



**A**lthough last week's session was abbreviated due to religious holidays, state lawmakers were able to cram quite a bit of work into their shortened time at the Capitol. In particular, both the House and Senate released their respective budget plans and, for the first time in six years, legislators were not forced to cut funds but instead had additional dollars to allocate.

Both chambers' plans restore the \$300 million cut made to state universities last year, which for Florida State equates to about \$66 million. Furthermore, the House and Senate appropriated performance-based funding for the SUS, as well as university-preeminence funding for Florida State and Florida. The House also proposed a 6% tuition increase, and both chambers' budgets include pay raises for state employees. A rundown of the funding for state universities is provided in the related budget story.

This week, the House and Senate intend to pass these budget proposals out of their respective appropriations committees.

Also last week, the Senate Appropriations Committee submitted a plan to revise the Florida Retirement System in ways that likely will prompt intense House-Senate negotiations. Expressly, this Senate committee voted in favor of a bill by Sen. Wilton Simpson (R-Trilby) that would provide new state employees with financial incentives to join the 401(k)-style investment plan, but still allow them to sign up for the "defined benefit" pension system. (Under Sen. Simpson's proposal, senior managers and elected officials would only be able to sign on to the investment plan.)

That bill is in sharp contrast with what House Speaker Will Weatherford (R-Wesley Chapel) has deemed his top priority for this session. Speaker Weatherford backs HB 7011 by Rep. Jason Brodeur (R-Sanford), which would close the state pension plan to new enrollees on January 1 and thereby require all new employees take the "defined contribution" plan.

Please see the Spotlight on Bills section of this newsletter for information on bills that continue to move through the process.

A reminder that tomorrow is FSU Day at the Capitol! Please join us as we celebrate the Garnet and Gold with the Capitol community. As always, please feel free to contact me if you have questions or need additional information about pending legislation. I can be reached at **(850) 644-4453** or **kdaly@fsu.edu**. Thanks!

*Kathleen*

# Budget Update

The House budget allocations for the next fiscal year would spend \$10.57 billion on public schools, colleges and universities plus another \$610 million from state trust funds. The proposal includes a \$1 billion hike in general revenue money. The allocation for education includes \$3.4 billion for state universities, restoring a \$300 million cut in last year's budget and \$12.5 million in recurring funds for Florida State University Preeminence. The House also includes a 6 percent tuition increase in its budget.

The Senate's \$10.59 billion education budget, \$3.5 billion for state universities, includes the restoration of a \$300 million cut made last year to the State University System budget. It also increases the SUS budget by another \$114 million, which includes \$45 million for "high demand programs" and \$30 million for research programs and includes \$15 million in recurring funds for Florida State University Preeminence.

Following is a comparison of issues outlined in the House and Senate proposed budgets impacting Florida State University:

ISSUE	HOUSE	SENATE
General Revenue . . . . .	<b>241,668,682</b>	<b>241,509,996</b>
Preeminence included . . . . .	<b>12,500,000</b>	<b>15,000,000</b>
Student and Other Fees . . . . .	<b>227,398,732</b>	<b>227,328,903</b>
Lottery . . . . .	<b>31,869,197</b>	<b>33,090,270</b>
College of Medicine . . . . .	<b>45,037,547</b>	<b>45,037,547</b>
College of Medicine Lottery . . . . .	<b>605,115</b>	<b>605,115</b>
Fixed Capital Outlay . . . . .		<b>70,000,000 SUS</b>
Student Union Expansion (Phase I) . . . . .	<b>23,272,828</b>	
Barron Building Improvements (Panama City Campus) . . . . .	<b>250,000</b>	
SUS Maintenance Repair & Renovation . . . . .	<b>200,000,000</b>	<b>37,873,294</b>
PECO		
Critical Maintenance . . . . .	<b>10,000,000</b>	
Florida Diagnostic & Learning Resources Center . . . . .	<b>396,525</b>	<b>396,525</b>
Communication Navigator . . . . .		<b>1,000,000</b>
Autism Program . . . . .	<b>963,453</b>	<b>770,762</b>
Public Broadcasting		
Statewide Governmental and Cultural Affairs Programing. . . . .	<b>497,522</b>	<b>497,522</b>
Florida Channel Closed Captioning. . . . .	<b>340,862</b>	<b>340,862</b>
Florida Channel Year Round Coverage . . . . .	<b>2,072,554</b>	<b>2,072,554</b>
Florida Channel Satellite Transponder Ops . . . . .	<b>800,000</b>	<b>1,690,000</b>
Public Television Stations . . . . .	<b>3,996,811</b>	<b>3,996,811</b>
Public Radio Stations . . . . .		<b>3,430,156</b>
Student Financial Assistance. . . . .	<b>1,467,667</b>	<b>1,467,667</b>
Pepper Center Long Term Care . . . . .		<b>(500,000)</b>
Immokalee Obesity Prevention . . . . .	<b>300,000</b>	
Domestic Security – FSU Mass Gathering . . . . .	<b>115,324</b>	<b>115,324</b>
Florida Catastrophic Storm Risk Management Center . . . . .	<b>300,000</b>	<b>500,000</b>

The House budget includes an across the board \$1,400.00 salary increase for all eligible employees, while the Senate proposal includes an across the board 3% increase for all eligible employees. Both proposals continue health insurance premiums at the current rates. The House budget also provides health insurance benefits for full-time OPS employees with premium rates at \$96.00 for individual and \$136.74 for family.



## Tomorrow is FSU Day at the Capitol

Our big day is almost here! After months of planning, FSU Day at the Capitol for 2013 takes place tomorrow and promises to be another great event. As in the past, FSU Day emphasizes the university's proud heritage and spotlights the extraordinary accomplishments of our students and faculty.

Please join us from 10:00 am to 2:00 pm for informative displays on the plaza level and second and third floor rotundas. During the lunch hour, appearances by FSU celebrities and members of the Seminole legislative caucus, and performances by the pep band, cheerleaders and Flying High Circus will begin at 11:30 in the capitol courtyard, with refreshments available for all to enjoy.

In addition, our second annual "Seminole Evening" reception will be held tonight from 5:30 to 7:30 on the 22nd floor of the capitol. Come by for this meet-and-greet with our legislators.

We look forward to seeing you this evening and tomorrow in your Garnet and Gold!

# SPOTLIGHT ON **BILLS**

**HB 5101 -- Education Funding by Representative Jeanette Nunez (R – Miami)**, conforms statutes to the funding decisions included in the proposed House General Appropriations Act (GAA) for the 2013-2014 fiscal year. Specifically the bill:

- Modifies the requirements for reporting and calculating full-time equivalent student membership in K-12 programs for funding in the Florida Education Finance Program (FEFP).
- Modifies the provider qualifications necessary for providers to be approved to offer virtual instruction programs.
- Provides requirements for the coding of blended learning courses by the department to ensure efficient reporting of such courses and requires public school districts and the Florida Virtual School to use common student identifiers to ensure accurate reporting of full-time equivalent student membership in K-12 programs.
- Clarifies the role and responsibility of the Florida Virtual Campus to provide online academic support services and resources and access to distance learning courses offered by the state's public postsecondary education institutions.
- Creates the Board of Governors oversight authority to oversee the performance of university boards of trustees in the compliance with laws, rules and regulations.
- Provides funding requirements for dual enrollment program articulation agreements between colleges or universities and school districts.
- Provides additional flexibility for state universities to expand student fees to include the tuition differential within the percentage of tuition limitations.
- Expands the Florida Resident Access Grant (FRAG) program eligibility to all private institutions thus allowing the Access to Better Learning and Education (ABLE) Grant program institutions to be incorporated into the FRAG program, and subsequently deletes the ABLE program.
- Removes the sunset of the salary limitation on the amount of state funds that may be used for salaries of Florida College System and State University presidents and administrative employees.
- Requires specific action by the Florida College System and State University System upon the occurrence of a financial emergency situation at a college or university institution.
- Establishes academic and research excellence standards for universities to be designated as a preeminent state research university.
- Provides eligibility and funding requirements for participation in the School Readiness program.
- Adopts by reference the alternate compliance calculation amounts for the class size reduction operating categorical.
- Terminates the Sophomore Level Test Trust Fund and renames the Knott Date Center Working Capital Trust Fund within the Department of Education (DOE).

The committee adopted five amendments last week and reported the bill favorably. The amendments make the following changes to the bill:

- The first three amendments restored the performance funding related to student passage of the must pass EOC assessments for the Florida Virtual School, school district virtual instruction programs, and brick and mortar schools; but delays implementation until 2016-17 school year. The amendment also provides that performance funding is inapplicable to students who enroll in a segmented remedial course delivered online.
- The fourth amendment clarified the expansion of the FRAG eligibility requirements to include students who are currently eligible in the ABLE program.
- The final amendment removed the requirement for students to complete a Free Application for Federal Student Aid in order to be eligible for a FRAG grant award.

The bill will be heard next in the Appropriations Committee. There is no Senate companion at this time.

**PCB APC 13-04 Education Capital Outlay by Representative Seth McKeel (R – Lakeland)**, makes various changes related to the manner and requirements of state universities regarding fixed capital outlay. The bill eliminates the requirement that universities enter into campus development agreements with local government host communities. The campus master plan would be required to identify the level-of-service standard established by the local government and the entity that would provide the service to the campus.

The bill increases the cap for university capital improvement fees from a maximum of 10% of tuition to 20% of tuition and tuition differential; and it increases the cap on the incremental increase per year from \$2 to \$3 per credit hour.

- The bill makes the following changes to Section 1010.62, F.S., relating to revenue bonds and debt:
- Specifically allows public private partnership agreements as a type of university debt.
- Expands the sources of revenues that can be used to secure debt to include technology fees and sales and services of education departments.
- It amends the calculation of the technology fee to include tuition differential.
- Increases the amount of athletic fees that may be used to pay and secure revenue bonds.
- Eliminates the “functional relationship test” to allow auxiliary enterprises revenues (i.e. housing and parking) and revenues from royalties and licensing to be used to secure debt for academic, education and research facilities that are part of a multi-use project.

■ Allows academic or educational facilities that are part of a multi-purpose capital outlay project to be bonded without legislative approval of the specific project.

The bill increases from \$1 million to \$2 million the maximum amount universities may spend for building replacement or renovation projects.

The elimination of the requirement for universities to enter into campus development agreements with local government host communities will result in cost avoidance for future Legislatures. Consequently, local governments will have a reduction in their revenue collections. It is anticipated that state university revenues from Capital Improvement Fees and Technology Fees will result in an indeterminate positive impact.

The bill passed the Appropriations Committee on Friday. There is no Senate companion at this time.

**HB 1033 – Public School Classroom Teachers by Representative Eric Fresen (R – Miami, FSU Alum)**, renames the Florida Teachers Lead Program to The Florida Teachers Classroom Supply Assistance Program and continues to allow districts flexibility in distributing funds to teachers. If debit cards are used, the debit cards must have an identifier on the front indicating the card has been issued specifically for this program. It encourages the Department of Education and school districts to enter into public-private partnerships in an effort to generate more funds for the program. The bill was amended to reinstate all dissemination options for districts to allow them more flexibility and to minimize costs associated with instituting debit cards. The bill is waiting to be heard by the full House. A comparable bill in the **Senate SB 1096 by Senator John Legg (R – Lutz)** has passed out of the Senate and is waiting to be heard in the House.

**HB 5401 Transparency in State Contracting by Clay Ingram (R – Pensacola, FSU Alum)**, defines that the Chief Financial Officer (CFO) is responsible for setting and approving accounts against the state and keeping all state funds and securities. The CFO's duties also include contract review, procurement training, and auditing. The Transparency Florida Act requires the CFO to provide a state contract management system for purposes of providing access to information and documentation relating to contracts procured by governmental entities; however, the contract itself is not part of the information disclosed on the website.

Effective July 1, 2013, the bill expands the contract information that agencies are required to upload onto the Florida Accountability Contract Tracking System (FACTS). Specifically, the bill requires state agencies to upload the following information into FACTS:

- The names of the contracting entities.
- The procurement method utilized.
- The contract beginning and ending dates.
- The nature and type of commodities or services purchased.
- Applicable contract unit prices and deliverables.
- Total compensation to be paid or received under the contract.
- All payments made to the contractor to date.
- Applicable contract performance measures.
- An electronic copy of the contract that has been redacted to conceal confidential or exempt information.

The bill requires each agency to redact confidential or exempt information from the contract before posting it to the website. The bill provides a process for state agencies to follow when a document has been posted that has not been properly redacted. The website is required to display a notice of the right of an affected party to request redaction.

The bill passed in the Governmental Oversight and Accountability Subcommittee last week. There is no Senate companion at this time.

**HB 1097 – School Safety by Representative Greg Steube (R – Sarasota)**, authorizes a public school principal to designate a member of a school district's personnel to carry a concealed weapon or firearm on school district property. Similar authority is provided to district school superintendents regarding school district administration buildings. Weapons or firearms must only be carried in a concealed manner on the individual's person at all times while performing official school duties. Such personnel must complete private security officer licensing training and statewide firearms license recertification training, with exceptions. They are not required to obtain the licenses associated with required training. For purposes of such designation, "school" means any public or private elementary school, middle school, junior high school, or secondary school.

The bill was amended last week to:

- Remove provisions requiring each school board to commission a school safety officer for each school in the school district, except for schools in which the principal has authorized school district personnel to carry a concealed weapon or firearm.
- Add provisions clarifying that designated personnel must carry the weapon or firearm on their person at all times.

- Add private schools to the bill's definition of "school."

The bill passed the K-12 Subcommittee. A similar bill in the Senate, **SB 1418 by Senator Alan Hays (R – Umatilla)** has been referred to the Education; Criminal Justice and Rules committees.

**HB 7141 – Public School Personnel by Representative Janet Adkins (R – Fernandina Beach)**, requires that a classroom teacher's performance evaluation be based only upon the performance of students he or she actually teaches and reiterates that a school administrator's evaluation is based upon students attending the school he or she oversees. All classroom teachers and school administrators must be evaluated using either a learning growth or student achievement measure. Student achievement measures may only be used for courses associated with statewide assessments if a statewide growth formula has not been approved for that assessment. For courses associated with a school district assessment, student achievement may only be used if it is demonstrated to be a more appropriate measure of performance than student learning growth.

The bill reiterates existing law authorizing the percentage of an instructional personnel's or school administrator's performance evaluation that is based upon student performance to be reduced from 50 percent to 40 percent if less than three years of student data are available.

In evaluating non-classroom instructional personnel, the bill requires school districts to use student outcome data that reflects the employee's actual contribution to the performance of students in his or her area of responsibility.

In addition, the bill reiterates that the student assessment data used in the performance evaluation must be from statewide assessments or school district assessments in the

subject areas taught in order for an employee to be included in the performance salary schedule.

The bill was filed by the K-12 Subcommittee last week. A similar bill in the Senate, **SB 980 by Representative Anitere Flores (R – Miami)** is now in the Appropriations Subcommittee on Education.

## UPDATE ON BILLS

**HB 359 – Public Meetings by Representative Cary Pigman (R – Sebring)**, creates a public meetings exemption for any portion of a meeting of the board of directors of the DSO or of a committee of the DSO in which the board or committee discusses the identity of a donor or prospective donor, proposal seeking research funding from the DSO, or a plan or program for either initiating or supporting research. The bill was amended last week with a technical amendment and reported favorably by the Governmental Operations Subcommittee. It will now go to the Judiciary Committee. A similar bill in the Senate, **SB 1276 by Senator Bill Montford (D – Tallahassee, FSU Alum)** is now in the Governmental Oversight and Accountability Committee.

**HB 1017, State Procurement by Representative Eric Fresen (R – Miami, FSU Alum)**, creates a uniform local business preference for state procurement for goods or contractual services, including construction services. The bill defines "local business" for purposes of evaluating state procurements and awarding in-state preferences to local businesses. The bill creates a preference procedure that permits both the out-of-state and in-state vendors to submit their best and final bid.

The bill provides that the preference does not apply if the preference is prohibited by law, the procurement is designated for small business, it is an emergency, or it is a sole source procurement.

**CS CS SB 1720, Education by Senator Bill Galvano (R – Bradenton)**, 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 on-line learning; and
- Establishing the Degree Completion Pilot Program as a permanent degree completion program called Complete Florida Degree Program.

In addition, the bill:

- Repeals the requirement that Bright Futures Scholarship recipients must file a Free Application for Student Financial Aid (FASFA) form, codifies the authority of the Board of Governors over state universities in regard to audit findings, and revises general education requirements.

- Repeals authorization Florida College System Institutions to offer non-credit college preparatory (remedial) courses.
- Replaces the Board of Governors as lessor with the University of South Florida Board of Trustees for the use of certain university lands and facilities by the H. Lee Moffitt Cancer Center and Research Institute (Moffitt).
- The bill passed the Appropriations Committee last week and is scheduled to be heard by the full Senate on Thursday. A comparable bill in the House, **CS CS HB 7057 by Representative Jeanette Nunez (R – Miami)** reported favorably by the Education Committee last week.

## SESSION SCHEDULE

### SENATE SESSION

THURSDAY, **APRIL 4**, 2:00 p.m. to 5:30 p.m.

### HOUSE SESSION

TUESDAY, **APRIL 2**, 2:30 until completion

THURSDAY, **APRIL 4**, 1:30 until completion



**FLORIDA STATE UNIVERSITY**  
GOVERNMENTAL RELATIONS

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