



# LegisLetter

FLORIDA STATE UNIVERSITY GOVERNMENTAL RELATIONS

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Fresh off of its two-day workweek last week, which was abbreviated by the Easter/Passover holidays, the legislature now appears ready to pick up the pace and (hopefully) finish the final three weeks of this year's session in a solid fashion.

The budget, which is the only bill the legislature is required to pass during its annual session, is sure to be the hot topic throughout the remaining weeks. Both the full House and Senate will debate and amend their respective budgets until Thursday of this week, pass them out on Friday, and thereby ready them for the budget conference next week.

This budget conference will not come to an easy resolution, however. The House and the Senate are not just monetarily but philosophically miles apart. The Senate's total budget is \$600 million richer than the House's, although neither one realistically meets the state's needs. Plus, with either budget, Florida State University would, compared to last year, lose millions in recurring general revenue and lottery funds (**see related chart**).

In an effort to keep the university community apprised of this situation, President Wetherell will hold a town hall meeting on Tuesday, April 21 (**see Town Hall Meeting notice**).

Meanwhile, the House maintains its firm anti-tax stance and resistance to using gaming revenue to soften the severity of its proposed cuts, although it has incorporated non-recurring federal stimulus dollars into its budget. The Senate, on the other hand, favors the use of gaming revenue, an increase in the cigarette tax, additional fees, and the appropriation of federal stimulus monies to "buy down" the cuts for this year (but only for this year).

Last week, President Wetherell and Vice President Bradley submitted to media outlets throughout the state a compelling op-ed piece on the importance of robust and well-funded public universities. Their commentary has been reprinted in this newsletter on the chance you had not already seen it.

Please feel free to contact me if you have questions about the budget or any legislation of interest. I can be reached at **(850) 644-4453** or via e-mail at **kdaly@fsu.edu**.

## President's Town Hall Meeting

President T.K. Wetherell has invited the Florida State University community to attend a Town Hall Meeting on **Tuesday, April 21 at 3:30 pm** in the theater of the Askew Student Life Building. The purpose of the meeting is to provide faculty, staff, administrators and students information about the university's budget and its goals for the future.

Although seating is limited, the meeting will be web cast. Additional details and an agenda will be posted by Friday, April 17 at <http://campus.fsu.edu/budget>.

### SESSION SCHEDULE

#### SENATE SESSION

Tuesday, April 14  
1:15 p.m. to 3:45 p.m.

Thursday, April 16  
9:00 a.m. to 2:00 p.m.

#### HOUSE SESSION

Wednesday, April 15  
10:00 a.m. to 1:45 p.m.

Wednesday, April 16  
9:00 a.m. to 3:00 p.m.

Friday, April 17  
9:00 a.m. - until

# Spotlight on Bills

**SB 642 – Autism Programs and Related Disabilities by Senator Thad Altman (R - Melbourne)**, authorizes DHSMV to develop and issue an Autism license plate. Drivers can display this specialty plate upon payment of the appropriate license taxes and fees and a \$25 annual use fee. The fee is to be distributed to various

Autism related activities including fifteen percent to the CARD at the University of Miami for distribution to the seven regional CARDS, as determined appropriate by the director of that center, to be used to support the services provided by the CARDS. The bill passed out of the Senate last week. The House companion, **HB 239**

**by Representative Rich Glorioso (R – Plant City)** is in the Economic Development & Community Affairs Policy Council.

**CS/CS/HB 1411 – Education Personnel by Representative Kelli Stargel (R – Lakeland)**, creates the “Quality Teachers for All Students Act” and

changes the contractual requirements for classroom teachers hired beginning July 1, 2009. The bill revises the current assessment system and establishes an appraisal system and revises the appraisal procedures and criteria for instructional, administrative, and supervisory personnel. The bill requires, by March 1, 2010,

## Florida State University

### Comparison of House and Senate Appropriations

<u>Main Campus:</u>	<u>All Funds</u>		<u>Recurring Only</u>	
	<u>House</u>	<u>Senate</u>	<u>House</u>	<u>Senate</u>
<b>2009-2010 Budget</b>				
<b>Educational and General</b>				
General Revenue	\$213,241,388	\$257,828,256	\$213,241,388	\$257,828,256
Ed Enhancement	\$27,139,366	\$25,750,292	\$27,123,661	\$25,734,587
Student Fees TF	\$132,462,182	\$133,253,861	\$132,462,182	\$133,253,861
Phosphate Research TF	\$0	\$0	\$0	\$0
Federal Grants TF	\$21,664,166	\$20,519,564	\$0	\$0
<b>TOTAL</b>	<b>\$394,507,102</b>	<b>\$437,351,973</b>	<b>\$372,827,231</b>	<b>\$416,816,704</b>
<b>Amount Over(Under) Initial 2008-09 Appropriation</b>				
<b>Educational and General</b>				
General Revenue	(\$72,822,245)	(\$28,235,377)	(\$72,822,245)	(\$28,235,377)
Ed Enhancement	(\$4,159,333)	(\$5,548,407)	(\$1,130,153)	(\$2,519,227)
Student Fees TF	\$6,399,962	\$7,191,641	\$6,399,962	\$7,191,641
Phosphate Research TF	\$0	\$0	\$0	\$0
Federal Grants TF	\$21,664,166	\$20,519,564	\$0	\$0
<b>TOTAL</b>	<b>(\$48,917,450)</b>	<b>(\$6,072,579)</b>	<b>(\$67,552,436)</b>	<b>(\$23,562,963)</b>
<b>Percent Over/(Under) Initial 2008-09 Appropriation</b>				
General Revenue	-25.46%	-9.87%	-25.46%	-9.87%
Ed Enhancement	-13.29%	-17.73%	-4.00%	-8.92%
Student Fees TF	5.08%	5.70%	5.08%	5.70%
Phosphate Research TF	0.00%	0.00%	0.00%	0.00%
Federal Grants TF	100.00%	100.00%	100.00%	100.00%
<b>TOTAL</b>	<b>-11.03%</b>	<b>-1.37%</b>	<b>-15.34%</b>	<b>-5.35%</b>

and biennially thereafter, the Department of Education (DOE) to report to the State Board of Education (SBE) on the effectiveness of the graduates of state-approved teacher preparation programs. Additionally, the bill adds successful completion of a professional education training program provided by Teach for America and achievement of a passing score on the professional education competency examination required the SBE as an option for demonstrating professional education competence. The bill further requires the DOE to annually post on its Internet website the percentage of classroom teachers by school who are first-time teachers, temporarily certified teachers, teachers in need of improvement, or out-of-field teachers; and report by school district the number of classroom teachers whose students' declining academic performance indicates educational insufficiency. The

bill is waiting to be heard by the full House. A similar bill in the Senate, **SB 2458 by Senator Thad Altman (R – Melbourne)** reported favorably by the Education Pre-K - 12 Committee.

**SB 2374 — Pub. Rec./K-12 & Postsecondary Education Records, by Senator Nancy Detert (R – Venice)**, creates a new public records exemption for education records, as defined by FERPA and the implementing regulations, for K-12 students and public postsecondary students and applicants. These records are confidential and exempt. Under state law and FERPA, an individual who has not been in attendance at a school or postsecondary institution is not included in the definition of a student. Federal regulations permit a school district or postsecondary institution to disclose education records, without consent, to officials at another school or postsecondary institution where a student seeks or intends to enroll. The bill prohibits agencies, public schools, centers, institutions or other entities that are part of Florida's education system from releasing information without the written consent of the student, except in the circumstances permitted by FERPA. The bill ensures that the state complies with federal FERPA requirements, which protects the state's grant of federal funds. The bill is now in the Rules Committee. A similar bill in the House, **HB 7117 by Representative Faye Culp (R-Tampa)** is on the calendar to be heard by the full House.

## Update on Bills

**CS SB 1996 – State Universities, by Senator Lee Constantine (R – Altamonte Springs)**, authorizes university boards of trustees to increase the monetary threshold for the use of Public Education Capital Outlay (PECO) funds for the replacement of minor facility projects from \$1 million to \$2 million. The bill removes a prohibition on initiating a project until the state match has been received under the university facility challenge grant program and authorizes a university board of trustees to implement a renewable energy fee with approval from the student body. The bill was amended last week to limit the maximum renewable energy fee to \$1 per credit hour for the first year of implementation, and provides that the fee will be subject to re-approval by referendum after 3 years. The bill reported favorably by the Finance and Tax Committee. The House companion, **HB 499, by Representative Steve Crisafulli (R – Merritt Island)** is awaiting hearing by the full House.

**CS CS HB 919 – Revision of Class Size Requirements, by Representative Will Weatherford (R – Zephyrhills)**, proposes an amendment to the State Constitution to require class size requirement for public schools remain at current limits but be based on the average number of students

at the school level, rather than on the maximum number of students who are assigned to each teacher. The bill was amended last week to clarify that the calculation of class size requirements is based on the average number of students assigned per class to each teacher who is teaching in each of the three grade groupings within each public school. It also clarifies that the payments of the costs associated with meeting these requirements is the responsibility of the state and not of local school districts. The Senate companion, **SB 1828, by Senator Stephen Wise (R – Jacksonville)** is now in the Education Pre-K - 12 Appropriations Committee.

**HB 489 – State University Presidents, by Representative Marti Coley (R – Marianna, FSU Alum)**, requires the board of trustees of each state university to appoint a university president and establish and administer a personnel program for the president. The bill requires the Board of Governors, or the board's designee, to establish the personnel program for all other employees of a state university. The bill requires each university board of trustees, to the extent delegated by the Board of Governors, to establish and administer the personnel program for all employees of the university except the president. The identical bill in the Senate, **SB 234 by Senator Don Gaetz (R – Ft. Walton Beach)** is now in the Policy & Steering Committee on Ways and Means.



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# DON'T RISK FLORIDA'S FUTURE WITH CUTS

*By President T.K. Wetherell and Vice President Bob Bradley*

Florida's legislators are wrestling with an unprecedented decline in general revenues. While some talk about embracing Indian gaming as part of a solution, there's a much higher-stakes game in play - a game that risks the future of Florida by dismantling badly needed state programs, including public higher education.

Make no mistake about it: Reductions under consideration for higher education and other government programs will severely damage our state's efforts to become a home for talent and innovation. They will not only set back universities but also thwart the state's efforts to build a critical mass of innovation for at least a generation to come.

Enterprise Florida, our state's primary organization devoted to statewide economic development, says, "Education is the new bedrock for economic development. Skilled, educated talent at all levels . . . is key to Florida's economic success for high-wage jobs and innovation." That's why "Build World-Class Talent" is Enterprise Florida's top priority in its strategic "Roadmap to Florida's Future."

Consider the words of University of Chicago economist and Nobel laureate Robert Lucas, who maintains that "spillovers in knowledge that result from talent-clustering are the main cause of economic growth" (the Atlantic, March 2009). Where does talent cluster? Around universities with the resources to support undergraduate, graduate and postdoctoral research and creativity.

The future of our state mapped out by Enterprise Florida and others lies in the generation of ideas. The last decade has seen a shift and surge in our state as Gov. Jeb Bush and key legislators worked to attract Scripps and other named research centers. At the same time, all universities have dramatically increased their research activities.

The choices our legislators are facing can be summarized in one overriding and important question: Would the impact of dismantling state programs be worse for the future of the state than the impact of increasing taxes on Floridians during a recession?

The answer is not simple, because not all expenditures made by the Legislature have the same impact, and not all taxes affect economic prosperity the same way.

However, there are options that can go a long way toward closing the state budget gap and retaining necessary services for Florida's residents, including public higher education.

Consider the idea of a measured and temporary change that raises the state sales tax one cent for the next three years. A one-cent sales tax increase would reduce the budget cuts by \$3 billion.

Such an increase would barely affect individuals making more than \$100,000 a year. For those

earning less than \$25,000, the impact would be about \$150 per year. However, the forthcoming federal tax cuts combined with the expenditures that are part of the federal stimulus package would offset that negative impact.

To grasp the nature of this impact, our legislators should compare it with the alternative: deep cuts in government services and state programs, such as public higher education. These are priorities that the Legislature has debated and repeatedly supported over the past decade.

Our efforts to build our state's economy through nurturing education, talent, innovation and creativity now hang in the balance - perhaps to be undone in the current budget. And, if lost, that momentum is not easily regained. Failing decisive action, Enterprise Florida's recommended route could become the road not taken.

In the coming weeks, the Legislature will place its bet on Florida's future. We encourage our elected representatives to play the odds-on favorite by following Enterprise Florida's economic development strategy and supporting our public universities.

T.K. Wetherell is president of Florida State University and former speaker of the Florida House of Representatives. Robert Bradley is vice president for planning and programs at FSU and former director of the Florida Office of Planning and Budgeting, Executive Office of the Governor.

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