relations

Address 6049 Perthshire Ln
Street

Phone 239-823-5718

FL Myers, FL 33908
City State Zip

E-mail jgoen@fgcu.edu

Speaking: ☒ For ☐ Against ☐ Information

Representing Florida Gulf Coast University

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

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APPEARANCE RECORD

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2-9-12

Meeting Date

Waive

Topic Capital Improvement Fee

Bill Number 1156
(if applicable)

Name Janice Gilley

Amendment Barcode _____
(if applicable)

Job Title Govt Relations

Address 11000 University PRKwy

Phone 850.384.2135

Street

PENSACOLA

FL

32514

City

State

Zip

E-mail jgilley@unf.edu

Speaking: ☒ For ☐ Against ☐ Information

Representing Univ. of West FL

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Higher Education Committee

BILL: CS/SB 1366

INTRODUCER: Education Pre-K-12 Committee and Senator Gaetz

SUBJECT: Education/Transparency/Economic Security Report

DATE: February 8, 2012

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harkey	deMarsh-Mathues	ED	Fav/CS
2.	Harkey	deMarsh-Mathues	HE	Favorable
3.			BC	
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|--|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="checked" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

This bill requires changes in educational delivery and reporting to better inform students and their parents of the employment and economic outcomes for degrees earned at state universities and to provide opportunities for secondary and postsecondary students to earn science, technology, engineering and mathematics (STEM) industry certification necessary for employment. The bill requires:

- Reports of employment and earnings for graduates from state universities to be given to secondary school students and their parents and to university students when they register for classes;
- Reporting of university degrees conferred in STEM fields and university research and endowment funding;
- A career-themed course and a personalized academic and career plan for middle school students and their parents;
- Industry certification courses in middle school; and
- An agreement between the Department of Economic Opportunity (DEO) and the Board of Governors (BOG) to facilitate the re-enrollment and timely degree completion of

students who leave their degree program for a tech job and want to return to complete their degree.

The bill directs funding toward education in technical fields by:

- Authorizing universities to use a portion of the tuition differential fee for financial aid for students in technology fields;
- Providing weighted funding for K-12 students in industry certification courses; and
- Providing performance funding for state universities that are most successful in educating students who earn degrees in, and become employed in, technology fields.

This bill amends ss. 1001.03, 1001.42, 1001.706, 1002.20, 1003.4156, 1003.4935, 1008.39, 1009.24, and 1011.62, Florida Statutes. The bill creates ss. 445.07, 445.09, 445.11, and 1011.905, Florida Statutes.

II. Present Situation:

With the economic downturn in recent years and the difficulty many college graduates have had finding employment, many students have begun to question the economic value of a bachelor's degree.¹ In a survey by Rutgers University, 48 percent of the students surveyed said that in order to have economic security they would have been more careful in selecting a major or would have chosen a different major.²

Research by the Center on Education and the Workforce at Georgetown University found that a student's choice of major substantially affects employment prospects and earnings.³ The study found that "majors with high technical, business, and healthcare content tend to earn the most among both recent and experienced college graduates."⁴

According to the TechAmerica Foundation, in a ranking of states on high technology measures based on 2010 data, Florida ranked fifth in high tech employment, third in number of high tech establishments, and second in defense systems manufacturing.⁵ According to a Georgetown university report analyzing STEM jobs by state, Florida will require a total of 385,010 STEM jobs by 2018,⁶ and 89 percent of those jobs will require postsecondary education and training in high technology employment. Forty-nine percent of Florida's STEM jobs will be in computer

¹Kwong, L. "Generation Jobless", Wall Street Journal, November 12, 2011, readable at: <http://online.wsj.com/article/SB10001424052970204224604577032551908947414.html?KEYWORDS=value+of+a+college+degree>; Wooldridge, A., "Angst for the Educated," Schumpeter column, The Economist, September 3, 2011, readable at: <http://www.economist.com/node/21528226>; and Fischer, Karin, "Crisis of Confidence Threatens Colleges", the Chronicle of Higher Education, May 15, 2011, readable at: <http://chronicle.com/article/Higher-Education-in-America-a/127530/>

² Godofsky, J.; Zukin, C.; Van Horn, C; "Unfulfilled Expectations: Recent College Graduates Struggle in a Troubled Economy", John J. Heldrich Center for Workforce Development, Rutgers University, May 2011, readable at: http://www.heldrich.rutgers.edu/sites/default/files/content/Work_Trends_May_2011.pdf.

³ Carnevale, A.P.; Cheah, B.; and Strohl, J.; "Hard Times: College Majors, Unemployment and Earnings: Not All College Degrees are Created Equal," Georgetown University Center for Education and the Workforce, January 4, 2012.

⁴ *Id.*, p. 6.

⁵ TechAmerica Foundation, "Cyberstates 2011: The Definitive State-by-State Analysis of the U.S. High-tech Industry", pp. 8-9 and 114.

⁶ This number represents an increase of 62,450 jobs over the 2008 total of 322,560 jobs.

occupations by 2018. The report also projects that nine percent of all Florida jobs for holders of Master's degrees and ten percent of all jobs for holders of a PhD degree will be in STEM fields by 2018. However, since 2001, there has been a 46 percent decline in bachelor's degrees earned at state universities in computer, computer services, information technology, software engineering, management information systems and related high tech fields.⁷

Prioritizing STEM in education is one of seven key steps in the Governor's 2012 Job Creation and Economic Growth Agenda.⁸ The agenda calls for prioritizing STEM to focus Florida's K-12 and higher education systems on producing graduates that can support a growing high-tech workforce.⁹ The agenda cites Enterprise Florida's estimate that 15 of the 20 fastest growing job fields will require a STEM education.¹⁰

Section 1008.39, F.S., establishes the Florida Education and Training Placement Information Program (FETPIP), a data collection and consumer reporting system established to provide follow-up data on former students and program participants who have graduated, exited or completed a public education or training program within the state. The statute requires all elements of Florida's workforce development system to use information provided through FETPIP for any project they may conduct requiring automated matching of administrative records for follow-up purposes. The statute prohibits FETPIP from making public any information that could identify an individual or an individual's employer. FETPIP does not report employment and earnings by students earning industry certifications, but the DOE collects such data. The Industry Certification Funding list reports students earning industry certifications, by school district, on the K-12 student information system.

Degree program and student data is collected in the State University System by utilizing the six-digit Classification of Instructional Programs (CIP) code established by the National Center for Educational Statistics (NCES) to facilitate uniform reporting to the Integrated Postsecondary Education Data System (IPEDS).¹¹

FETPIP currently produces reports that identify the employment outcomes of state university graduates by university, by degree program CIP Code, and by industry codes using information from the Board of Governors, the Agency for Workforce Innovation, the Florida Department of Education, the Florida Department of Corrections, the Florida Department of Children and Families, the U.S. Department of Defense, the U.S. Office of Personnel Management, the U.S. Postal Service, and the National Student Clearinghouse. Although FETPIP collects employment data from numerous agencies, it is not all inclusive. There are segments of the state workforce population that are not included, and, according to the BOG, the ability to track employment outside of Florida is limited.¹²

⁷ Florida State University Learning Systems Institute using state university system data, compiled October 2011.

⁸ Governor Rick Scott's 2012 Job Creation and Economic Growth Agenda, p. 2, Readable at:

<http://www.flgov.com/2011/10/13/2012-job-creation-economic-growth-agenda/>.

⁹ *Id.*, p. 6.

¹⁰ *Id.*, p. 6.

¹¹ Florida Board of Governors legislative bill analysis, January 30, 2012, on file with the committee.

¹² *Id.*

The Department of Education (DOE) annually calculates completion and placement rates and average earnings for career and technical education programs in a manner consistent with those used for annual accountability reporting required by the federal Carl D. Perkins Career and Technical Education Act grant, and the established targets are based on those agreed upon with the federal government. If a district or college program fails to achieve both the completion and placement targets and the average full-time/full-quarter earnings of completers is below the 25th percentile in the state for that program, the program is flagged in a performance report and the college or district is notified.

Enrollment and graduation data can be found on the BOG's website by degree CIP code and university, but there is no requirement for universities to provide this or other related information directly to students. The following information is currently available through the State University System of Florida Annual Accountability Report:

- Annual aggregated graduation STEM information by university;
- Research expenditure totals by university;
- Number of patents awarded annually; and
- Aggregate enrollment and course data for distance learning based upon the 80-percent threshold established in ss. 1009.24 (17) (a), F.S.¹³

Section 1003.4156, F.S., requires students to take a course in career and education planning in 7th or 8th grade that must include career exploration using Florida CHOICES or a comparable cost-effective program. It must include educational planning using the online student advising system known as Florida Academic Counseling and Tracking for Students at the Internet website FACTS.org, and it must result in the completion of a personalized academic and career plan.

III. Effect of Proposed Changes:

The bill requires changes in educational delivery and reporting to better inform students and their parents of the employment and economic outcomes for degrees earned at state universities; to emphasize science, technology, engineering, and mathematics (STEM) fields; to better provide secondary and postsecondary students opportunities to earn industry certifications; and to begin preparing middle school students for a STEM bachelor's degree pathway.

Economic Security Report

To foster an understanding of the economic outcomes associated with various academic choices, the bill requires an Economic Security Report to be provided to students and their parents by the principal or teacher beginning in middle school and to the public via the internet, print media, and social media. The Department of Economic Opportunity (DEO) must prepare the report using the Florida Education and Training Placement Information Program (FETPIP) data, the federal Integrated Postsecondary Education Data System (IPEDS), State University System (SUS) data, and Florida College System (FCS) data. The report will include information on graduates, degrees, education delivery system, public assistance data, student loan debt data, employment, income, continuing education, and graduate degrees on all students who earn a degree in the SUS, the FCS, and those who hold industry certifications. The DEO must submit a

¹³ *Id.*

link to the report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the State Board of Education, the Board of Governors, each state university, each Florida College System institution, and each school district by August 1 of each year.

The Florida Education and Training Placement Information Program (FETPIP)

The bill requires the DOE to include in the FETPIP data base information on former participants who leave the state or are self-employed. The DOE is authorized to contract with an entity to provide the information.

Secondary School Industry Certification

The bill requires the DEO to refer a secondary school student who has been identified as having earned an industry certification in science, technology, engineering, or mathematics, as defined by the State Board of Education and included on the Industry Certified Funding List as described in ss. 1003.492, and 1003.493, F.S., to an online registration website established by the department or a private placement service that links the student with:

- State universities or FCS institutions that have programs aligned with the student's industry certification;
- Employment opportunities in the state which are linked to the student's industry certificate; and
- Information relating to employment rates, salary rates, and applicable training options.

Privacy of Student Records

The bill provides that the sharing of data regarding students' industry certification or college majors does not abrogate the provisions of s. 1002.22, F.S., or the requirements of 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy Act (FERPA). The federal and state laws protect the privacy of student records. Section 1002.22, F.S., gives public school elementary and secondary school students and their parents the right to access their educational records, to challenge the content of the records, and to have privacy with respect to the records. Section 1002.221, F.S., prohibits the release of K-12 educational records without written consent of the student or parent except as permitted by the FERPA. Section 1002.225, F.S., requires all public postsecondary education institutions to comply with the FERPA, and provides a student whose rights are violated the immediate right to bring an action in circuit court to enforce his or her rights by injunction.

Career-themed Course

The current requirement for a career and education planning course in 7th or 8th grade is replaced by a requirement for a career-themed course, to be completed in 6th, 7th, or 8th grade, which would include a personalized academic and career plan for the student emphasizing technology or the application of technology in other fields and including instruction in using the DEO's economic security report. The bill deletes the current requirement for students to use Florida CHOICES and FACTS.org. in creating a personalized academic and career plan. The two DOE programs might still be used in conjunction with the DEO economic security report.

Unified STEM Plan

The State Board of Education, in conjunction with the Board of Governors and the DEO must adopt a unified state plan for science, technology, engineering and mathematics. The purpose of the plan is to prepare students for high-skill, high-wage, and high-demand employment.

Funding for Industry Certification Courses

The DOE must adopt rules to identify industry certifications in science, technology, engineering, or mathematics courses in middle school to be included on the Industry Certified Funding List which are eligible for additional full-time equivalent membership in the Florida Education Finance Program.¹⁴ The bill revises the formula for providing weighted funding for industry-certified courses to:

- Require the SBOE to place a value of 0.1 FTE (but not to exceed 0.3 per student) for each student who completes the industry-certified career and professional course upon promotion to the 9th grade;
- Require each school district to allocate at least 80 percent of the funds for industry certification to the program that generated the funds; and
- Set the maximum appropriation at \$15 million.

Economic Security Report to University Students

Beginning with the course registration process for the 2013-2014 academic year, state universities must provide each enrolled student with a link to the DEO's economic security report. In addition, each student must receive information regarding:

- The top 25 percent of degrees reported by the university in terms of highest full-time job placement and highest average annualized earnings in the year after earning the degree; and
- The bottom 10 percent of degrees reported by the university in terms of the lowest full-time job placement and lowest average annualized earnings in the year after earning the degree.

The bill requires the Board of Governors to submit a research and endowment report to the Governor, President of the Senate, and Speaker of the House of Representatives containing the following information for each state university:

- Beginning with the 2010 fall term and each fall term thereafter, the enrollment of students in science, technology, engineering, or mathematics by degree;
- Beginning with the 2011 spring term and each spring term thereafter, the graduation of students in science, technology, engineering, or mathematics by degree;
- The growth or decline in the number of students enrolling in and graduating with STEM degrees each year;
- The specific means by which, and the frequency with which, students were notified of the economic security report;
- The amount of the university's endowment;
- The amount of federal and state grant or research funds received by the university;
- The number of patents, copyrights, trademarks, or other intellectual property produced by the university;
- The number of start-up companies that have links to the university;
- The amount of private venture capital that is linked to university projects; and

¹⁴ s. 1011.62(1), F.S.

- The number of baccalaureate degrees that may be earned through the use of distance learning, the number of baccalaureate degrees that may be earned in which 50 percent of the course instruction is delivered through distance learning, and the number of students enrolled and completing baccalaureate degrees through distance learning.

Universities' Use of the Tuition Differential Fee

The bill authorizes universities to use a portion of the tuition differential for financial aid for students in technology fields. After spending 70 percent of the tuition differential fee on undergraduate education, as required by s. 1009.24(16), F.S., a state university could expend up to 50 percent of the remaining revenues from the tuition differential or the equivalent amount of revenues from private sources to provide financial aid to undergraduate students who are pursuing a degree in computer and information science, computer engineering, information systems technology, information technology, and management information systems. The Board of Governors' annual report on the tuition differential must contain the number of students, by program enrollment and by degree, served under the tuition differential designated for students who exhibit financial need and who are pursuing a degree in computer and information science, computer engineering, information systems technology, information technology, and management information systems.

Recruitment of State University Students in Technology and Engineering

The DEO and Workforce Florida, Inc., (WFI) are directed to recruit students who meet the following requirements and match them to potential employers:

- Students enrolled at a state university in a degree program in technology or engineering;
- Students who have graduated from a state university and have a degree in technology or engineering; and
- Students who have been identified as having earned an industry certification under ss. 1003.492 and 1003.493, F.S., in technology or engineering and which is on the Industry Certified Funding List, as defined by the State Board of Education.

University students who leave their degree program to obtain employment under the provisions of newly created s. 445.09, F.S., may not be reported as a "noncompleter" if, upon leaving the degree program, they have a formal plan to complete their degree. The DEO and the Board of Governors must enter into an agreement to facilitate the re-enrollment and timely degree completion of students who leave their degree program for a tech job and want to return to complete their degree.

Performance Funding for State Universities

In order to reverse the decline in bachelor's degrees in technology fields and to support and expand Florida's strong national position in tech employment and tech businesses, the bill provides performance funding for state universities. The universities that apply for the funding will be ranked based on the following formula:

- Twenty-five percent of a state university's score must be based on the percentage of employed graduates who have earned degrees in computer and information science, computer engineering, information systems technology, information technology, and management information systems;

- Twenty-five percent of a state university's score must be based on the percentage of graduates who earned baccalaureate degrees in computer and information science, computer engineering, information systems technology, information technology, and management information systems and who earned industry certifications in a related field from a Florida College System institution or state university prior to graduation; and
- Fifty percent of a state university's score must be based on factors determined by the Board of Governors which relate to increasing the probability that graduates who have earned degrees in computer and information science, computer engineering, information systems technology, information technology, and management information systems will be employed in high-skill, high-wage, and high-demand employment.

The bill requires the Board of Governors to award up to \$15 million from funds appropriated for this purpose and provides that the minimum amount awarded to a state university must be at least 20 percent of the total appropriated.

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:

The economic security report required by the bill will inform students and their parents regarding the employment and income of graduates of various college degree programs with the goal of helping them to choose academic fields that will lead to employment and economic security.

C. Government Sector Impact:

The bill authorizes weighted funding for industry certification courses in secondary school and extends the weighted funding to middle school industry certification courses in which a student was issued the highest level of industry certification in science, technology, engineering, or mathematics identified on the Industry Certification Funding List, according to State Board of Education rules. The bill provides that unless otherwise

provided in the General Appropriations act, the amount of the weighted funding in secondary school will be \$15 million.

The bill requires the Board of Governors to award up to \$15 million in performance funding to state universities. By setting the minimum amount of a university's award at no less than 20 percent of the appropriation, the bill establishes a competitive process in which no more than 5 state universities could receive performance funding.

Universities are authorized to use a portion of the tuition differential fee to provide financial aid for students in technology fields. In 2010-11, the 11 state universities charged tuition differential fees ranging from \$12.80 to \$22.00 per credit hour. The total revenue from the fee in 2010-11 was \$85.1 million. Of that amount, \$61.4 million supported undergraduate education, and \$23.7 was available for need-based financial aid.¹⁵ Under the provisions of the bill, 50 percent of the \$23.7 million, or \$11.85 million, could be used to provide financial aid for students in technology fields.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

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

CS by Education Pre-K-12 on January 24, 2012:

The committee substitute:

- Deletes a requirement that universities give priority enrollment to students who leave their degree program for a tech job and want to return to complete their degree and requires instead that DEO and the Board of Governors enter into an agreement to facilitate the re-enrollment and timely degree completion of such students; and
- Clarifies that universities must apply for performance based funding in order to be considered.

B. Amendments:

None.

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

¹⁵ State University System of Florida Board of Governors, "Tuition Differential Fee Report," December 2011, readable at: http://www.flbog.edu/about/_doc/budget/Tuition-Differential-Report-andAttachment_2010-2011.pdf.

By the Committee on Education Pre-K - 12; and Senator Gaetz

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1 A bill to be entitled
 2 An act relating to education; creating s. 445.07,
 3 F.S.; requiring that the Department of Economic
 4 Opportunity prepare, or contract with an entity to
 5 prepare, an economic security report of employment and
 6 earning outcomes for degrees earned at a state
 7 university; providing requirements for the report;
 8 requiring that a link to the report be submitted to
 9 the Governor, the Legislature, and other entities by a
 10 specified date each year; creating s. 445.09, F.S.;
 11 requiring that the Department of Economic Opportunity,
 12 in coordination with Workforce Florida, Inc., recruit
 13 students who meet specified requirements and match
 14 them to potential employers; requiring that the
 15 Department of Economic Opportunity enter into an
 16 agreement with the Board of Governors of the State
 17 University System to facilitate the reenrollment of
 18 such students and to provide academic pathways for the
 19 timely completion of their degree programs; creating
 20 s. 445.11, F.S.; requiring that the Department of
 21 Economic Opportunity refer secondary school students
 22 who have been identified as having earned an industry
 23 certification in science, technology, engineering, or
 24 mathematics to an online registration website or a
 25 private placement service that links the student to
 26 information, resources, and employment opportunities;
 27 amending s. 1001.03, F.S.; requiring that the State
 28 Board of Education, in consultation with the Board of
 29 Governors and the Department of Economic Opportunity,

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30 adopt a unified state plan to improve K-20 education
 31 in science, technology, engineering, and mathematics
 32 and prepare students for high-skill, high-wage, and
 33 high-demand employment; amending s. 1001.42, F.S.;
 34 requiring that district school boards require school
 35 principals or classroom teachers to annually provide
 36 secondary school students and their parents with a
 37 link to the Department of Economic Opportunity's
 38 economic security report; amending s. 1001.706, F.S.;
 39 requiring that the Board of Governors require each
 40 state university to annually provide enrolled students
 41 with a link to the Department of Economic
 42 Opportunity's economic security report and other
 43 specified information during registration or earlier;
 44 requiring that the Board of Governors annually report
 45 specified information, by each state university, to
 46 the Governor and the Legislature; amending s. 1002.20,
 47 F.S.; requiring that each middle school and high
 48 school student and his or her parent receive a link
 49 and a summary of the Department of Economic
 50 Opportunity's economic security report each year;
 51 amending s. 1003.4156, F.S.; revising the general
 52 requirements for middle grades promotion to include
 53 one career-themed course to be completed in 6th, 7th,
 54 or 8th grade; providing requirements for the career-
 55 themed course; requiring that each school district
 56 develop or adopt the career-themed course, subject to
 57 approval by the Department of Education; amending s.
 58 1003.4935, F.S.; requiring that the State Board of

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59 Education adopt rules to identify industry
 60 certifications in science, technology, engineering,
 61 and mathematics offered in middle school to be
 62 included on the Industry Certified Funding List;
 63 amending s. 1008.39, F.S.; revising provisions
 64 relating to the Florida Education and Training
 65 Placement Information Program; requiring that the
 66 Department of Education include former participants
 67 who leave the state or who are self-employed as part
 68 of the information managed by the program; authorizing
 69 the department to contract with an entity to provide
 70 such information; amending s. 1009.24, F.S.;
 71 authorizing a state university to expend a certain
 72 percentage of the remaining revenues from the tuition
 73 differential or the equivalent amount of revenues from
 74 private sources to provide financial aid to certain
 75 undergraduate students; requiring that the Board of
 76 Governors submit a report containing information
 77 regarding such undergraduate students; amending s.
 78 1011.62, F.S.; revising provisions relating to the
 79 computation of the annual allocation of funds for
 80 school district operations, to conform to changes made
 81 by the act; creating s. 1011.905, F.S.; requiring that
 82 the Board of Governors review and rank each state
 83 university that applies for performance funding based
 84 on certain criteria; requiring that the Board of
 85 Governors award up to a specified amount to the
 86 highest-ranked state universities; requiring that the
 87 Board of Governors report to the Governor and the

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88 Legislature by a specified date each year; providing
 89 an effective date.
 90
 91 Be It Enacted by the Legislature of the State of Florida:
 92
 93 Section 1. Section 445.07, Florida Statutes, is created to
 94 read:
 95 445.07 Economic security report of employment and earning
 96 outcomes for degrees earned at a state university.-
 97 (1) The Department of Economic Opportunity shall prepare,
 98 or contract with an entity to prepare, an economic security
 99 report of employment and earning outcomes for degrees earned at
 100 a state university. The report must be easily accessible to and
 101 readable by the public and shall be made available via the
 102 Internet, printed media, and social media. The report must:
 103 (a) Use the Florida Education and Training Placement
 104 Information Program for data relating to the employment,
 105 earnings, continuing education, and receipt of public assistance
 106 by graduates of a degree program from a state university.
 107 (b) Use the Integrated Postsecondary Education Data System
 108 or its equivalent for calculating the average student loan debt
 109 of a graduate of a degree program from a state university.
 110 (c) Include data on the employment of graduates of a degree
 111 program from a state university the year after the degree is
 112 earned by number and percentage and for graduates employed full
 113 time in the year after graduation by number and percentage.
 114 Beginning with the 2013-2014 fiscal year, the report must
 115 include the employment data of graduates of a degree program
 116 from a state university 5 years after graduation by number and

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percentage.

(d) Include data on the earnings of graduates of a degree program from a state university the year after earning the degree by the following levels on a quarterly and annualized basis, rounded to the nearest dollar:

1. Quarterly wages of \$6,250 and annualized wages of \$25,000 and below.

2. Quarterly wages between \$6,251 and \$11,250 and annualized wages between \$25,001 and \$45,000.

3. Quarterly wages of \$11,251 and annualized wages of \$45,001 and above.

Beginning with the 2013-2014 fiscal year, the report must include earnings data by graduates of a degree program from a state university 5 years after graduation.

(e) Include the percentage of graduates, by degree and by education delivery system, who are continuing their education.

(f) Include data on the percentage of graduates of a state university degree program who are receiving public assistance, such as Temporary Assistance to Needy Families or the food assistance program.

(g) Include data on the average student loan debt by degree level of a graduate of a state university.

(h) Include the following information on State University System bachelor's degree graduates by degree and by institution:

1. The number of graduates each year.

2. The number and percentage of graduates who are employed full time in the year after earning the degree and, beginning with the 2013-2014 fiscal year, 5 years after earning the

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degree.

3. The average annualized earnings of graduates employed full time in the year after earning the degree and the average annualized earnings in the year after earning the degree by earning level as described in paragraph (d). Beginning with the 2013-2014 fiscal year, the report must include the average annualized earnings of graduates employed full time during the 5 years after graduation and the average annualized earnings of graduates 5 years after graduation by earning level as described in paragraph (d).

4. The number and percentage of graduates who are pursuing continuing education in the year following the earning of the degree.

(i) Include information on State University System degrees awarded above a bachelor's degree by degree and by institution using the requirements described in paragraph (h).

(j) Include data on the employment and earnings of Florida College System institution graduates who have earned baccalaureate degrees, associate in arts degrees, and associate in science degrees, as well as students who have earned industry certifications at Florida College System institutions, using the information required in paragraph (h).

(k) Include data on the employment and earnings of students who earn an industry certification, as described in ss. 1003.492 and 1003.493, which is listed in the Industry Certified Funding List adopted by State Board of Education rule, using the requirements described in paragraph (h).

(2) The Department of Economic Opportunity shall submit a link to the report to the Governor, the President of the Senate,

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the Speaker of the House of Representatives, the State Board of Education, the Board of Governors, each state university, each Florida College System institution, and each school district by August 1 of each year.

Section 2. Section 445.09, Florida Statutes, is created to read:

445.09 Recruitment of students in technology and engineering.-

(1) The Department of Economic Opportunity, in coordination with Workforce Florida, Inc., shall recruit students who meet the following requirements and match them to potential employers:

(a) A student who is enrolled at a state university in a degree program in technology or engineering. A student who leaves his or her degree program to obtain employment may not be reported as a "noncompleter" under this paragraph if the student, upon leaving the degree program, has a formal plan to complete his or her degree.

(b) A student who has graduated from a state university and has a degree in technology or engineering.

(c) A student who has been identified as having earned an industry certification under ss. 1003.492 and 1003.493 in technology or engineering and which is on the Industry Certified Funding List as defined by the State Board of Education.

(2) The Department of Economic Opportunity shall enter into an agreement with the Board of Governors of the State University System to facilitate the reenrollment of any student recruited under this section who seeks to complete his or her degree program and to provide academic pathways for the timely

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completion of the degree program.

(3) This section does not abrogate the provisions of s. 1002.22 which relate to education records or the requirements of 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy Act.

Section 3. Section 445.11, Florida Statutes, is created to read:

445.11 Referral of industry certificateholders in science, technology, engineering, or mathematics.-

(1) The Department of Economic Opportunity shall refer a secondary school student who has been identified as having earned an industry certification in science, technology, engineering, or mathematics, as defined by the State Board of Education and included on the Industry Certified Funding List as described in ss. 1003.492 and 1003.493, to an online registration website established by the department or a private placement service that links the student with the following:

(a) State universities or Florida College System institutions that have programs aligned with the student's industry certification.

(b) Employment opportunities in the state which are linked to the student's industry certificate.

(c) Information relating to employment rates, salary rates, and applicable training options.

(2) This section does not abrogate the provisions of s. 1002.22 which relate to education records or the requirements of 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy Act.

Section 4. Subsection (16) is added to section 1001.03,

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233 Florida Statutes, to read:

234 1001.03 Specific powers of State Board of Education.—

235 (16) UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY,
 236 ENGINEERING, AND MATHEMATICS.—The State Board of Education, in
 237 consultation with the Board of Governors and the Department of
 238 Economic Opportunity, shall adopt a unified state plan to
 239 improve K-20 education in science, technology, engineering, and
 240 mathematics and prepare students for high-skill, high-wage, and
 241 high-demand employment.

242 Section 5. Paragraph (c) of subsection (13) of section
 243 1001.42, Florida Statutes, is amended to read:

244 1001.42 Powers and duties of district school board.—The
 245 district school board, acting as a board, shall exercise all
 246 powers and perform all duties listed below:

247 (13) RECORDS AND REPORTS.—Provide for the keeping of all
 248 necessary records and the making of all needed or required
 249 reports, as follows:

250 (c) *Reports to parents.*—

251 1. Require that, at regular intervals, reports are made by
 252 school principals or teachers to parents, apprising them of the
 253 progress being made by the students in their studies and giving
 254 other needful information.

255 2. Beginning with the course registration process for the
 256 2013-2014 school year and each year thereafter, require that
 257 school principals or classroom teachers provide secondary school
 258 students and their parents with a link to the Department of
 259 Economic Opportunity's economic security report prepared
 260 pursuant to s. 445.07.

261 Section 6. Subsections (11) and (12) are added to section

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262 1001.706, Florida Statutes, to read:

263 1001.706 Powers and duties of the Board of Governors.—

264 (11) ECONOMIC SECURITY REPORT TO STUDENTS.—Beginning with
 265 the course registration process for the 2013-2014 academic year
 266 and each year thereafter, the Board of Governors shall require a
 267 state university to provide each enrolled student with a link to
 268 the Department of Economic Opportunity's economic security
 269 report prepared pursuant to s. 445.07 during registration or
 270 earlier. In addition, the Board of Governors shall ensure that
 271 each student receives the following information each year during
 272 registration or earlier using the data described in s. 1008.39:

273 (a) The top 25 percent of degrees reported by the
 274 university in terms of highest full-time job placement and
 275 highest average annualized earnings earned in the year after
 276 earning the degree.

277 (b) The bottom 10 percent of degrees reported by the
 278 university in terms of lowest full-time job placement and lowest
 279 average annualized earnings in the year after earning the
 280 degree.

281 (12) RESEARCH AND ENDOWMENT REPORT.—The Board of Governors
 282 shall submit to the Governor, the President of the Senate, and
 283 the Speaker of the House of Representatives a report containing
 284 the following information for each state university:

285 (a) Beginning with the 2010 fall term and each fall term
 286 thereafter, the enrollment of students in science, technology,
 287 engineering, or mathematics by degree.

288 (b) Beginning with the 2011 spring term and each spring
 289 term thereafter, the graduation of students in science,
 290 technology, engineering, or mathematics by degree.

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(c) The growth or decline in the number of students described in paragraphs (a) and (b) by degree each year.

(d) The specific means by which and the frequency with which students were notified of the economic security report pursuant to subsection (11).

(e) The amount of the university's endowment.

(f) The amount of federal and state grant or research funds received by the university.

(g) The number of patents, copyrights, trademarks, or other intellectual property produced by the university.

(h) The number of start-up companies that have links to the university.

(i) The amount of private venture capital that is linked to university projects.

(j) The number of baccalaureate degrees that may be earned through the use of distance learning, the number of baccalaureate degrees that may be earned in which 50 percent of the course instruction is delivered through distance learning, and the number of students enrolled and completing baccalaureate degrees through distance learning.

Section 7. Subsection (24) is added to section 1002.20, Florida Statutes, to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(24) ECONOMIC SECURITY REPORT.—Beginning with the

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registration process for the 2013-2014 school year and each year thereafter, each middle school and high school student and his or her parent shall be provided a two-page summary of the Department of Economic Opportunity's economic security report prepared pursuant to s. 445.07, along with an Internet link to the report.

Section 8. Paragraph (a) of subsection (1) of section 1003.4156, Florida Statutes, is amended to read:

1003.4156 General requirements for middle grades promotion.—

(1) Promotion from a school composed of middle grades 6, 7, and 8 requires that:

(a) The student must successfully complete academic courses as follows:

1. Three middle school or higher courses in English. These courses shall emphasize literature, composition, and technical text.

2. Three middle school or higher courses in mathematics. Each middle school must offer at least one high school level mathematics course for which students may earn high school credit. Successful completion of a high school level Algebra I or geometry course is not contingent upon the student's performance on the end-of-course assessment required under s. 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012 school year, to earn high school credit for an Algebra I course, a middle school student must pass the Algebra I end-of-course assessment, and beginning with the 2012-2013 school year, to earn high school credit for a geometry course, a middle school student must pass the geometry end-of-course assessment.

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3. Three middle school or higher courses in social studies, one semester of which must include the study of state and federal government and civics education. Beginning with students entering grade 6 in the 2012-2013 school year, one of these courses must be at least a one-semester civics education course that a student successfully completes in accordance with s. 1008.22(3)(c) and that includes the roles and responsibilities of federal, state, and local governments; the structures and functions of the legislative, executive, and judicial branches of government; and the meaning and significance of historic documents, such as the Articles of Confederation, the Declaration of Independence, and the Constitution of the United States.

4. Three middle school or higher courses in science. Successful completion of a high school level Biology I course is not contingent upon the student's performance on the end-of-course assessment required under s. 1008.22(3)(c)2.a.(II). However, beginning with the 2012-2013 school year, to earn high school credit for a Biology I course, a middle school student must pass the Biology I end-of-course assessment.

5. One career-themed course ~~in career and education planning~~ to be completed in 6th, 7th, or 8th grade. The course may be taught by any member of the instructional staff; must result in a completed personalized academic and career plan for the student; must emphasize technology or the application of technology in other career fields; and must include instruction using the Department of Economic Opportunity's economic security report as described in s. 445.07 ~~must include career exploration using Florida CHOICES or a comparable cost-effective program;~~

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~~must include educational planning using the online student advising system known as Florida Academic Counseling and Tracking for Students at the Internet website FACTS.org; and shall result in the completion of a personalized academic and career plan.~~ The required personalized academic and career plan must inform students of high school graduation requirements, high school assessment and college entrance test requirements, Florida Bright Futures Scholarship Program requirements, state university and Florida College System institution admission requirements, and programs through which a high school student can earn college credit, including Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, dual enrollment, ~~career academy opportunities,~~ and courses that lead to national industry certification.

A student with a disability, as defined in s. 1007.02(2), for whom the individual education plan team determines that an end-of-course assessment cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have the end-of-course assessment results waived for purposes of determining the student's course grade and completing the requirements for middle grades promotion. Each school must ~~hold a parent meeting either in the evening or on a weekend to~~ inform parents about the course curriculum and activities. Each student shall complete a ~~an electronic~~ personal education plan that must be signed by the student, ~~the student's instructor, guidance counselor, or academic advisor,~~ and the student's parent. Each school district ~~The Department of Education~~ shall develop or adopt the career-themed course,

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subject to approval by the Department of Education ~~frameworks~~
~~and professional development materials for the career~~
~~exploration and education planning course~~. The course may be
 implemented as a stand-alone course or integrated into another
~~career-themed~~ course or courses. The Commissioner of Education
 shall collect longitudinal high school course enrollment data by
 student ethnicity in order to analyze course-taking patterns.

Section 9. Subsection (4) is added to section 1003.4935,
 Florida Statutes, to read:

1003.4935 Middle school career and professional academy
 courses.—

(4) The State Board of Education shall adopt rules pursuant
to ss. 120.536(1) and 120.54 to identify industry certifications
in science, technology, engineering, or mathematics offered in
middle school to be included on the Industry Certified Funding
List and which are eligible for additional full-time equivalent
membership under s. 1011.62(1).

Section 10. Subsection (1) of section 1008.39, Florida
 Statutes, is amended to read:

1008.39 Florida Education and Training Placement
 Information Program.—

(1) The Department of Education shall develop and maintain
 a continuing program of information management named the
 "Florida Education and Training Placement Information Program,"
 the purpose of which is to compile, maintain, and disseminate
 information concerning the educational histories, placement and
 employment, enlistments in the United States armed services, and
 other measures of success of former participants in state
 educational and workforce development programs. Placement and

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employment information shall contain data appropriate to
 calculate job retention and job retention rates. The Department
of Education shall include in the information former
participants who leave the state or who are self-employed. The
department may contract with an entity to provide the
information.

Section 11. Paragraphs (a) and (e) of subsection (16) of
 section 1009.24, Florida Statutes, are amended to read:

1009.24 State university student fees.—

(16) Each university board of trustees may establish a
 tuition differential for undergraduate courses upon receipt of
 approval from the Board of Governors. The tuition differential
 shall promote improvements in the quality of undergraduate
 education and shall provide financial aid to undergraduate
 students who exhibit financial need.

(a) Seventy percent of the revenues from the tuition
 differential shall be expended for purposes of undergraduate
 education. Such expenditures may include, but are not limited
 to, increasing course offerings, improving graduation rates,
 increasing the percentage of undergraduate students who are
 taught by faculty, decreasing student-faculty ratios, providing
 salary increases for faculty who have a history of excellent
 teaching in undergraduate courses, improving the efficiency of
 the delivery of undergraduate education through academic
 advisement and counseling, and reducing the percentage of
 students who graduate with excess hours. This expenditure for
 undergraduate education may not be used to pay the salaries of
 graduate teaching assistants. A state university may expend up
to 50 percent of the remaining revenues from the tuition

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465 differential or the equivalent amount of revenues from private
 466 sources to provide financial aid to undergraduate students who
 467 exhibit financial need and who are pursuing a degree described
 468 in s. 1011.905(1). The remainder of the revenues ~~Except as~~
 469 ~~otherwise provided in this subsection, the remaining 30 percent~~
 470 ~~of the revenues from the tuition differential, or the equivalent~~
 471 ~~amount of revenue from private sources,~~ shall be expended to
 472 provide financial aid to other undergraduate students who
 473 exhibit financial need, including students who are scholarship
 474 recipients under s. 1009.984, to meet the cost of university
 475 attendance. This expenditure for need-based financial aid shall
 476 not supplant the amount of need-based aid provided to
 477 undergraduate students in the preceding fiscal year from
 478 financial aid fee revenues, the direct appropriation for
 479 financial assistance provided to state universities in the
 480 General Appropriations Act, or from private sources. The total
 481 amount of tuition differential waived under subparagraph (b)8.
 482 may be included in calculating the expenditures for need-based
 483 financial aid to undergraduate students required by this
 484 subsection. If the entire tuition and fee costs of resident
 485 students who have applied for and received Pell Grant funds have
 486 been met and the university has excess funds remaining from the
 487 30 percent of the revenues from the tuition differential
 488 required to be used to assist students who exhibit financial
 489 need, the university may expend the excess portion in the same
 490 manner as required for the other 70 percent of the tuition
 491 differential revenues.

492 (e) The Board of Governors shall submit a report to the
 493 President of the Senate, the Speaker of the House of

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494 Representatives, and the Governor describing the implementation
 495 of the provisions of this subsection no later than January 1,
 496 2010, and no later than January 1 each year thereafter. The
 497 report shall summarize proposals received by the board during
 498 the preceding fiscal year and actions taken by the board in
 499 response to such proposals. In addition, the report shall
 500 provide the following information for each university that has
 501 been approved by the board to assess a tuition differential:

- 502 1. The course or courses for which the tuition differential
- 503 was assessed and the amount assessed.
- 504 2. The total revenues generated by the tuition
- 505 differential.
- 506 3. With respect to waivers authorized under subparagraph
- 507 (b)8., the number of students eligible for a waiver, the number
- 508 of students receiving a waiver, and the value of waivers
- 509 provided.
- 510 4. Detailed expenditures of the revenues generated by the
- 511 tuition differential.
- 512 5. Changes in retention rates, graduation rates, the
- 513 percentage of students graduating with more than 110 percent of
- 514 the hours required for graduation, pass rates on licensure
- 515 examinations, the number of undergraduate course offerings, the
- 516 percentage of undergraduate students who are taught by faculty,
- 517 student-faculty ratios, and the average salaries of faculty who
- 518 teach undergraduate courses.
- 519 6. The number of students, by program enrollment and by
- 520 degree, served under the tuition differential designated for
- 521 students who exhibit financial need and who are pursuing a
- 522 degree described in s. 1011.905(1).

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Section 12. Paragraph (o) of subsection (1) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(o) *Calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs pursuant to ss. 1003.491, 1003.492, 1003.493, and 1003.4935 and identified in the Industry Certified Funding List pursuant to rules adopted by the State Board of Education.*—

1. A value of 0.1, 0.2, or 0.3 full-time equivalent student membership shall be calculated for each student who completes an industry-certified career and professional academy program under ss. 1003.491, 1003.492, 1003.493, and 1003.4935 and who is issued the highest level of industry certification identified annually in the Industry Certification Funding List approved under rules adopted by the State Board of Education and a high school diploma. The maximum full-time equivalent student membership value for any student is 0.3. The Department of Education shall assign the appropriate full-time equivalent value for each certification, 50 percent of which is based on

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rigor and the remaining 50 percent on employment value. The State Board of Education shall include the assigned values in the Industry Certification Funding List under rules adopted by the state board. Rigor shall be based on the number of instructional hours, including work experience hours, required to earn the certification, with a bonus for industry certifications that have a statewide articulation agreement for college credit approved by the State Board of Education. Employment value shall be based on the entry wage, growth rate in employment for each occupational category, and average annual openings for the primary occupation linked to the industry certification. Such value shall be added to the total full-time equivalent student membership in secondary career education programs for grades 9 through 12 in the subsequent year for courses that were not funded through dual enrollment. ~~The additional full-time equivalent membership authorized under this paragraph may not exceed 0.3 per student. Each district must allocate at least 80 percent of the funds provided for industry certification, in accordance with this paragraph, to the program that generated the funds. Unless a different amount is specified in the General Appropriations Act, the appropriation for this calculation is limited to \$15 million annually. If the appropriation is insufficient to fully fund the total calculation, the appropriation shall be prorated.~~

2. Upon promotion to the 9th grade, a value of 0.1 full-time equivalent student membership shall be calculated for each student who completes an industry-certified career and professional course under s. 1003.4935 and who is issued the highest level of industry certification in science, technology,

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581 engineering, or mathematics identified on the Industry
582 Certification Funding List under rules adopted by the State
583 Board of Education.

584 3. The additional full-time equivalent membership
585 authorized under this paragraph may not exceed 0.3 per student.

586 4. Each district must allocate at least 80 percent of the
587 funds provided for industry certification in accordance with
588 this paragraph to the program that generated the funds.

589 5. Unless a different amount is specified in the General
590 Appropriations Act, the appropriation for the calculations under
591 this paragraph is limited to \$15 million. If the appropriation
592 is insufficient to fully fund the total calculation, the
593 appropriation shall be prorated.

594 Section 13. Section 1011.905, Florida Statutes, is created
595 to read:

596 1011.905 Performance funding for state universities.—

597 (1) For the 2012-2013 fiscal year through the 2015-2016
598 fiscal year, the Board of Governors shall review and rank each
599 state university that applies for performance funding based on
600 the following formula:

601 (a) Twenty-five percent of a state university's score shall
602 be based on the percentage of employed graduates who have earned
603 degrees in the following programs:

604 1. Computer and information science;

605 2. Computer engineering;

606 3. Information systems technology;

607 4. Information technology; and

608 5. Management information systems.

609 (b) Twenty-five percent of a state university's score shall

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610 be based on the percentage of graduates who earned baccalaureate
611 degrees in the programs in paragraph (a) and who earned industry
612 certifications in a related field from a Florida College System
613 institution or state university prior to graduation.

614 (c) Fifty percent of a state university's score shall be
615 based on factors determined by the Board of Governors which
616 relate to increasing the probability that graduates who have
617 earned degrees in the programs described in paragraph (a) will
618 be employed in high-skill, high-wage, and high-demand
619 employment.

620 (2) The state university that has the highest score shall
621 be ranked first, with each remaining state university ranked
622 sequentially by score.

623 (3) (a) Each year, the Board of Governors shall award up to
624 \$15 million to the highest-ranked state universities from funds
625 appropriated for the purposes in this section and as specified
626 in the General Appropriations Act. The award per state
627 university shall be a minimum of 20 percent of the total amount
628 appropriated pursuant to this section.

629 (b) The funds shall be awarded to the department of the
630 state university which offers the degrees described in paragraph
631 (1) (a).

632 (c) The funds may not be used to supplant funding for the
633 degree programs described in paragraph (1) (a).

634 (4) Beginning with the 2012-2013 fiscal year, the Board of
635 Governors shall submit a report containing the rankings and
636 award distributions to the Governor, the President of the
637 Senate, and the Speaker of the House of Representatives by
638 December 31 of each year.

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639

Section 14. This act shall take effect July 1, 2012.

THE FLORIDA SENATE
APPEARANCE RECORD

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

Waive

2-9-12

Meeting Date

Topic STEM + Employment

Bill Number 1366

(if applicable)

Name Tanice Gilley

Amendment Barcode _____

(if applicable)

Job Title Gov't Relations

Address 11000 University Parkway

Street

Phone 850.384.2135

Pensacola, FL 32514

City

State

Zip

E-mail jsilley@unf.edu

Speaking:



For



Against



Information

Representing University of West FL

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 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

waive in support

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

Feb. 9, 2012
Meeting Date

Topic Education

Bill Number 1366
(if applicable)

Name Ryan West

Amendment Barcode _____
(if applicable)

Job Title Policy Director

Address 136 South Bronough Street
Street

Phone 850 521-1200

Tallahassee FL 32301
City State Zip

E-mail rwest@flchamber.com

Speaking: ☒ For ☐ Against ☐ Information

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.

S-001 (10/20/11)

THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Budget - Subcommittee on Transportation, Tourism,
and Economic Development Appropriations, *Chair*
Reapportionment, *Chair*
Budget
Budget - Subcommittee on Health and Human Services
Appropriations
Commerce and Tourism
Health Regulation
Rules
Rules - Subcommittee on Ethics and Elections

JOINT COMMITTEE:

Legislative Budget Commission

SENATOR DON GAETZ

4th District

February 9, 2012

The Honorable Steve Oelrich
Chairman
Committee on Higher Education
418 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear Senator Oelrich,

I respectfully request that Eric Edwards from my staff present Senate Bill 1366 on my behalf in the Committee on Higher Education, today, February 9, 2012.

Thank you for your consideration.

Respectfully,



Senator Don Gaetz

cc: Lynda deMarsh-Mathues

REPLY TO:

- ☐ 4300 Legendary Drive, Suite 230, Destin, Florida 32541 (850) 897-5747
- ☐ 420 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5009

Senate's Website: www.flsenate.gov

MIKE HARIDOPOLOS
President of the Senate

MICHAEL S. "MIKE" BENNETT
President Pro Tempore

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Higher Education Committee

BILL: SJR 1508

INTRODUCER: Senator Montford

SUBJECT: Board of Governors/Membership

DATE: February 8, 2012

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harkey	deMarsh-Mathues	HE	Favorable
2.			JU	
3.			EE	
4.			RC	
5.				
6.				

I. Summary:

The Senate Joint Resolution proposes an amendment to Section 7, Article IX of the Florida Constitution to change the designation of the board's student member. The resolution would require the Governor to appoint the student body president of a state university, rather than the president of the Florida Student Association, as a member of the Board of Governors.

This joint resolution proposes an amendment to Art. IX, s. 7, of the Florida Constitution.

II. Present Situation:

The State Constitution establishes the Board of Governors (BOG) as a 17-member body corporate to manage the state university system.¹ The Governor must appoint 14 citizen members who are confirmed by the Florida Senate and serve staggered terms of seven years. In addition, the Commissioner of Education, the chair of the advisory council of faculty senates, and the president of the Florida Student Association (FSA) serve as members.

According to the BOG, elections for the student government president at each state university are held during the spring semester.² Student government presidents serve a one-year term. The FSA consists of state university student government presidents whose membership in this organization is voluntary. In 2010, the Florida State University Student Government President withdrew from membership in the FSA. The other ten university student bodies are represented currently through their student government presidents. The student member of the BOG,

¹ Fla. Const., art. IX, s.7.

² Board of Governors legislative bill analysis, February 6, 2012, on file with the committee.

currently the President of the FSA, advises the Board on all system-wide student issues that come before the BOG. Additionally, the FSA membership works closely with the Chancellor on issues of importance to the students of the State University System (SUS).³

III. Effect of Proposed Changes:

This joint resolution proposes to amend the State Constitution to increase the number of BOG members appointed by the Governor from 14 to 15, and to require one of the Governor's appointees to be a state university student body president. The student body president must be appointed to a one-year term and not be subject to Senate confirmation. The joint resolution deletes the requirement that the president of the Florida Student Association be a member of the BOG and provides that a student body president cannot be appointed to the BOG from the same state university for two consecutive years.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

An amendment to the State Constitution may be proposed by the Legislature by a joint resolution agreed to by three-fifths of the membership of each house.⁴ A proposed amendment placed on the ballot must be approved by at least 60 percent of the electors voting on the measure in order to become an amendment to the constitution.⁵

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

³ *Id.*

⁴ Fla. Const., Art. XI, s. 1.

⁵ Fla. Const., Art. XI, s. 5(e).

C. Government Sector Impact:

According to the BOG, the provisions of the bill will not create a fiscal impact to the SUS.

Each proposed constitutional amendment is required to be published in a newspaper of general circulation in each county, once in the sixth week and once in the tenth week preceding the general election.⁶ Costs for advertising vary depending upon the length of the amendment. The Department of State estimates an average cost of \$106.14 per word for advertising an amendment.⁷

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

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

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

None.

B. Amendments:

None.

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

⁶ Fla. Const., art. XI, s. 5(d).

⁷ Communication with Department of State staff, February 8, 2012.



348956

LEGISLATIVE ACTION

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

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

Senate Amendment

Delete everything after the resolving clause
and insert:

That the following amendment to Section 7 of Article IX of
the State Constitution is agreed to and shall be submitted to
the electors of this state for approval or rejection at the next
general election or at an earlier special election specifically
authorized by law for that purpose:

ARTICLE IX

EDUCATION

SECTION 7. State University System.—



348956

13 (a) PURPOSES. In order to achieve excellence through
14 teaching students, advancing research and providing public
15 service for the benefit of Florida's citizens, their communities
16 and economies, the people hereby establish a system of
17 governance for the state university system of Florida.

18 (b) STATE UNIVERSITY SYSTEM. There shall be a single state
19 university system comprised of all public universities. A board
20 of trustees shall administer each public university and a board
21 of governors shall govern the state university system.

22 (c) LOCAL BOARDS OF TRUSTEES. Each local constituent
23 university shall be administered by a board of trustees
24 consisting of thirteen members dedicated to the purposes of the
25 state university system. The board of governors shall establish
26 the powers and duties of the boards of trustees. Each board of
27 trustees shall consist of six citizen members appointed by the
28 governor and five citizen members appointed by the board of
29 governors. The appointed members shall be confirmed by the
30 senate and serve staggered terms of five years as provided by
31 law. The chair of the faculty senate, or the equivalent, and the
32 president of the student body of the university shall also be
33 members.

34 (d) STATEWIDE BOARD OF GOVERNORS. The board of governors
35 shall be a body corporate consisting of seventeen members. The
36 board shall operate, regulate, control, and be fully responsible
37 for the management of the whole university system. These
38 responsibilities shall include, but not be limited to, defining
39 the distinctive mission of each constituent university and its
40 articulation with free public schools and community colleges,
41 ensuring the well-planned coordination and operation of the



348956

42 system, and avoiding wasteful duplication of facilities or
43 programs. The board's management shall be subject to the powers
44 of the legislature to appropriate for the expenditure of funds,
45 and the board shall account for such expenditures as provided by
46 law. The governor shall appoint to the board fourteen citizens
47 dedicated to the purposes of the state university system. The
48 appointed members shall be confirmed by the senate and serve
49 staggered terms of seven years as provided by law. The
50 commissioner of education, the chair of the advisory council of
51 faculty senates, or the equivalent, and a student body president
52 from the state university system duly elected by the other
53 student body presidents of the state university system on or
54 before May 30 of each year ~~and the president of the Florida~~
55 ~~student association, or the equivalent,~~ shall also be members of
56 the board.

57 BE IT FURTHER RESOLVED that the following statement be
58 placed on the ballot:

59 CONSTITUTIONAL AMENDMENT

60 ARTICLE IX, SECTION 7

61 APPOINTMENT OF STUDENT BODY PRESIDENT TO BOARD OF GOVERNORS
62 OF THE STATE UNIVERSITY SYSTEM.—Proposing an amendment to the
63 State Constitution to remove the Florida Student Association, or
64 the equivalent, as the organization responsible for electing the
65 student member of the Board of Governors of the State University
66 System and to require instead that the state university student
67 body presidents elect one of the state university student body
68 presidents to the Board of Governors on or before May 30 of each
69 year.

By Senator Montford

6-01131-12

20121508

Senate Joint Resolution

A joint resolution proposing an amendment to Section 7 of Article IX of the State Constitution to replace the president of the Florida Student Association or the equivalent as a member of the Statewide Board of Governors with the student body president of a state university.

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

That the following amendment to Section 7 of Article IX of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE IX

EDUCATION

SECTION 7. State University System.—

(a) PURPOSES. In order to achieve excellence through teaching students, advancing research and providing public service for the benefit of Florida's citizens, their communities and economies, the people hereby establish a system of governance for the state university system of Florida.

(b) STATE UNIVERSITY SYSTEM. There shall be a single state university system comprised of all public universities. A board of trustees shall administer each public university and a board of governors shall govern the state university system.

(c) LOCAL BOARDS OF TRUSTEES. Each local constituent university shall be administered by a board of trustees

6-01131-12

20121508

consisting of thirteen members dedicated to the purposes of the state university system. The board of governors shall establish the powers and duties of the boards of trustees. Each board of trustees shall consist of six citizen members appointed by the governor and five citizen members appointed by the board of governors. The appointed members shall be confirmed by the senate and serve staggered terms of five years as provided by law. The chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

(d) STATEWIDE BOARD OF GOVERNORS. The board of governors shall be a body corporate consisting of seventeen members. The board shall operate, regulate, control, and be fully responsible for the management of the whole university system. These responsibilities shall include, but not be limited to, defining the distinctive mission of each constituent university and its articulation with free public schools and community colleges, ensuring the well-planned coordination and operation of the system, and avoiding wasteful duplication of facilities or programs. The board's management shall be subject to the powers of the legislature to appropriate for the expenditure of funds, and the board shall account for such expenditures as provided by law. The governor shall appoint to the board fifteen ~~fourteen~~ citizens dedicated to the purposes of the state university system, one of whom must be the student body president of a state university. The appointed members shall be confirmed by the senate and serve staggered terms of seven years as provided by law, except that the state university student body president appointed to the board shall serve a term of one year and is not

6-01131-12

20121508__

59 subject to senate confirmation. A student body president is not
60 eligible for appointment if the student body president appointed
61 to the board in the previous year was from the same state
62 university. The commissioner of education ~~and,~~ the chair of the
63 advisory council of faculty senates, or the equivalent, ~~and the~~
64 ~~president of the Florida student association, or the equivalent,~~
65 shall also be members of the board.

66 BE IT FURTHER RESOLVED that the following statement be
67 placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE IX, SECTION 7

70 APPOINTMENT OF STUDENT BODY PRESIDENT TO BOARD OF GOVERNORS
71 OF THE STATE UNIVERSITY SYSTEM.—Proposing an amendment to the
72 State Constitution to remove the president of the Florida
73 Student Association, or the equivalent, as a member of the Board
74 of Governors of the State University System and to require that
75 the Governor appoint a state university student body president
76 to the Board of Governors. Specifically, the amendment requires
77 that a state university student body president must be one of 15
78 citizen members appointed to the Board of Governors by the
79 Governor, except the state university student body president is
80 not subject to confirmation by the Senate and the term of
81 appointment is 1 year. The amendment also provides that a
82 student body president of a state university is not eligible for
83 appointment if the student body president appointed to the Board
84 of Governors in the previous year was from the same state
85 university.

THE FLORIDA SENATE
APPEARANCE RECORD

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

Spoke

2/9/2012
Meeting Date

Topic BOG Committee Bill Number 1508
Name Asimina Boutoukas Amendment Barcode 348956
Job Title Director, Governmental Affairs (if applicable)
Address 2110 Jackson Bluff Rd Apt 208 Phone 727 504 9041
Tallahassee FL 32304 E-mail asiminaab@gmail.com
City State Zip
Speaking: ☐ For ☒ Against ☐ Information
Representing FSU Student Government Association
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 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/9/2012

Meeting Date

Spoke

Topic establishing BOG

Bill Number 1508

Name Billy Vranish

Amendment Barcode 348956 (if applicable)

Job Title Dir. External Affairs @ University of Florida

(if applicable)

Address 1926 W. University Ave

Phone 813-803-0116

Street

Gainesville

FL

32603

City

State

Zip

E-mail bvrnish@ufl.edu

Speaking: ☐ For ☒ Against ☐ Information

Representing University of Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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S-001 (10/20/11)

Spoke

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/9/12

Meeting Date

Topic

SB 1508 Amendment 348956

Bill Number

1508

Name

ROBERT STUART

Amendment Barcode

348956

(if applicable)

(if applicable)

Job Title

GOVERNMENT CONSULTANT (407)

Address

301 E PINE ST

Phone

843-8880

Street

ORLANDO

FL

32801

City

State

Zip

E-mail

RSTUART@GRAY-ROBINSON.COM

Speaking:



For



Against



Information

Representing

UCF STUDENT GOVERNMENT

Appearing at request of Chair:



Yes



No

Lobbyist registered with Legislature:



Yes



No

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

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THE FLORIDA SENATE
APPEARANCE RECORD

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Waive

2/9/12

Meeting Date

Topic SB 1508

Bill Number SB 1508
(if applicable)

Name Mike Long

Amendment Barcode _____
(if applicable)

Job Title Student President, New College

Address Box 620 6800 Bayshore Rd.

Phone (941) 219-9847

Street

Sarasota

City

FL

State

34243

Zip

E-mail Michael.Long@ncc.edu

Speaking: ☐ For ☒ Against ☐ Information

Representing Florida Student Association

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

Wine

Meeting Date _____

Topic BOG / Student Government Bill Number SB1508
(if applicable)
Name Kathleen Daly Amendment Barcode _____
(if applicable)
Job Title Assistant Vice Pres. Governmental Relations
Address Westcott Phone _____
Street
City _____ State _____ Zip _____
E-mail _____

Speaking: ☒ For ☐ Against ☐ Information

Representing Florida state University

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

Waive

2/9/12

Meeting Date

Topic Board of Governors

Bill Number 1508
(if applicable)

Name Rueben Stokes

Amendment Barcode _____
(if applicable)

Job Title Student Body President-elect

Address 228 Dixie Drive

Phone 954-303-6047

Street

Tallahassee FL 32304

City

State

Zip

E-mail rm508c@my.fsu.edu

Speaking: ☒ For ☐ Against ☐ Information

Representing Student Government Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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Waive

2/9/2012
Meeting Date

Topic Board of Governors Student seat Bill Number SB1508
(if applicable)

Name Asimina Bouctoukas Amendment Barcode _____
(if applicable)

Job Title Director, Office of Governmental Affairs

Address 2110 Jackson Bluff Rd Apt 209 Phone 7275049041
Street
Tallahassee FL 32304 E-mail asiminaab@gmail.com
City State Zip

Speaking: ☒ For ☐ Against ☐ Information

Representing FSU Student Government Association

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

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

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

Spoke

2/9/2012

Meeting Date

Topic student rep on BOG Bill Number SJR1508
Name Billy Vranish Amendment Barcode _____ (if applicable)
Job Title Dir. External Affairs @ University of Florida (if applicable)
Address 1926 W. University Ave Phone 813-503-0116
Gainesville FL 32603 E-mail bvrnish@ufl.edu
City State Zip
Speaking: ☒ For ☐ Against ☐ Information
Representing University of Florida
Appearing at request of Chair: ☐ Yes ☒ No Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

Spoke

2/9/12

Meeting Date

Topic BOG

Bill Number 1508
(if applicable)

Name Patrick O'Keefe

Amendment Barcode _____
(if applicable)

Job Title Student Government President

Address 10220 SW 16th St
Street

Phone (305) 741-6450

Miami FL 33165
City State Zip

E-mail pokeefe@fiu.edu

Speaking: ☐ For ☒ Against ☐ Information

Representing Florida Student Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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Waive

2/9/12

Meeting Date

Topic BOS / Student Body President

Bill Number SJR 1508
(if applicable)

Name Janet D. Owen

Amendment Barcode _____
(if applicable)

Job Title V.P. Governmental Affairs, UNF

Address 1 UNF Drive

Phone (904) 699-9750

Street

Jacksonville, FL 32224

City

State

Zip

E-mail jowen@unf.edu

Speaking: ☐ For ☒ Against ☐ Information

Representing UNF

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-9-12

Meeting Date

Wain

Topic _____

Bill Number 1508
(if applicable)

Name David Mann

Amendment Barcode _____
(if applicable)

Job Title Director of Govt. Relations

Address 777 GLADES Road
Street
Boca Raton, FL 33431
City State Zip

Phone 561-297-2003

E-mail dmann@FAU.edu

Speaking: ☐ For ☒ Against ☐ Information

Representing FAU

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

February 9, 2012
Meeting Date

Waive

Topic Board of Governors / Membership Bill Number SJR 1508
(if applicable)
Name Lauren Schuetz Amendment Barcode _____
(if applicable)
Job Title Student Body President
Address 10501 FGCU Blvd S. Phone 239-590-7873
Street
Fort Myers FL 33965 E-mail sgprw@fgcu.edu
City State Zip

Speaking: ☐ For ☒ Against ☐ Information

Representing Florida Gulf Coast University Student Government

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

Waive

2/9/11

Meeting Date

Topic _____ →

Bill Number SB 1508
(if applicable)

Name Bryan Love

Amendment Barcode _____
(if applicable)

Job Title SCA President Florida A+M

Address 1909 Holton street

Phone 850-228-7544

Tallahassee FL 32310
City State Zip

E-mail bryanlove@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Representing FSA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/9/12
Meeting Date

Waive
Spoke

Topic Student Board of Governors Seat

Bill Number 1508
(if applicable)

Name Matt Brockelman

Amendment Barcode _____
(if applicable)

Job Title President, UNF SGA

Address 267 Key West Dr
Street

Phone (904) 451-6549

Jacksonville FL 32225
City State Zip

E-mail sgapres@unf.edu

Speaking: ☐ For ☒ Against ☐ Information

Representing University of North Florida student body

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

Waive

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

2/9/2012

Meeting Date

Topic Student Board of Governors Seat

Bill Number 1508
(if applicable)

Name Matt Diaz

Amendment Barcode _____
(if applicable)

Job Title USF Student Body President

Address 4202 E. Fowler Ave MSC 4300
Street

Phone 941 284 7235

Tampa FL 33620
City State Zip

E-mail madiaz4@usf.edu

Speaking: ☐ For ☒ Against ☐ Information

Representing University of South Florida Student Body

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

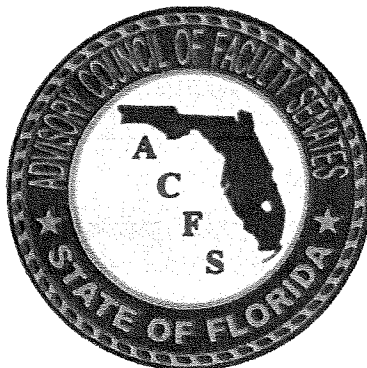
While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

S-001 (10/20/11)

Advisory Council of Faculty Senates

RESOLUTION



CONCERNING Student Representation on the Florida Board of Governors

WHEREAS, the faculty representative who serves as a full voting member of the Florida Board of Governors is elected by the members of the ACFS; and

WHEREAS, the ACFS recognizes that both the faculty representative and student representative are unique positions to the Board of Governors, each representing a clear constituency group (the ACFS and Florida Student Association), and that communication through these representatives is a critical component of representing these constituencies to the Board; and

WHEREAS, the current process of election of the student representative that occurs by student body presidents from Florida's 11 universities within the Florida Student Association is an inherently democratic process that has served the Board well since its inception; and

WHEREAS, Senate Bill 1508 and House Bill 931 propose to eliminate the democratic process of election and propose rather that the student representative to the Board be selected by a gubernatorial appointment; and

WHEREAS, the ACFS feels a change to the constitution of the State of Florida to amend the process of selection for student representation on the Florida Board of Governors is not the most effective use of the state's time and resources,

NOW, THEREFORE, BE IT RESOLVED that the ACFS strongly opposes SB 1508 and HB 931.

Adopted this ___ day of January 2012 by the membership of the ACFS

**Florida Student Association opposes HB931/SB1508,
which would silence the voice of Florida's students**

1. How does HB931/SB1508 silence the voice of Florida's students?

This action calls for an amendment to Florida's Constitution that would remove the rights of students to elect their own representative to the Board of Governors of the State University System. Instead, future student representatives would be appointed by the Governor.

2. What is the current process for selecting the student member of the Board of Governors?

According to Florida's Constitution, the chair of the Florida Student Association (FSA) serves as the student member on the Board of Governors. The student body presidents of all 11 universities within the State University System have the right to run for and vote in the election of the chair of FSA. This process is a fine example of a representative democracy and has provided the Board of Governors with a diverse and highly competent group of student representatives from institutions of all sizes since the creation of the Board in 2002. This process holds the student member accountable to his or her fellow student body presidents and ensures that all 11 schools can be represented, not just the student member's home institution. (The faculty select their representative in a similar manner.)

3. Does a university have to pay dues for its student body president to be a full voting member of the FSA? Is there a "Pay to Play" requirement?

No. FSA bylaws were updated after a similar bill was filed during the previous Legislative Session so that the only requirement to be a member of the FSA is to be a democratically elected student body president from a university within the State University System. That means every student body president has the equal opportunity to vote and to be elected to serve as chair of the FSA, and to potentially represent all students of the State University System as a member of the Board of Governors. No dues are required.

4. Couldn't FSA decide later to change the rules and require dues in the future?

The only way dues could become a requirement for membership in the FSA is if *all* 11 university presidents *unanimously* voted and agreed to it.

5. Would this proposed amendment to Florida's Constitution exclude students from the democratic process?

Yes. This action would allow a Governor to appoint the student representative on the Board of Governors — eliminating the current opportunity for students to choose their own representative. The gubernatorial appointment process is inherently political, which could favor students from universities that are able to wield the greatest political influence.

6. How is the faculty representative to the Board of Governors chosen?

Much like the FSA process for choosing a student representative, a faculty member is elected from within the Advisory Council of Faculty Senates (ACFS) — also a separate organization that represents all 11 System institutions and *does not* require dues of its members. That faculty

member represents all faculty within the State University System as a member the Board of Governors. It is important to note that the ACFS stands with the FSA in support of the current process that allows for students to elect their own representative and has passed a statewide resolution in opposition to HB931/SB1508.

7. Which universities oppose this bill?

The following universities stand in opposition to HB931/SB1508: University of Central Florida, University of South Florida, Florida International University, Florida Atlantic University, Florida Gulf Coast University, University of North Florida, University of West Florida, Florida A & M University, New College of Florida. These universities support the current process that allows for students to elect their own representative.

8. Is the FSA a private organization that excludes universities from membership?

The FSA is non-profit organization that is open to ALL universities within the System and is simply a council of duly elected student body presidents from within the System. The FSA has represented the students of the State University System for decades.

9. How much would this constitutional amendment cost taxpayers in Florida?

The issue of student representation on the Board of Governors already has been resolved through Florida's Constitutional amendment process in 2002. Today, this effort — in just dollars and cents — is estimated to cost the State an additional \$65,000 to place on a statewide ballot! However, the real cost is beyond the financial impact because changing Florida's Constitution to restrict students from electing their own representative would silence the voice of more than 325,000 current and future students within the State University System.

10. Why is the FSA so focused on this issue?

While the members of the FSA continue to advocate for a full slate of legislative issues, it is important to take a stand against HB931/SB1508, which would unnecessarily change Florida's Constitution. The supporters of this action have argued that it is inappropriate for the FSA to charge dues to members who elect the student representative to a public board. **The FSA no longer charges dues to for membership, so HB931/SB1508 is no longer relevant.** Instead, the FSA would like the State to focus on the other important issues facing Florida's students, such as the affordability, accessibility, and quality of our universities.

ARTICLE I NAME

The name of this organization shall be the Florida Student Association, Inc.

ARTICLE II PURPOSE

The general purpose of this organization, Florida Student Association, Inc., shall be to represent the students of the State University System in all aspects of Government. The organization shall receive and administer funds exclusively for education and charitable purposes without pecuniary gain or profit, incidental or otherwise, to its members. Its purpose shall include the development of projects, undertakings, legislative educational efforts, studies, panels and other activities and programs in cooperation and in coordination with local government civic bodies for the benefit of the students in the State University System of Florida. It shall also be formed to educate and provide vital information concerning the welfare and needs of the students of the State University System of Florida to the government of the State of Florida. The corporation is constituted so that no part of the assets, income, or profit of the corporation is distributed for the benefit of its directors or officers except to the extent permitted under the not for profit corporation law, Florida Statutes Chapter 617. Part of the activities of the corporation shall include the carrying on of lobbying efforts and otherwise attempting to influence legislation but shall not include the endorsement of candidates for elected public office.

History.--Amended June 27, 1994, by Resolution 94-01; Further Amended February 2, 2012.

ARTICLE III MEMBERSHIP

SECTION 1.

Membership in this organization shall be open to all duly elected Student Government Presidents from the institutions of the State University System (SUS). Membership status shall neither be forfeited nor restricted due to the non-payment of dues or any other fiscal matters. Members of the FSA are expected to participate in conference calls, physical meetings, and email communications on a regular basis to ensure proper representation.

History.--Amended November 14, 1997, by Motion; Amended September 11, 1998, by Motion; Further Amended March 8, 2002; Further Amended July 19, 2007; Further Amended February 2, 2012.

ARTICLE IV BOARD OF DIRECTORS

SECTION 1. Powers and Duties.

A. THE BOARD OF DIRECTORS.--The Board of Directors of the Florida Student

Association, Inc., shall have the control and management of the affairs and business of this organization. The Board of Directors shall consist of the Student Government Presidents as stated in Article III and Article V.

- B. **MEMBERSHIP REPRESENTATION.**--Each member shall be entitled to one representative on the Board of Directors. That representative shall be the Student Government President or a designee authorized in writing by the Student Government President to vote during a meeting, and shall be submitted to the Chair prior to any vote by that designee.
- C. **RESIDENCY.**--In compliance with the Florida General Corporations Act, at least one of the Directors shall be a resident of the State of Florida and a citizen of the United States of America.
- D. **VACANCIES.**--Vacancies of voting members shall be filled by the applicable procedures at the respective member institution.

History.--Amended by Motion, October 23, 1998; Amended November 17, 2000, by Motion; Further Amended January, 2005, by Motion; Further Amended July 19, 2007; Further Amended February 2, 2012

ARTICLE V BOARD OFFICERS

SECTION 1. Officer Designation

- A. The Chairperson of the Board of Directors shall be designated as the Chair of the Florida Student Association, Inc.
- B. The Internal Vice-Chair of the Board of Directors shall be designated as the Internal Vice-Chair of the Florida Student Association, Inc.
- C. The Legislative Vice-Chair of the Board of Directors shall be designated as the Legislative Vice-Chair of the Florida Student Association, Inc.

SECTION 2. Officer Eligibility

Only members in good standing shall be allowed to run for an officer position. For the purposes of this Constitution, good standing is defined as "a duly elected Student Government President from one of Florida's State University System institutions."

History.--Amended by Motion, November 17, 2000; Further Amended March 8, 2002, by Motion; Further Amended July 19, 2007; Further Amended February 2, 2012

ARTICLE VI MEETINGS

SECTION 1. Planning Meetings.

The annual planning meeting of this organization shall be held no earlier than the first day of the month of June. The Chair, in consultation with the Board of Directors, shall set the meeting date, time, and location. The purpose of the planning meeting is to set forth the legislative agenda of the Florida Student Association, educate new members of the Board of Directors, and engage in planning special initiatives for the coming year.

SECTION 2. Regular Meetings.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Higher Education Committee

BILL: SB 1606

INTRODUCER: Senator Bennett

SUBJECT: Postsecondary Education Study Committee

DATE: February 8, 2012

REVISED: _____

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

I. Summary:

The bill creates the Postsecondary Education Study Committee for the purpose of evaluating and determining whether state university branch campuses should be combined with Florida College System (FCS) campuses to create a three-level postsecondary education system in the state. Members are appointed by the Governor, President of the Senate, and Speaker of the House of Representatives. Members must serve without compensation but are entitled to reimbursement for per diem and travel expense. The Committee must prepare and submit a report to the Governor and the Legislature by January 1, 2013. The law creating the committee will expire on January 1, 2013.

This bill creates one unnumbered section of law.

II. Present Situation:

Florida's Public Postsecondary Institutions

Florida's public postsecondary education system could be said to have two tiers, though they are not described as such in the laws that create them. The 28 Florida College System institutions and the county areas they serve are established in s. 1000.21, F.S. The purpose of the Florida college system institutions is to maximize open access for students, respond to community needs for postsecondary academic education and career degree education, and provide associate and baccalaureate degrees that will best meet the state's employment needs.¹ The colleges are required to deliver the associate and baccalaureate degrees that they provide in a cost-effective manner that demonstrates substantial savings to the student and to the state over the cost of

¹ s. 1001.60(1), F.S.

providing the degree at a state university.² The 11 institutions of the State University System, including 10 universities and one college, provide baccalaureate, master's and doctoral degrees. Because FCS institutions and state universities are located in all the major geographic regions of the state, an FCS institution campus and a state university campus are often located in close proximity to each other.

FCS institutions and state universities are administered by institutional boards of trustees. The FCS institutions are governed by rules of the State Board of Education. Under the State Constitution, state universities are governed by the Board of Governors.³

While the bill refers to university branch campuses, as university campuses away from the main campus commonly are called, the Board of Governors (BOG) does not use the term "branch campus," but, rather, "additional campus," in order to avoid conflict with the definition used by the regional accrediting body, the Southern Association of Colleges and Schools. BOG Regulation 8.009, Educational Sites,⁴ defines and provides processes for establishing, reclassifying, relocating, and closing educational sites. The regulation defines an additional campus as one that has received separate regional accreditation; is defined as an instructional and administrative unit of a university, apart from the main campus, that primarily offers students upper-division undergraduate and graduate programs, as well as a wide range of administrative and student support services appropriate for the number of student FTE served; and reflects a relatively permanent commitment by a university for the foreseeable future, not an occasional, time-limited, or transitory activity, in facilities which are university-owned, university-leased, or jointly used with another public institution. According to the BOG, as of June 2010, there were 16 additional campuses in the state university system.⁵

Three types of additional campuses are defined in the regulation, each providing a range of enrollment to assist in determination of the appropriate classification as follows:

- A Type I Campus is defined as a university operation that has obtained and continues to maintain an enrollment level of more than 2,000 university student FTE in courses which lead to a college degree. A Type I Campus typically provides a broad range of instruction for numerous full and partial degree programs, research activity, and an extensive complement of student services.
- A Type II Campus is defined as a university operation that has obtained and continues to maintain an enrollment level of 1,000 to 2,000 university student FTE in courses which lead to a college degree. A Type II Campus typically provides a moderate range of instruction for full and partial degree programs, limited research activity, and a moderate complement of student services.
- A Type III Campus is defined as a university operation that has obtained and continues to maintain an enrollment level of at least 300 but less than 1,000 university student FTE. The Board may, within its discretion, require an operation with less than 300 FTE to be presented to the Board for approval if the operation otherwise meets the remaining criteria in sub-paragraph (1)(b)3. of BOG Regulation 8.009. A Type III Campus typically

² s. 1001.60(2)(a), F.S.

³ Fla. Const., art IX, s. 7.

⁴ Readable at: http://www.flbog.edu/documents_regulations/regulations/8_009_2011_11_10_FINAL.pdf

⁵ BOG staff e-mail communication, February 7, 2012, on file with the committee.

provides a limited range of instruction for full and partial degree programs, limited research activity, and a limited complement of student services.

The Higher Education Coordinating Council

The Higher Education Coordinating Council⁶ was created by the 2010 Legislature to serve as an advisory board to the Legislature, State Board of Education, and the Board of Governors and to make recommendations consistent with the following guiding principles:

- To achieve within existing resources a seamless academic educational system that fosters an integrated continuum of kindergarten through graduate school education for Florida's students;
- To promote consistent education policy across all educational delivery systems, focusing on students;
- To promote substantially improved articulation across all educational delivery systems;
- To promote a system that maximizes educational access and allows the opportunity for a high-quality education for all Floridians; and
- To promote a system of coordinated and consistent transfer of credit and data collection for improved accountability purposes between the educational delivery systems.

Members of the council represent both public and private postsecondary education sectors. While the council's charge is somewhat related to the purpose of this bill, the council is not charged with addressing the possible combination of campuses or the creation of a three-tiered system.

III. Effect of Proposed Changes:

The bill creates the Postsecondary Education Study Committee for the purpose of evaluating and determining whether state university branch campuses should be combined with Florida College System (FCS) campuses to create a three-level postsecondary education system in the state.

Committee members are appointed by the Governor, President of the Senate, and Speaker of the House of Representatives. Members must serve without compensation but are entitled to reimbursement for per diem and travel expense. The committee must prepare and submit a report to the Governor and the Legislature by January 1, 2013.

The law creating the committee will expire on January 1, 2013.

There is no provision for administrative support or staffing for the Postsecondary Education Study Committee.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

⁶ 1004.015 F.S.,

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:

There will be costs associated with the reimbursement of per diem and travel expenses incurred by Committee members; however, the bill does not indicate the entity that would assume responsibility for such costs.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

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

None.

B. Amendments:

None.

By Senator Bennett

21-01174A-12

20121606__

A bill to be entitled

An act relating to postsecondary education; creating the Postsecondary Education Study Committee; providing a purpose; providing for membership; requiring that members serve without compensation, but are entitled to reimbursement for per diem and travel expenses; requiring that the committee prepare and submit a report to the Governor and the Legislature by a specified date; providing for future expiration; providing an effective date.

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

Section 1. Postsecondary Education Study Committee.-

(1) The Postsecondary Education Study Committee is created for the purpose of evaluating and determining whether state university branch campuses should be combined with community college campuses to create a three-level postsecondary education system in the state. The goal of the committee is to create the most academically and financially efficient postsecondary education system possible.

(2) (a) The committee shall be composed of 15 members, of which 5 shall be appointed by the Governor, 5 shall be appointed by the President of the Senate, and 5 shall be appointed by the Speaker of the House of Representatives. The Governor shall select a member to serve as chair.

(b) Members of the committee shall serve without compensation, but are entitled to reimbursement for per diem and travel expenses pursuant to s. 112.061, Florida Statutes.

21-01174A-12

20121606__

(3) By January 1, 2013, the committee shall prepare and submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report detailing its findings and recommendations.

(4) This section expires January 1, 2013.

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

960

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

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

Chris Corr

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

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



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

A handwritten signature in dark ink, appearing to read "Kurt Browning", is written over a horizontal line.

Secretary of State



RICK SCOTT
GOVERNOR

2012 JAN 23 PM 4:28

FLORIDA STATE
DIVISION OF ELECTIONS

January 20, 2012

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

Dear Secretary Browning:

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

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

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

Sincerely,

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

Rick Scott
Governor

RS/lm

3050

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

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

David E. Cleveland

is duly appointed a member of the

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

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



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

A handwritten signature in black ink, which appears to read "Kurt Browning", is positioned above the title "Secretary of State".

Secretary of State

DSDE 99 (3/03)

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

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



STATE
UNIVERSITY
SYSTEM
of FLORIDA
Board of Governors

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

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

June 29, 2011

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

Dear Mr. Cleveland:

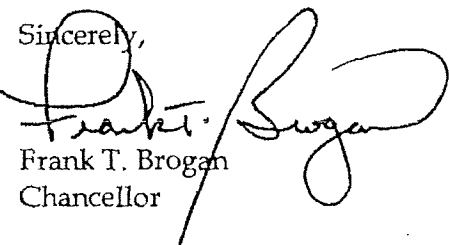
On Thursday, June 23, 2011, the Florida Board of Governors approved the recommendation made by its Trustee Nominating Committee to appoint you as a member of the University of West Florida Board of Trustees. Please accept our congratulations.

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

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

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

Sincerely,


Frank T. Brogan
Chancellor

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