



Volume **22** | Number **5** | **March 30, 2015**

**T**he full House and Senate are expected to approve their proposed budgets for the coming fiscal year later this week, the fifth of the nine-week session. Currently the two chambers are more than \$4 billion apart in their spending plans, an indication that the budget-conferencing process, where House and Senate conferees negotiate a final budget for FY 2015-2016, may be contentious.

Although there are gaps each year between House and Senate budget proposals, this year's disparity appears to be especially wide. With the Senate Appropriations Committee approving \$80.4 billion in state spending, and the House Appropriations Committee authorizing only \$76.2 billion, the \$4.2 billion difference between the two is huge. A side-by-side comparison in this newsletter provides details on differences in the budget for the SUS and for Florida State University.

A bill creating a Charter School Innovation Institute at Florida State University passed the House last week and is moving along in the Senate as well. Additionally, several university affordability bills were amended last week in the Senate Education Committee and the House Higher Education and Workforce Committee. A rundown of these affordability bills and the issues they address is provided below. In addition, the Spotlight on Bills section of this newsletter outlines other legislation that advanced through the process last week.

This coming week will be abbreviated since legislators will leave town on Thursday afternoon in observance of the Easter and Passover holidays. They will resume their duties on Tuesday, April 7, and the remainder of that week is expected to be the last for full-committee hearings outside of the Appropriations Committees.

As always, I welcome your comments and questions about bills and issues moving through the process. I can be reached at **(850) 644-4453** or **kdaly@fsu.edu**.

*Kathleen*

## Budget Update

The Senate Appropriations Committee passed an \$80.4 billion budget last week and the House Appropriations Committee countered with a \$76.2 billion proposal. The full House and Senate will vote on these opposing spending plans on Thursday.

The main difference between the two pertains to healthcare, and legislative leaders will probably need to reach some sort of agreement on that issue before they are able to tackle other budget disparities.

In a nutshell, the Senate budget includes \$2.8 billion in federal Medicaid-expansion dollars provided through the Affordable Care Act to help low-income Floridians purchase private insurance. The Senate budget also includes nearly \$2.2 billion from a potential extension of the federal Low Income Pool, or LIP, program, which funds hospitals and other healthcare providers that serve large numbers of poor and uninsured patients. (LIP is set to expire on June 30 unless the state can reach an agreement with the federal government.)

Once the above differences between the House and Senate budgets have been resolved, the rest of the FY 2015-16 budget should fall into place. Below is a side-by-side comparison of appropriations pertaining to the SUS and Florida State University:

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<b>Issue</b>	<b>House</b>	<b>Senate</b>
<b>General Revenue</b>	\$271,679,985	\$235,304,440
Includes Additional Preeminence	\$5,000,000	
Includes Campus Compact	\$350,000	\$200,000
Includes Pepper Center for Long Term Care		(\$250,000)
Includes Institute for Charter School Research	\$1,000,000	
Student and Other Fees	\$234,017,553	\$234,017,553
Lottery	\$38,072,085	\$37,680,207
SUS Performance Based Incentives	\$200,000,000	\$400,000,000
College of Medicine	\$46,070,227	\$45,888,347
College of Medicine Lottery	\$429,630	\$605,115
SUS Fixed Capital Outlay		
SUS Maintenance Repair & Renovation	\$46,155,562	\$35,000,000
<b>PECO (SUS)</b>		\$70,000,000
FSU Earth Ocean Atmospheric Sciences Building	\$32,376,506	
SUS Critical Deferred Maintenance	\$49,255,717	
Florida Diagnostic & Learning Resources Center	\$450,000	\$450,000
Communication Navigator	\$1,353,292	\$1,353,292
Autism Program	\$1,171,922	\$1,171,922
<b>Public Broadcasting</b>		
Statewide Governmental & Cultural Affairs Programing	\$497,522	\$497,522
Florida Channel Closed Captioning	\$340,862	\$340,862
Florida Channel Year Round Coverage	\$2,272,414	\$2,272,414
Florida Channel Satellite Transponder Operations	\$800,000	\$800,000
Public Television Stations	\$307,447 ea.	\$307,447 ea.
Public Radio Stations	\$100,000 ea.	\$100,000 ea.
Student Financial Assistance	\$1,467,667	\$1,467,667
FSU College of Medicine – Immokalee	\$463,500	\$463,500
Florida Catastrophic Storm Risk Management Center	\$1,500,000	\$1,500,000
Honorably Discharged Graduate Assistance Program	\$1,000,000	
FAMU – FSU College of Engineering <b>(Budget entity not specified)</b>	\$12,999,761	\$12,997,476

Proviso – ... \$12,997,476 is provided to the FAMU-FSU Joint College of Engineering. The Joint College Governance Council is established and comprised of the Presidents (or their designees), the provosts, the Vice Presidents for Research, and the Chief Financial Officers of Florida Agricultural and Mechanical University and Florida State University. The Dean of the Joint College of Engineering

and two student representatives, appointed by the respective Student Government Association presidents of the two universities, are included as ex-officio non-voting members. The Chancellor of the State University System (or designee) is included as a voting member of the council.

The Joint College Governance Council shall meet at least quarterly and file minutes with the Board of Governors.

The Council shall receive semi-annual reports that, at a minimum, include the following: (1) recruiting, enrollment and graduation by gender and ethnicity; (2) adequacy and consistency in academic preparation and achievement; (3) operating budget and expenditures; (4) research funding and activities; (5) faculty hiring, promotion, tenure, and integration; and (6) technology transfer and commercialization activity.

By June 1, 2015, the Joint College Governance Council shall develop and present to the Board of Governors a multi-year plan to address the renovations and repairs for Buildings A & B and the completion of Building C.

By March 1, 2016, the Joint College Governance Council must submit

a report to the Board of Governors documenting the completion of all activities, including but not limited to: (1) The development and presentation of a multi-year plan to address the renovations and repairs for facilities; and (2) Establishment of a true Joint College of Engineering by accomplishing integration of

academic and student affairs activities that have previously been separately administered by FAMU and FSU.

There are no Salary increases provided in either budget. Both budgets hold insurance at current rates. Both budgets hold tuition at current levels.

# SPOTLIGHT ON **BILLS**

**SPB 2508 – Education by Senator Tom Lee (R – Brandon),** conforms education statutes to the Senate proposed General Appropriations Bill, SPB 2500, for Fiscal Year 2015-2016. The bill:

- Modifies the preeminent state research universities program authorized under s. 1001.7065, F.S., by requiring a state research university to enter into, and maintain, a formal agreement with the National Merit Scholarship Corporation to offer college-sponsored Merit Scholarship® awards for consideration of preeminent status.
- Clarifies that for a student to be considered a “full-time student” under s. 1011.61 (1), F.S., a school operating more than one session comprising not less than 810 net hours per session in grades 4 through 12 or not less than 630 net hours per session in kindergarten through grade 3, may do so only because of a natural disaster.
- Extends the requirement of providing an additional hour of intensive reading instruction daily to students enrolled in the 300 lowest performing elementary schools through

the 2017-2018 academic year, requires participating schools to also provide the required additional instruction through an equivalent number of hours in a summer program, and requires participating schools to continue to provide the additional hour of instruction to all students who have level 1 or 2 reading assessment scores in the subsequent year after the school is no longer classified as one of the 300 lowest performing.

- Authorizes performance funding for Career and Professional Education (CAPE) industry certification earned through a dual enrollment course, which is not a fundable certification on the Postsecondary Industry Certification Funding List or is earned as a result of an agreement with a nonpublic postsecondary institution, to be funded in the same manner as a non-dual enrollment course industry certification.
- Establishes two new tiers of bonuses available to CAPE industry certification teachers under s. 1011.62 (1)(o), F.S., at \$75 for 0.3 weighted certifications and

\$100 for 0.5 and 1.0 weighted certifications, and establishes a \$4,000 maximum annual bonus for teachers providing instruction in courses leading to these industry certifications.

- Increases the discretionary millage compression supplement to five percent above the state average.
- Modifies the sparsity supplement calculation authorized in s. 1011.62 (7), F.S., to compute the sparsity supplement for larger eligible districts with a full-time equivalent student membership of between 20,000 and 24,000, by dividing the total number of full-time equivalent students in all programs by the number of permanent senior high school centers in the district, not in excess of four.
- Amends the virtual education contribution calculation within the Florida Education Finance Program (FEFP) by including the declining enrollment supplement and exceptional student education (ESE) guaranteed allocation.
- Creates the federally connected student supplement within the

FEFP to provide supplemental funding to school districts to support the education of students connected with federally-owned military installations, National Aeronautics and Space Administration (NASA) property, and Indian lands. To be eligible for this supplement, the district must also be eligible for federal impact aid funds, pursuant to Title VIII of the Elementary and Secondary Education Act of 1965.

- Clarifies that annual license fees, maintenance fees, and lease agreements for enterprise resource software are allowable uses of local capital improvement funds.
- Provides audit protection for teachers under the Florida Teacher Classroom Supply Assistance Program by requiring teachers to provide the school district with receipts for the expenditure of the funds.
- Statutorily establishes the State University System Performance Based Incentive funding model.
- Establishes a Florida College System Performance Based Incentive funding model.

The bill was submitted as a Committee Bill last week. There is no House companion at this time.

**HB 7125 – Postsecondary Access and Affordability by Representative Elizabeth Porter (R – Lake City, FSU Alum),** promotes access and affordability for students seeking a postsecondary education by:

- Promoting apprenticeship programs by creating the Florida Apprenticeship Grant (FLAG) Program to expand existing programs and establish new apprenticeship programs, updating terminology, revising membership on the State Apprenticeship Advisory Council, and clarifying language relating to industry standards.

- Establishing the Rapid Response Grant Program to provide a competitive grant process for the expansion or implementation of high-demand postsecondary programs at career centers or charter technical career centers.
- Adding the Chancellor of Career and Adult Education to the membership of the Higher Education Coordinating Council.
- Revising career and technical education program standards and authorizing the State Board of Education to adopt rules relating to program accountability.
- Promoting college affordability by:
  - Requiring each Florida College System (FCS) institution and state university to publicly notice any proposal to increase tuition or fees at least 28 days prior to consideration by the board of trustees.
  - Eliminating the ability for state universities to seek approval from the Board of Governors (BOG) for an increase in tuition differential.
  - Clarifying that preeminent universities may increase the tuition differential by no more than 6 percent only if they meet specific performance benchmarks established by the BOG.
  - Removing the requirement that seventy percent of revenues generated by the tuition differential fee be spent on undergraduate education.
  - Removing the authority for the BOG to delegate the establishment of tuition for graduate and professional programs and out-of-state fees to the university boards of trustees.
  - Requiring the SBE and the BOG to annually identify strategies and initiatives to promote

college affordability (including the impact of tuition and fee increases, financial aid policies, and textbook costs) and submit an annual report to the Governor, Senate President, and Speaker of the House of Representatives.

- Enhancing the current textbook affordability law to provide students with sufficient time and information to seek out the lowest available prices by:
  - Requiring postsecondary institutions to conduct cost benefit analyses and report annually to chancellors on implementation of textbook affordability policies;
  - Requiring chancellors to summarize institutional reports and submit a summary to SBE and BOG respectively; and
  - Requiring institution boards of trustees to report, by semester, the cost variance among sections and length of time textbooks and other materials are in use for all general education courses. This provision expires July 1, 2017.

The bill provides, to the Department of Education, \$3 million in recurring General Revenue for the FLAG Program and \$10 million in recurring General Revenue for the Rapid Response Grant Program.

The bill was a draft bill in the Higher Education and Workforce Committee. It was filed last week and has not yet been referred to Committees. A similar bill in the Senate, **CS/SB 938 by Senator Anitere Flores (R – Miami),** was amended last week to:

- Extend sales tax exemption for textbooks to also include recommended textbooks, in addition to required textbooks, for use in public postsecondary educational institutions and nonpublic postsecondary

educational institutions that are eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant or the Access to Better Learning and Education Grant.

- Authorize the executive director of the Department of Revenue to adopt emergency rules before permanent rules are adopted regarding the sales tax exemption and, specifies that the emergency rules must remain in effect for 6 months after the adoption of such rules.
- Modify responsibilities of the Board of Governors (BOG) and the State Board of Education (SBE) regarding methods to make textbooks and instructional materials affordable by requiring the BOG and the SBE to consult with students, faculty, bookstores, and publishers in determining the best methods to reduce costs.
- Expand the definition of "textbooks" to include instructional materials.
- Expand the definition of "instructional materials" to include required and recommended educational materials for use within a course.
- Remove from the BOG's and the SBE's policies, procedures, and guidelines for textbooks and instructional materials a requirement that textbooks and instructional materials for an undergraduate course remain in use for a minimum of three years in that course.
- Modify the public postsecondary educational institutions' notification requirements regarding boards of trustees meeting by limiting such notifications to the boards of trustees meetings regarding votes on proposed increases in tuition or fees and changing the requirement for posting of such information from 30 days to 28 days before such meetings occur.

**HB 7079 – Specialty License Plates by Representative Keith Perry (R – Gainesville)**, removes requirements for an application, application fee, and marketing strategy to be submitted to the Department of Highway Safety and Motor Vehicles (DHSMV) for establishing a specialty license plate. This application process was replaced by the pre-sale methodology in 2010 and is no longer enforced.

The bill raises the minimum pre-sale requirement for a specialty plate to 4,000 before manufacturing of that specialty plate can begin.

The bill further provides that, beginning July 1, 2017, the department must discontinue the issuance of a specialty plate if the number of valid specialty plate registrations falls below 4,000 for at least 12 consecutive months. An exemption from this requirement is provided for Marine Corps, Military Services, Special Olympics, Autism, and Florida Professional Sports Team license plates.

The bill directs DHSMV to develop certain specialty plates with an established annual use fee for each plate, and provides for the distribution of the annual use fees.

The bill reported favorably by the Economic Affairs Committee last week. As comparable bill in the Senate, **SB 964 by Senator Kelli Stargel (R – Lakeland)**, has been referred to the Transportation; the Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and the Appropriations Committee.

**SB 7046 – Education by Senator John Legg (R – Lutz)**, modifies fiscal policy aspects regarding preeminent state research universities; intensive reading instruction; teacher bonus funding; and performance funding for universities and state colleges. Specifically, the bill:

- Requires a state university seeking to be designated as a preeminent

state research university to enter into and maintain a formal agreement with the National Merit Scholarship Corporation.

- Extends the additional hour of daily elementary grade intensive reading instruction through the 2017-2018 academic year, and authorizes a summer program as an equivalency.
- Increases maximum available public school teacher bonus funding, including establishing two new tiers of bonuses available to CAPE industry certification teachers.
- Establishes performance funding formulas for the State University System and Florida College System institutions.

The bill was submitted as a committee bill in the Education Pre-K - 12 Subcommittee and referred to the Appropriations Subcommittee on Education and the Appropriations Committee. There is no House companion at this time.

**CS/CS/SB 616 – Education Accountability by Senator John Legg (R – Lutz)**, impacts statutory accountability provisions related to the state's public school student assessment program, the educator performance evaluation system, and the statewide public school accountability system.

The bill maintains the statutorily provided 2014-2015 school year transition to the Florida Standards Assessments, including the suspension of negative consequences associated with school grades and school improvement ratings. Specifically, the bill makes the following adjustments to student assessment, performance evaluation requirements and school accountability.

### **Student Assessments**

The bill:

- Reduces the number of statutorily-required assessments by eliminating the current

requirement that a school district administer a local assessment for each course that is not assessed by a statewide, standardized assessment.

- Reduces the total time devoted to testing by adding a provision limiting the amount of time for test administration by limiting to no more than five percent of total school hours per student, per year, but provides exemptions for certain tests and certain students.
- Provides for timely information to teachers and parents by adding in law a provision requiring school districts to make student performance results on district-required local assessment available to the student's teachers and parents within 30 days of test administration.
- Requires the state to provide results of statewide, standardized assessments to parents and teachers within 30 days as a requirement of new or renewed state assessment contracts.
- Eliminates the Grade 11 Florida Standards Assessment (FSA) for English Language Arts and makes the Postsecondary Education Readiness Test (PERT) optional.
- Codifies the rollout schedule for statewide, standardized computer-based testing and paper testing options through the 2017-2018 school year.
- Adds a new requirement for the State Board of Education to adopt in rule a notification form that districts must use to inform parents about third grade retention and mid-year promotion and high school graduation requirements and available options.

### **Performance Evaluation Requirements**

The bill:

- Retains the ability for teachers and school administrators to receive performance pay adjustments if

they meet specified conditions.

- Modifies teacher performance evaluations by requiring the student performance component to be at least 33 percent, the instructional practice component to constitute at least 33 percent, and the professional and job responsibilities component constitute no more than 33 percent.
- Authorizes the professional and job responsibilities component of a teacher's performance evaluation to utilize peer reviews.
- Allows personnel evaluations to be based on a proportion of a teacher's students or classes, instead of every class assigned to the teacher, except that student performance on statewide, standardized assessments must be included.
- Authorizes school districts to set performance standards for performance evaluation ratings of highly effective, effective, needs improvement, and unsatisfactory for their district. The Commissioner of Education must perform an analysis that compares performance evaluation results calculated by each school district to indicators of performance calculated by the Department of Education using standards of performance adopted by the State Board of Educations
- Removes prescriptive language to allow district discretion on local assessments, including requirements for student growth formulas, not associated with statewide standardized assessments.

### **School Accountability**

The bill:

- Creates, for schools and school districts that experience technical implementation issues during the 2014-2015 school year assessment, a one-time option to use the 2014-2015 school year

test results for diagnostic and baseline purposes only.

- Allows a school currently implementing a turnaround option to be released from these requirements if the school improves in the 2014-2015 transition year by at least one letter grade.

The bill passed out of the Appropriations Committee last week and is on the calendar for its first hearing by the full Senate on April 1<sup>st</sup>. A comparable bill in the House, **HB 7069 by Representative Marlene O'Toole (R – The Villages)** has been referred to the Education Pre-K – 12 Subcommittee, the Appropriations Subcommittee on Education and the Appropriations Committee.

### **CS/SB 948 – Education by Senator Don Gaetz (R – Destin),**

updates terminology and revises criteria relating to apprenticeships, modifies Florida Education Finance Program (FEFP) funding, adds a requirement for designation as a preeminent state research university, establishes postsecondary performance-based incentive funding models, creates the Rapid Response Education and Training Program and the Florida Best and Brightest Teacher Scholarship Program.

### **Apprenticeships**

The bill updates definitions, authorizes the appointment of independent public members to the State Apprenticeship Advisory Council, and revises the criteria for an apprenticeable occupation.

### **FEFP Funding**

The bill:

- Extends the requirement of providing an additional hour of intensive reading instruction to students enrolled in the 300 lowest-performing elementary schools.
- Authorizes performance funding for a career and professional education (CAPE) industry certification earned through a

dual enrollment course.

- Establishes two new tiers of bonuses and raises the maximum annual bonus for CAPE industry certification teachers.
- Increases the discretionary millage compression supplement above the state average.
- Modifies the formula for calculating the sparsity supplement.
- Modifies the formula for calculating the virtual education contribution.
- Creates the federally connected student supplement.

### **Preeminent State Research University Designation**

The bill adds a requirement that a state research university enter into and maintain a formal agreement with the National Merit Scholarship Corporation for designation as a preeminent state research university or as a preeminent state research university institute for online learning.

### **Performance-Based Funding**

The bill establishes the State University System and Florida College System Performance-Based Incentive funding models based on metrics adopted by the Board of Governors and the State Board of Education ("State Board"), respectively.

### **Rapid Response Education and Training Program**

The bill creates the Rapid Response Education and Training Program ("Program") within the Complete Florida Plus Program to recruit and retain employees through industry-specific education and training. The bill:

- Specifies the responsibilities of the Program.
- Requires DOE to evaluate and report on the effectiveness of the Program.
- Requires DOE to develop standards.

- Requires the State Board to adopt rules.

### **Florida Best and Brightest Teacher Scholarship Program**

The bill creates the Florida Best and Brightest Teacher Scholarship Program ("Scholarship Program") to award teachers who demonstrate a high level of academic achievement, authorizes funding for the Scholarship Program, and requires the State Board to adopt rules.

The bill reported favorably by the Higher Education Committee and is now in the Appropriations Subcommittee on Education. A comparable bill in the House, **HB 7127 by Representative Elizabeth Porter (R – Lake City, FSU Alum)**, is now in the Education Appropriations Subcommittee.

**CS/SB 880 – Student Loan Default Rates by Senator Jeremy Ring (D – Margate)**, requires public and private postsecondary educational institutions to report on the federal student loan cohort default rate for their institutions and makes the institutions' eligibility to receive certain state funds and retain licensure to operate in Florida contingent on the institutions maintaining the default rate at the specified thresholds.

Specifically, the bill defines and applies student loan default rates as a criteria affecting the licensure of certain private postsecondary educational institutions; scholarship award amounts for William L. Boyd, IV, Florida Resident Access Grant and the Access to Better Learning and Education Grant; and state funding for Florida College System institutions and state universities.

The bill reported favorably in the Higher Education Committee and is now in the Appropriations Subcommittee on Education. The House companion, **HB 837 by Representative Jose Rodriguez (D – Miami)** is in the Higher Education and Workforce Subcommittee.

## **UPDATE ON BILLS**

**CS HB 223 -- Public Records and Meetings/Postsecondary Education Executive Search by Representative Neil Combee (R – Auburndale)**, creates an exemption from public record and public meeting requirements for information associated with the applicant recruitment process and discussions associated with the applicant search for certain state university and Florida College System (FCS) institution employees. Specifically, the bill provides that any personal identifying information of an applicant for president or provost of any state university or FCS institution is confidential and exempt from public record requirements. It also creates a public meeting exemption for any meeting held for the purpose of identifying or vetting applicants for president or provost of any state university or FCS institution.

On March 24, the Government Operations Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The amendment removed the public record and public meeting exemption for those searches for a dean of a state university or FCS institution. A similar bill in the Senate, **SB 182 by Senator Alan Hays (R – Umatilla)**, has been temporarily postponed by the Rules Committee.

**CS/HB 1145 – Education by Representative Chris Sprowls (R – Clearwater)**, enhances K-20 fiscal transparency and revises provisions relating to public and private educational choice options and assignment and certification of teachers by:

- Specifying that CAPE digital tools, CAPE industry certifications, and collegiate high school programs are considered public educational choice options and that the Florida Personal Learning Savings Account Program is a private educational choice option.
- Requiring that parents be provided information about the

average amount expended per student in their child's school using the parent guide or a similar publication.

- Requiring that each state university and Florida College System institution annually notify students of state expenditures used for the education of the student.
- Requiring district school boards to publish an open controlled enrollment process that allows a parent to enroll his or her child and transport the child to any public school.
- Defining the term "capacity" for purposes of determining choices available for public K-12 enrollment.
- Specifying that a charter school that has not reached capacity may be open to any student in the state.
- Requiring district school boards to establish a transfer process by which a parent may request that his or her child be transferred to another teacher.
- Conforming language related to the assignment of teachers.
- Requiring the state board to establish rules for the issuance of adjunct certificates, allowing adjunct certificates to be used for full-time positions in certain circumstances, and authorizing charter school boards to issue adjunct certificates.

The bill reported favorably by the K-12 Education Subcommittee last week and is now in the Education Appropriations Subcommittee. A comparable bill in the Senate, **SB 1552 by Senator Lizbeth Benacquisto (R-Ft. Myers)**, is in the Appropriations Subcommittee on Education.

**HB 7037 – School Choice by Representative Bob Cortes (R – Maitland)**, creates the Florida Institute for Charter School Innovation at the Florida State University to provide technical assistance and

support to charter school applicants and sponsors; conduct research on policy and practice related to charter school authorizing, accountability, instructional practices, finance, management, and operations; and provide opportunities for aspiring teachers to experience teaching in schools of choice.

The bill strengthens charter school accountability and student access to quality charter schools by:

- Clarifying that a sponsor may consider a charter school applicant's, governing board member's, and management company's past performance operating charter schools when deciding to approve or deny an application.
- Authorizing a charter school that has been granted a charter to defer opening for up to two years to conduct facilities planning.
- Requiring charter schools to begin submitting monthly financial statements upon approval of the charter contract to enable the sponsor to begin monitoring the school's financial health earlier in time.
- Clarifying that charter schools that earn two consecutive grades of "F" are automatically terminated.
- Removing the limit on replication of high-performing charter schools if the charter school is created to serve high-need areas or school district needs.

The bill revises charter school funding provisions to:

- Provide a funding methodology for charter school capital outlay funding and require school boards to share ad valorem tax revenues with charter schools, in certain circumstances.
- Clarify that charter schools do not have to adopt the school district's research-based reading plan in order to receive the research-

based reading allocation.

- Specify that the reading curriculum approved by the sponsor and incorporated in its charter satisfies the research-based reading plan requirement for such allocation.
- Authorize a nonprofit organization or municipality that operates a charter school to use unrestricted surplus or unrestricted net assets for other educational purposes.
- Prohibit the sponsor from delaying payments to charter schools based upon timing of receipt of local funds.
- Allow more charter school systems to act as the local education agency for purposes of administering federal education funding.

In addition, the bill removes the statutory eligibility requirements for enrollment in public K-12 virtual education, which currently limit virtual education options available to certain students who did not attend public school in the previous school year. The bill also revises criteria triggering automatic termination of a state-approved virtual instruction provider's contract and removal from the list of state approved providers.

The bill provides an appropriation of \$2,374,420 to the Florida Education Finance Program for FY 2015-16 to fund the expansion of student eligibility for public virtual education. The bill provides an appropriation of \$1,000,000 to Florida State University to establish the Florida Institute for Charter School Innovation.

The bill passed out of the House last week. A comparable bill in the Senate, **SB 1552 by Senator Lizbeth Benacquisto (R- Ft. Myers)**, is in the Appropriations Subcommittee on Education.

# College Affordability

College affordability is one of the major issues being discussed this legislative session and one of the Governor's top priorities. Following is a side-by-side comparison of the many bills that address affordability:

Issue	SB 938 Sen. Flores	HB 1317 Rep. Moskowitz	HB 7125	SB 7046 Ed Pre-K-12	SB 948 Sen. D. Gaetz	SB 1252 Sen. Stargel	SB 2508 Approps (confirming bill)
<b>Gov's College Affordability Package</b>	x	Includes tax break	Includes portions				
<b>Sales Tax Exemption</b> Exempts required and recommended textbooks, for courses offered by public or certain nonpublic postsecondary institutions, from sales tax. To obtain the exemption, students must show their student identification, applicable course syllabus, or list of required and recommended textbooks and instructional materials.	x	Exempts sale of a textbook appearing on the list of required textbooks created by a Florida College System institution or state university pursuant to s.1004.085.  <i>No text on proof required to receive exemption.</i>					
<b>Board of Governor's designee</b> Removes language allowing the Board of Governors to delegate graduate and professional tuition authority to a designee.	x		x				

Issue	SB 938 Sen. Flores	HB 1317 Rep. Moskowitz	HB 7125	SB 7046 Ed Pre-K-12	SB 948 Sen. D. Gaetz	SB 1252 Sen. Stargel	SB 2508 Approps (confirming bill)
<p><b>BOT Meeting Notice</b> Requires state colleges and universities to publicly notice any potential tuition or fee increases 28 days prior to the board of trustees meeting.</p>	x		x				
<p><b>Graduate &amp; Professional Tuition</b> Prohibits state universities from increasing resident tuition for graduate and professional programs above the amount set on July 1, 2015.</p>	x		x				

Issue	SB 938 Sen. Flores	HB 1317 Rep. Moskowitz	HB 7125	SB 7046 Ed Pre-K-12	SB 948 Sen. D. Gaetz	SB 1252 Sen. Stargel	SB 2508 Approps (confirming bill)
<p><b>Research Affordability</b> Requires UBOTs to research options to reduce the cost of higher education, including:</p> <ul style="list-style-type: none"> <li>• Textbooks and instructional materials, for all students;</li> <li>• The impact of tuition and fee increases at state colleges and universities (including graduate, professional, medical, and law schools);</li> <li>• The total cost of fees, including orientation fees, to students and families at state colleges and universities; and</li> <li>• Other methods relating to textbook and college affordability.</li> </ul>	<p>Creates new section of law to require BOG &amp; SBE to annually identify strategies and initiatives to promote college affordability.</p>		<p>Creates new section of law to require BOG &amp; SBE to annually identify strategies and initiatives to promote college affordability.</p>				

Issue	SB 938 Sen. Flores	HB 1317 Rep. Moskowitz	HB 7125	SB 7046 Ed Pre-K-12	SB 948 Sen. D. Gaetz	SB 1252 Sen. Stargel	SB 2508 Approps (confirming bill)
<p><b>Textbooks &amp; Instructional Materials</b> Applies the current textbook affordability law, s. 1004.085, F.S., to required and recommended textbooks and instructional materials (such as course packets, etc.).</p>	x		<p>Defines instructional materials; Tweaks language re: posting of textbooks and instructional materials on institutions' registration systems; Adds "recommended" textbooks &amp; instructional materials</p>				
<p><b>Textbook Posting</b> Requires universities to specify the cost of recommended and required textbooks &amp; other instructional materials in the institution's course registration system 14 days prior to student registration for 90% of classes offered at the institution.</p>	x		<p>Requires universities to specify the cost of recommended and required textbooks and other instructional materials in the institution's course registration system at least 30 days prior to the first day of class for 90% of classes offered at the institution.</p>				
<p><b>Textbook Usage</b> Requires universities to use textbooks for a minimum of 3 years in undergraduate courses, unless an exception is granted by the institution's president or designee or available at a lower cost.</p>	<p>Provision removed by a handwritten amendment by Sen. Negron on 3/23 in Senate Higher Ed.</p>		<p>Requires BOG adopt textbook and instructional material affordability policies and procedures that further efforts to minimize the cost. Specifies items to address.</p>				

Issue	SB 938 Sen. Flores	HB 1317 Rep. Moskowitz	HB 7125	SB 7046 Ed Pre-K-12	SB 948 Sen. D. Gaetz	SB 1252 Sen. Stargel	SB 2508 Approps (confirming bill)
<p><b>Dual Enrollment</b> Requires universities to consult with school districts to identify practices that impact the cost of dual enrollment textbooks and instructional materials to school districts.</p>	x		Requires postsecondary institutions to consult with school districts about cost of dual enrollment textbooks.				
<p><b>Cost-benefit analysis</b> Requires universities to regularly conduct a cost-benefit analysis in comparing options for textbooks and instructional materials to ensure students get the highest quality product at the lowest available price.</p>	x		<p>Requires postsecondary institutions to conduct cost-benefit analyses.</p> <p>Requires institution boards of trustees to report, by semester, the cost variance among sections and length of time textbooks and other materials are in use for all general education courses. This provision expires July 1, 2017.</p>				

Issue	SB 938 Sen. Flores	HB 1317 Rep. Moskowitz	HB 7125	SB 7046 Ed Pre-K-12	SB 948 Sen. D. Gaetz	SB 1252 Sen. Stargel	SB 2508 Approps (confirming bill)
<p><b>Reporting</b> Requires universities to annually report to the BOG the following:</p> <ul style="list-style-type: none"> <li>• Cost of undergraduate textbooks and instructional materials, by course and section;</li> <li>• Textbook and instructional material selection process for high-enrollment courses;</li> <li>• Any institution specific initiatives that reduce the cost of textbooks and instructional materials,</li> <li>• The number of courses and course sections that were not able to meet the 14 day textbook and instructional material posting deadline, and</li> <li>• Any additional criteria determined by the chancellor.</li> </ul>	x		<p>Requires state universities to annually report textbook affordability info to chancellors.</p> <p>Requires chancellors to compile institutional info &amp; report annually to SBE &amp; BOG.</p> <p>Requires an annual report to Gov., Senate, and House</p>				

Issue	SB 938 Sen. Flores	HB 1317 Rep. Moskowitz	HB 7125	SB 7046 Ed Pre-K-12	SB 948 Sen. D. Gaetz	SB 1252 Sen. Stargel	SB 2508 Approps (confirming bill)
<b>Performance Funding</b>				<p>Establishes the SUS performance funding formula in statute, composed of new funding, plus an amount of funds redistributed from the SUS base funding, as determined in the GAA. Univs will be evaluated for their performance based on benchmarks adopted by the BOG for achievement of excellence or improvement on specified metrics. These metrics include, but are not limited to, metrics that measure graduation and retention rates; degree production; affordability; postgraduation employment, salaries, or further education; student loan default rates; access; and other metrics approved by the BOG.</p> <p>Univs qualifying for new funding will also have their base funding restored. Any institution which fails to meet the minimum threshold set by the BOG will have a portion of its base funding withheld and must submit an improvement plan to the BOG. The BOG must approve the improvement plan and conduct progress monitoring of the improvement plan's implementation. An institution will have its full base funding restored upon BOG approval of the improvement plan monitoring report. Any institution that fails to make satisfactory progress will not have its full base funding restored.</p>	<p>Establishes the SUS performance funding formula in statute. The performance-based funding metrics shall include, but are not limited to, metrics that measure graduation and retention rates; degree production; affordability; postgraduation employment, salaries, or further education; student loan default rates; access; and any other metrics approved by the board.</p> <p>Each fiscal year, the amount of funds available for allocation to the institutions based on the PFM shall consist of the state's investment in PF, plus an institutional investment consisting of funds to be redistributed from the base funding of the SUS, as determined in the GAA. The institutional investment shall be restored for all institutions eligible for the state's investment under the PFM. Any institution that fails to meet the board's minimum PF threshold will not be eligible for the state's investment, will have a portion of its institutional investment withheld, and must submit an improvement plan to the board.</p> <p>The Chancellor of the SUS shall withhold disbursement of the institutional investment until such time as the monitoring report for the institution is approved by the BOG. Any institution that fails to make satisfactory progress will not have its full institutional investment restored. If all institutional investment funds are not restored, any remaining funds shall be redistributed in accordance with the board's PFM.</p>		<p>Establishes the SUS performance funding formula in statute. The performance-based funding metrics shall include, but are not limited to, metrics that measure graduation and retention rates; degree production; affordability; postgraduation employment, salaries, or further education; student loan default rates; access; and any other metrics approved by the board.</p> <p>Each fiscal year, the amount of funds available for allocation to the institutions based on the PFM shall consist of the state's investment in PF, plus an institutional investment consisting of funds to be redistributed from the base funding of the SUS, as determined in the GAA. The institutional investment shall be restored for all institutions eligible for the state's investment under the PFM. Any institution that is one of the bottom three or that fails to meet the board's minimum PF threshold will not be eligible for the state's investment, will have a portion of its institutional investment withheld, and must submit an improvement plan to the board.</p> <p>The Chancellor of the SUS shall withhold disbursement of the institutional investment until such time as the monitoring report for the institution is approved by the BOG. Any institution that fails to make satisfactory progress will not have its full institutional investment restored. If all institutional investment funds are not restored, any remaining funds shall be redistributed in accordance with the board's PFM.</p>

Issue	SB 938 Sen. Flores	HB 1317 Rep. Moskowitz	HB 7125	SB 7046 Ed Pre-K-12	SB 948 Sen. D. Gaetz	SB 1252 Sen. Stargel	SB 2508 Approps (confirming bill)
<b>Preeminence Metrics - General</b>				Requires a state university seeking to be designated as a preeminent state research university to enter into and maintain a formal agreement with the National Merit Scholarship Corporation.	Requires a state university seeking to be designated as a preeminent state research university to enter into and maintain a formal agreement with the National Merit Scholarship Corporation.	Requires a state university seeking to be designated as a preeminent state research university to enter into and maintain a formal agreement with the National Merit Scholarship Corporation.	Requires a state university seeking to be designated as a preeminent state research university to enter into and maintain a formal agreement with the <b>Benacquisto Scholarship Program</b> . The program covers tuition for a National Merit Scholar or National Achievement Scholar. Names the program the "Benacquisto Scholars."
<b>Preeminence Metrics - Tuition</b>			Authorizes state universities to continue to assess a tuition differential fee provided it was approved prior to July 1, 2014. Allows the tuition differential be increased by no more than 6 % of the total charged for the aggregate sum of these fees in the preceding fiscal year. The tuition differential may be increased only if the university meets or exceeds performance standard targets for that university established annually by the BOG for the following performance standards, amounting to no more than a 2-percent increase in the tuition differential for each performance standard: 1. Increase in the 6 year graduation rate for full time, first-time-in-college students. 2.) increase in total annual research expenditures. 3.) increase in total patents awarded				
<b>HECC</b>			Adds the Chancellor of Career & Adult Ed to the HECC Language also in HB 7127			Adds the Chancellor of Career & Adult Ed to the HECC	

## SESSION SCHEDULE

### SENATE SESSION

WEDNESDAY, **APRIL 1**, 10:00 a.m. to 6:00 p.m.

THURSDAY, **APRIL 2**, 2:00 p.m. to 6:00 p.m.

### HOUSE SESSION

WEDNESDAY, **APRIL 1**, 11:00 a.m. until completion

THURSDAY, **APRIL 2**, 11:00 a.m. until completion



**FLORIDA STATE UNIVERSITY**  
GOVERNMENTAL RELATIONS

**850.644.4453** [govrel.fsu.edu](http://govrel.fsu.edu)

**Kathleen M. Daly,**  
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