Last week marked the halfway point of the 2007 Legislative Session. Although the Senate took the week off to observe the Passover and Easter holidays, the House met for a day and a half on Wednesday and Thursday, passed dozens of bills out of different committees and then went home for an extended weekend. One major bill the House Schools and Learning Council committee took up and passed last week was the University Governance proposal. It passed with no amendments and very little discussion (see related article).

Legislative members returned today, rejuvenated and ready to get back at it. Both the full House and the Senate will hear their versions of the budget on the floor later this week and send those budgets to conference by Friday. (Conference is the process by which a select group of House and Senate members meet to hammer out differences between their respective budgets.)

A large number of issues will be decided during these last weeks of the 2007 Session. You can watch all the action live on The Florida Channel, local cable channel 4. And, as always, please feel free to contact me if you need copies of a bill and its analysis, or have questions, comments or concerns. I can be reached at (850) 644-4453 or kdaly@mailer.fsu.edu.

### Bill Update

**CS HB 287— First Generation Matching Grant Program by Representative Anitere Flores (R – Miami)**, the bill was amended to clarify provisions relating to the eligibility for the receipt of the grant; restores the current match provisions; changes the date for reallocating unmatched funds from December 1 to August 1 beginning in 2008-09. The bill allows for ICUF institutions to participate in the program with a separate allocation. The bill passed out of the Schools and Learning Council last week and is awaiting hearing by the full House.

**PCB SLC 07-16, Higher Education Governance by the Schools and Learning Council.** The proposed bill defines the roles of the Board of Governors, Boards of Trustees and the State Board of Education in relation to the State University System. The bill passed out of the Schools and Learning Council without amendments last week and will next be heard by the full House.

**HB 289— Textbook Affordability by Representative Anitere Flores (R – Miami),** prohibits certain actions of community college or state university employees relating to student purchases of required textbooks and requires student notification of assigned textbooks. The bill requires adoption of specified policies and practices to minimize the cost of textbooks and requires study and report by OPPAGA. The bill passed out of the Policy and Budget Council on Thursday.
### University Governance

Following is a summary of issues contained in the 250 page 2007 governance proposal. (Highlighted and italicized issues were included in the bill at the request of the Chancellor’s office)

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<th>Topic</th>
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<td>BOG powers &amp; duties</td>
<td>1001.705</td>
<td>Recognizes BOG Constitutional power</td>
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<td></td>
<td>1001.706</td>
<td>BOG develops guidelines for BOT acquisition of real property</td>
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<td>1001.706</td>
<td>BOG develops guidelines for BOT use, maintenance, control of university owned or controlled resources</td>
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<td></td>
<td>1001.706</td>
<td>BOG or designee shall administer program for maintenance and construction of facilities</td>
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<td>1001.706</td>
<td>BOG responsible for compliance with laws</td>
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<td>1001.706</td>
<td>BOG shall implement a plan for working with SBE, CIE, BOT, representatives of private colleges &amp; universities</td>
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<td>1001.706</td>
<td>BOG prohibited from assessing a fee on state universities unless specifically authorized by law</td>
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<td>1001.706</td>
<td>Requires SBE to work in conjunction with BOG regarding New World School of the Arts</td>
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<td>1001.706</td>
<td>Changes requirement to establish criteria for approval of new programs at state universities from SBE to BOG</td>
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<td>1001.706</td>
<td>New programs approved according to conformance with BOG strategic plan instead of SBE master plan</td>
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<td>1001.706</td>
<td>Policies of BOTs established according to guidelines of BOG and rules of state. Acknowledges separate authority of BOG</td>
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<td>1001.706</td>
<td>Allows BOG to establish fees for administration of CLAST at times other than regularly scheduled and set conditions to be admitted to special administrations</td>
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<td>1001.706</td>
<td>BOG or designee makes cost effective policy decisions</td>
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<td></td>
<td>1001.706</td>
<td>BOG or designee: adopt anti-hazing policy</td>
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<td>1001.706</td>
<td>BOG or designee: may, but not required to, establish uniform code of conduct</td>
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<td>1001.706</td>
<td>BOG or designee develops guidelines on data and technology</td>
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<td>1001.706</td>
<td>BOG or designee must account for expenditure of all funds</td>
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<td>1001.706</td>
<td>BOG or designee establish tuition and fees</td>
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<td>1001.706</td>
<td>BOG or designee shall establish personnel program for all personnel including the president</td>
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<td>1001.706</td>
<td>BOG or designee shall ensure compliance with procurement laws</td>
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BOG or designee powers & duties

1001.706(6)(e) BOG or designee may sell, convey, transfer, etc, real property
1001.706(6)(e)1 BOG or designee may secure appraisals and surveys
1001.706(6)(e)2 BOG or designee may negotiate and enter into an option contract
1001.706(6)(f) BOG or designee shall prepare and adopt campus master plan
1001.706(6)(g) BOG or designee shall prepare, adopt, and execute campus development agreement
1001.706(6)(h) BOG or designee may authorize the rent or lease of parking facilities

BOG or designee powers & duties as delegated by BOG

1001.74(2)(g) BOT authority to create divisions of sponsored research requires delegation by BOG
1001.74(3)(a) BOT authority to account for expenditures requires delegation by BOG
1001.74(3)(c) BOT authority to establish tuition and fees requires delegation by BOG

BOG Budget

1001.01(2)(c) State Board of Education cannot make changes to the BOG budget

Articulation

1007.01(2) Requires SBE & BOG to jointly develop guidelines
1007.01(2) Requires SBE & BOG to jointly develop guidelines

Admission for disabled persons

1007.264 Requires SBE to consult with BOG

Support & graduation of disabled persons

1007.265 Requires SBE & BOG to cooperate

Placement tests

1008.30 Requires SBE & BOG to jointly develop and implement placement tests

SUS Facilities

1013.05(10)(a) Chancellor validates surveys for universities
1013.31(1)(a) University surveys submitted to Chancellor
1013.31(1)(b)2 Chancellor provides survey data for universities
1013.31(1)(b)4 Chancellor validates surveys for universities
1013.31(1)(b)5 Chancellor approves deviations from space needs standards for universities
1013.31(1)(c) Chancellor reviews and validates university surveys
1013.60(2) Trustees submit capital outlay budget request to Chancellor
1013.60(2) BOG approves university capital outlay budget requests
1013.64(4)(a) Recognizes the BOG as the submitter for the university 3-year priority list

BOT powers & duties

1001.74(1)(c) BOT authority within guidelines of the BOG and in accordance with law
1001.74(2)(d) Delete BOT responsibility for ensuring general education access. Remains responsibility of BOG
1001.74(2)(c) BOT authority to require more than 120 hours for baccalaureate program requires delegation by the BOG

BOT powers & duties as established by Legislature

1001.74(2)(a) BOT is contracting agent of the university
1001.74(2)(b) BOT must obtain BOG approval for all new campuses and instructional centers
1001.74(2)(h) BOT may produce work products that are subject to trademark, copyright, or patent statutes
BOT powers & duties as established by Legislature
1001.74(2)(j) BOT may exercise right of eminent domain.

BOT powers & duties as established by Legislature
1001.74(6)(e) BOT may exercise right of eminent domain.

BOT powers & duties as established by Legislature
1001.74(6)(j) BOT authorized to dispose of state-owned tangible property.