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The Florida legislature certainly was busy last week. Significant to Florida State University was passage by both the House and Senate of SB 1076, which designates Florida State as a “preeminent” university in Florida. Hopefully the strong support this bill received – it passed 33-7 in the Senate and 116-0 in the House – will extend to the governor’s office. Once it’s received there, the governor will have seven days to sign it. Please see the related story in this newsletter for more information.

Both the House and the Senate passed their versions of a \$74 billion spending plan last week, setting the stage for the start of the conference process sometime later this week. “Conference,” as you may know, is the process whereby House and Senate members work out the differences in their respective budgets.

By constitutional mandate, the budget is the only bill legislators are required to pass within the 60-day session. Once the chambers’ budgets are consolidated, that version must “cool” for 72 hours before votes on its final passage can take place. Fortunately, the differences between the House and Senate budgets appear to be minimal this year, so it shouldn’t take too long to reconcile them once the process begins.

Today begins the final three weeks of the session and several major pieces of legislation are still under consideration by House and Senate committees. A number of them will be heard this week, the final week for substantive committee hearings, including House Bill 1285, which would transfer ownership of the Tallahassee-Leon County Civic Center to Florida State University. That bill will get its final committee hearing in the House Education Committee before moving to the full House. Please see the Spotlight on Bills section of this newsletter for other bills of interest receiving hearings this week.

With the frenzied final weeks of the session upon us, bills and amendments will really start flying, making lobbyists and legislators scurry and worry. You can catch this action live on The Florida Channel, local cable channel 4, or online at WFSU.org.

And as always, please feel free to contact me if you have questions about bills and their analysis. I can be reached at **(850) 644-4453** or **kdaly@fsu.edu**.

Kathleen

University Preeminence Bill Passes

On Friday, April 12, both the House and Senate voted overwhelmingly to pass legislation that will elevate the national stature of Florida State University.

This legislation, Senate Bill 1076, now awaits action by Governor Rick Scott, who has seven days to react once he receives it from the legislature.

SB 1076 is a 144-page omnibus bill that effects nearly every aspect of education in Florida, from kindergarten to college. For state universities, there are provisions creating academic and research excellence standards, preeminence designations for research institutions, establishment of an institute for online learning at a preeminent research university, and an enhancement program and flexibility authority for preeminent state research universities. The bill’s language pertaining to preeminent state research universities may be viewed by clicking here.

The bill, along with pending state appropriations, will enhance Florida State University’s ability to become a Top 25 Public University by:

- Furthering the university’s commitment to becoming a state and national leader in career readiness and job placement for our students

(Continued on next page)

- Inspiring the necessary match in donor giving of \$75 million in recurring funds, and
- Directing these allocations toward science, technology, engineering and math (STEM) programs, our entrepreneurial-university initiative, career-enhancement initiatives, and the promotion of higher retention and graduation rates.

Legislators will now turn their attention to the appropriations process and in the next two weeks make de-

terminations on the financial resources associated with Senate Bill 1076. The Senate budget includes \$15 million in recurring state dollars this year, while the House budget includes \$12.5 million in recurring state support. (Budget appropriators will confer within the next week to work out the differences between their budgets.) This state support is crucial to achieving the goal of becoming a “Top 25” public institution, as outlined in the preeminence legislation.

Please take a moment to thank your legislators for their support of the bill and the pending appropriation, and urge the governor to sign this significant piece of legislation. More information and sample messages for you to send are available at advocateforfloridastate.fsu.edu. Contacting your elected officials is simple for those who have registered through the site, a process that is easy and free.

SPOTLIGHT ON **BILLS**

CS/CS/SB 904—Education by Senator Jeff Brandes (R – St. Petersburg), creates the Florida Accredited Courses and Tests (FACTs) Initiative to expand student choice regarding courses and corresponding assessments which a student may take to satisfy various secondary and postsecondary education requirements. The Florida-accredited courses and corresponding assessments must be approved by the Commissioner of Education for application in K-12 public schools and the Florida College System institution, and the Chancellor of the State University System for application in state universities.

Approved Florida-accredited courses and corresponding assessments must be annually published in conjunction with the courses listed in the Statewide Course Numbering System and the Course

Code Directory by the Articulation Coordinating Committee.

The bill authorizes school districts, Florida College System institutions, and state universities to execute contracts with qualified contractors for administering and proctoring the assessments associated with either the Florida-accredited courses or for the existing statewide, standardized assessments, as approved by the Florida Department of Education pursuant to State Board of Education rules. Additionally, the Florida Department of Education is authorized to execute contracts with qualified contractors on behalf of the state, a school district, a Florida College System institution, or a state university for administering and proctoring the assessments.

In addition, the bill promotes accountability for digital learning by:

- Requiring virtual instruction program providers to maintain a minimum level of services to students and parents.
- Providing for evaluation and funding methods for individuals or organizations offering online courses, including massive open online courses (MOOCs).

The bill was amended last week to:

- Revise virtual instruction program provider qualifications, require virtual instruction program providers to maintain a minimum level of services to students and parents, and exempt individuals or organizations seeking to offer online courses from meeting certain statutory requirements.
- Provide for evaluation and funding methods for individuals or organizations offering online courses, including “massive open online courses” (MOOCs).

- Authorize providers of online courses to participate in the state-wide course numbering system.
- The bill is on the full Senate agenda tomorrow. A comparable bill in the House, **HB 7029 by Representative Manny Diaz (R – Hialeah)** is in Messages to the Senate.

CS/CS/SB 316 – Taxes by Senator Nancy Detert (R – Venice), amends Florida’s tax laws related to sales by out-of-state retailers, the communication services tax, and the sales tax exemption for manufacturing and equipment.

The bill amends Florida law to require out-of-state retailers that conduct business over the Internet to collect and remit Florida sales tax on sales made to Florida customers. Specifically, the bill creates two new situations under which an out-of-state retailer may be required to collect and remit Florida sales tax:

1. When a person with nexus to Florida does one of a number of acts, including selling a similar line of products as a dealer or operates under the same name and uses similar trademarks as a dealer, then the dealer must collect and remit Florida sales tax. However, the bill bases the requirement to collect sales tax on the fact that the activities conducted in Florida on behalf of the dealer are significantly associated with the dealer’s ability to establish and maintain a market in Florida.
2. If the dealer enters into an agreement with one or more Floridians, under which the person directly or indirectly refers potential customers to the dealer for a commission or other consideration, and the cumulative gross receipts from referrals are in excess of \$10,000 during the previous 12 months, then a rebuttable presumption arises that the dealer must collect and remit Florida sales tax.

The bill revises the definition of “dealer” to include any person who uses an office, distributing house, salesroom, or house, warehouse or other place of business operated by any person other than a common carrier.

The bill reduces the state tax rate imposed on the sale of communication services from 6.65 percent to 5.65 percent, and lowers the state tax rate imposed on the sale of direct-to-home satellite service from 10.8 percent to 9.8 percent.

The bill passed the Appropriations Committee last week. A comparable bill in the House, **HB 7097 by Representative Ritch Workman (R – Melbourne)** is pending before the Appropriations Committee.

CS/SB 1096 – Repeal of Education Provisions, by Senator Bill Montford (D – Tallahassee, FSU Alum), is a combined effort by the Governor, Legislature, district school superintendents, and other education stakeholders to reduce regulation of public educational institutions. The bill repeals:

- Inactive or underutilized programs, including the Alternative Credit for High School Courses Pilot Project, the High School to Business Career Enhancement Program, Incentives for Urban or Socially and Economically Disadvantaged Area Internships, Centers of Technology Innovation, Dropout Reentry and Mentor Project, Sunshine Workforce Solutions Grants, Florida Minority Medical Education Program, Transition to Teaching Program, School Infrastructure Thrift (SIT) Program, A Business-Community (ABC) School Program, and Effort Index Grants.
- Provisions that are unnecessary or duplicate other law, including State Board of Education review of school district compliance with the Family and School Partnership for Student Achievement Act, certain requirements regarding school-to-

work transition and postsecondary and workforce readiness, school district reporting of suspensions and expulsions, provisions requiring alignment of public high school athletic programs with those offered by public postsecondary institutions, certain public postsecondary institution safety policies, and authority for the Commissioner of Education to grant exceptions to recommendations in educational plant surveys.

- Provisions that are not being implemented or contain outdated or expired statutory authority, including reporting of K-12 Foreign Language Curriculum plans, the Department of Education parent-response center, Florida School for the Deaf and the Blind authority to create a direct-support organization, high school diploma designations related to high school major areas of interest, high school graduation requirements for students who entered 9th grade before the 2007-08 school year, certain substance abuse training programs, the Florida Teachers Lead Program electronic management system pilot project, provisions relating to reduction of energy consumption by public postsecondary institutions, and exceptions to Special Facilities Construction Account millage contribution requirements granted to three school districts.
- Burdensome, incorrect, or unnecessary reporting requirements relating to K-12 public school recycling efforts, school board family involvement rules, school wellness and physical education policies, and paperwork reduction.

The bill passed the Legislature last week and will go to the Governor for signature.

SB 318 -- Background Screening for Noninstructional Contractors on School Grounds by Senator Denise Grimsley (R – Sebring), requires the Department of Education (DOE) to create a uni-

form, statewide photo identification badge to signify that a noninstructional contractor meets background screening and other requirements. The badge must be worn and visible at all times when a noninstructional contractor is on school grounds. All school districts are required to recognize the badge. The bill will be heard by the full Senate tomorrow. A similar bill in the House, **HB 21 by Representative Keith Perry (R – Gainesville)** has passed out of the House and is waiting to be heard in the Senate.

UPDATE ON BILLS

CS/CS/SB 1076 – K-20 Education by Senator John Legg (R – Lutz), revises educational programs and creates certain funding incentives to increase the likelihood that educational programs in Florida's public schools, colleges, and universities will better prepare students for future occupations and careers. The bill fosters students' development of technology skills in prekindergarten through grade 12 and increases opportunities for students to earn industry certifications in high school and college. The bill designates three areas for university performance funding: computer and information technology; high-demand programs as identified by the Board of Governors (BOG) using a gap analysis; and cloud virtualization and related large data management. The bill enhances the delivery of postsecondary education in Florida by providing students better access to degree programs and by establishing standards for university research preeminence.

The enhancements for delivery of postsecondary education include:

- Requiring flexibility in the delivery of developmental education by Florida College System institutions to permit students to begin credit courses immediately while they simultaneously develop the particular skills they need to successfully perform college work;

- Allowing Florida colleges to waive all or a portion of tuition and fees in order to provide a bachelor's degree program to Florida residents for \$10,000;
- Establishing the academic and research excellence standards for the Preeminent State Research Universities Program;
- Requiring the state university that attains the highest level of excellence on the preeminence standards to create an institute for online learning; and
- Establishing the Degree Completion Pilot Program as a permanent degree completion program called Complete Florida Degree Program.

In addition, the bill:

- Provides that Next Generation Sunshine State Standards include specified common core standards;
- Revises funding for the Florida Virtual School based on student completion of end-of-course assessments;
- Revises funding for virtual instruction programs based on student completion of end-of-course assessments; revising implementation options to meet class size requirements;
- Revises middle grades promotion requirements and amends statewide, standardized assessment programs;
- Revises career and education planning course content;
- Revises remediation strategies;
- Requires the availability of digital materials in prekindergarten through grade 12 and provides for digital recognition and certificate programs, including financial literacy within the economics course required for high school graduation;
- Provides requirements for a standard high school diploma and establishes a 24-credit requirement;
- Provides for a standard college and career high school diploma and

course and assessment requirements and, provides requirements relating to online courses, remediation, grade forgiveness, award of a standard high school diploma, transfer of high school credits, and career education courses that earn high school credits;

- Provides for a scholar designation, an industry designation, or a waiver designation on the diploma;
- Provides for the award of a standard high school diploma to honorably discharged veterans
- Provides a reference to the Credit Acceleration Program for purposes of defining the term "credit";
- Authorizes career dual enrollment students to earn industry certifications for credit toward high school graduation;
- Provides requirements for industry certifications, an industry certification funding list, and a postsecondary industry certification funding list for distribution of funding to school districts and Florida College System institutions;
- Revises provisions relating to bonuses awarded to teachers providing advanced placement instruction;
- Revises the calculation of additional full-time equivalent membership based on completion of career-themed courses and issuance of industry certification;
- Provides for teacher bonuses related to industry certification instruction and provides for certain recognitions and performance payments to schools in which students earn digital competency certificates;
- Revises requirements for professional development systems developed by school districts; providing that students participating in an accelerated high school graduation option may continue participation; providing a directive to the Division of Law Revision and Information;
- Requires the strategic plan of the

Board of Governors to include criteria for designating high-demand degree programs of emphasis;

- Creates the preeminent state research universities program;
 - Establishes a collaborative partnership between the Board of Governors and the Legislature to elevate the academic and research preeminence of the highest-performing state research universities;
 - Establishes academic and research excellence standards for a university to be designated a Preeminent state research university;
 - Provides for a preeminent state research university to establish an institute for online learning;
 - Directs the Board of Governors to convene an advisory board and provides duties and responsibilities of the advisory board, the university, and the Board of Governors to provide high-quality, fully online baccalaureate degree programs, including establishment of a tuition structure for the institute;
 - Provides for the award of funding to preeminent state research universities based upon performance;
 - Authorizes a preeminent state research university to establish special course requirements;
 - Provides for preeminent state research university flexibility, and;
 - Encourages the Board of Governors to promote additional programs of excellence.
- Revises definitions relating to adult general education and instruction to attain academic and workforce readiness skills;
- Provides for support for talent retention programs for certain middle school and high school students;
- Revises requirements for basic skills instruction for career educa-

tion programs and requires students to complete action-steps-to-employment;

- Establishing the Complete Florida Degree Program and providing requirements for its implementation;
- Revises provisions relating to fees for students in adult education programs;
- Provides for fee waivers for certain baccalaureate degree programs;
- Deletes an eligibility requirement for a Florida Bright Futures Scholarship Program award;
- Revises provisions relating to the basis for funding workforce education programs;
- Provides requirements for performance funding for industry certifications for school district workforce education programs;
- Revises provisions relating to funding for co-enrolled students;
- Provides requirements for performance funding for industry certifications for Florida College System institutions and provides for performance funding based on accountability metrics;
- Revises the formula upon which performance funding for state universities is based and awarded.

The bill passed the House on Friday and will go to the Governor for signature. The Governor has 7 days to act once he receives the bill from the legislature.

HB 1285 – Tallahassee-Leon County Civic Center Authority by Representative Alan Williams (D – Tallahassee), repeals the special act that provides the charter for the Tallahassee-Leon County Civic Center Authority, and abolishes the independent special district. The bill also designates the Tallahassee-Leon County Civic Center at Florida State University (FSU) as the “Donald L. Tucker Civic Center,” and directs FSU to erect suitable markers reflecting the name of the civic center.

Additionally, the bill directs the Division of Alcoholic Beverages and Tobacco of the Florida Department of Business and Professional Regulation to issue a special license or special licenses to qualified applicants consisting of FSU or its designee for use within the 20-acre civic center complex. Any such license may only permit the sale of alcoholic beverages for on-premises consumption, or off-premises consumption for events sponsored through the civic center.

Finally, the bill transfers all Authority assets and liabilities to FSU. The bill passed the Local and Federal Affairs Committee last week and is on the Education Committee agenda for tomorrow. A similar bill in the Senate, **SB 1084 by Senator Bill Montford (D – Tallahassee, FSU Alum)** has been referred to the Rules Committee.

HB 7051—Resident Status for Tuition Purposes by Representative Jeanette Nunez (R – Miami), revises provisions relating to the determination of resident status for tuition purposes. Specifically, the bill:

- Provides that a United States citizen who is a dependent child may not be denied classification as a resident for tuition purposes based solely upon the immigration status of his or her parent. It amends the definitions of “dependent child” and “parent” regarding establishing residency for tuition purposes.
- Allows, under certain circumstances, dependent students to utilize an additional pathway to establish residency for tuition purposes by submitting evidence of their own residency in Florida.
- Removes a requirement for institutions to reevaluate the classification status of a student classified as a resident for tuition purposes so long as there is no inconsistent information suggesting an erroneous classification and there is no break in the student’s enrollment

for a period of 12 months or longer. Eliminates a measured, one-year grace period allowed when a person loses reclassification of his or her residency status.

- Provides that a student who resides in Florida may be classified as a resident for tuition purposes if he or she marries a person who qualifies as a resident for tuition purposes. It also allows a student who has been classified as a non-resident to reclassify as a resident upon subsequently marrying a person who already qualifies as a resident for tuition purposes.
- For a dependent child living with an adult relative who is a Florida resident and who is not the child's parent, the bill reduces from five years to three years the amount of time the child must live with the relative in order to use the relative's documentation to establish residency for tuition purposes.

- Classifies as residents for tuition purposes individuals who receive certain tuition waivers and exemptions under Florida law, and veterans of the U.S. Armed Forces, including reserve components, who were honorably discharged and who physically reside in Florida while enrolled in a Florida institution of higher learning.

The bill passed the House last week and is in Senate messages. A comparable bill in the Senate, **SB 260 by Senator Jack Latvala (R – Clearwater)** is awaiting hearing by the Education Committee.

HB 883 – Fire Safety by Representative Jim Boyd (R – Bradenton, FSU Alum), mandates that state-owned or state-leased buildings be identified through the use of the U.S. National Grid Coordinate System. The bill furthers an

ongoing effort by the State Fire Marshall, as the coordinating agency for search and rescue under the State Comprehensive Emergency Management Plan, to adopt the U.S. National Grid in partnership with the Division of Emergency Management as the standard in Florida maps for both emergency and other operations.

The bill was amended last week to remove the provision that included state universities in the definition of "state-owned building." The bill is waiting to be heard by the full House. A similar bill in the Senate, **SB 1410 by Senator David Simmons (R – Altamonte Springs)** will be heard later today in the Criminal Justice Committee. That bill also was amended last week to remove the universities from the state-owned building definition.

SESSION SCHEDULE

SENATE SESSION TUESDAY, APRIL 16, 9:00 a.m. to 12:00 noon.

HOUSE SESSION WEDNESDAY, APRIL 17, 11:30 a.m. until completion.

THURSDAY, APRIL 18, 10:30 a.m. until completion.



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