



Please refer to the legislative issue of the *Current* or to the FACC website at www.facc.org for an explanation of issues discussed in this report and for other legislative information.



Session Winding Down....?

As the Legislative session is winding down, we hope that any issues which are still floundering about the legislature will be resolved, particularly the budget crunch. Your FACC team of college lobbyists lead by the FACC Legislative Committee Chair, Don Payton of Seminole Community College, have done a tremendous job this year working with the legislative members and educating them on our issues. Your Presidents, led by Dr. Eileen Holden (PCC), Policy and Advocacy Chair for COP, have been ringing the phones and writing letters to all legislators. Many of them are here in Tallahassee regularly working the halls of the Capitol to gain support for our funding issues. The hard work will pay off because no matter how we end up, this will be one of the years where we recognize that it will be better off than where we might have been without their efforts.

The House and the Senate are in conference this week, however, not publically. Many of the public conference meetings have been cancelled. We hope this is a sign that the leadership is working behind the scenes to strike a budget package that will work. However, the House and the Senate remain about a \$250 billion apart with regard to the state budget overall, and a \$113 million apart on community college funding.

Florida College System

[HB7083](#) by Community Colleges and Workforce Education Committee, and [SB 2682](#) by Sen. Pruitt The Florida College System bill continues to move forward in two forms. The sticky issue remains the four-year baccalaureate approval process. In the Senate bill, four-year degree programs must initially be approved by the State Board of Education. After that your local Board of Trustees would handle subsequent approvals with oversight by the Division. On the House side, all four-year programs would be approved by the State Board of Education. A compromise inserted into the Senate bill would be that after three years of delivering baccalaureate programs, the college may petition the State Board to have their own Board of Trustees approve all programs. The House bill also decouples the four year funding from SUS and uses the cost-plus 35% for funding colleges for those programs. It also provides for a consistent level of start up funding for all new programs. The House bill allows your Board of Trustees to set upper division tuition from 10% below to 15% above the standard.

To allay fears that the demise of two-year programs will result with the expansion of the baccalaureate movement, specific language has been included in the bill that re-emphasizes the core mission of the system. Moreover, it specifically states that a college may not terminate its associate degree programs as a result of being authorized to offer one or more baccalaureate programs. All four-year offerings proposed must meet the scrutiny of workforce demand for the degree within the geographic region to be served.

Higher Education Appropriations Conforming Bill

[CS/SB 1696](#) by Sen. Lynn Passed by the Senate, to be heard in the House

As previously reported, this bill consolidates several other bills and conforms them to the appropriation in the Senate Higher Education budget. There are many provisions included in the conforming bill since last reported, such as:



- A moratorium on Bachelor of Applied Science degree development for 2009-10. One provision may allow BAS degrees approved by March 2009 to proceed.
- The bill redefines residency and the term "independent" as a person who provides 50% or more of their own support, and are not claimed as a dependent by anyone. Two forms of physical residency proof that demonstrate clear and convincing evidence of continuous residency for at least 12 months prior to enrollment, are required. Documents will be identified by SBE and the BOG.
- Additional provisions in the bill include requiring Bright Futures students to repay the state for withdrawal of courses after drop and add.
- It also states that Bright Futures Gold Seal students can not convert to Medallion.
- Bright Futures levels will be set at amounts determined in the General Appropriations Act.
- The bill strikes the provision that requires community colleges to use the amount from 10%-15% in their tuition differential for safety and security purposes.



Excess Hours

[SB 2318 C1](#) by Sen. Constantine and [HB 7109](#) by State Universities and Private Colleges Committee

The bill would require resident, state university system students, who enroll for the first time in Fall 2009, to pay an excess hour surcharge equal to 50 percent of the tuition rate for each credit hour in excess of 120 percent of the number of credit hours required to complete the baccalaureate degree program in which the student is enrolled. This would include all credit hours for courses taken at the state university from which the student is seeking a baccalaureate degree, including:

- Failed courses
- Courses that are dropped after the university's advertised last day of the drop and add period
- Repeated courses, except repeated courses for which the student has already paid the full cost of instruction
- All credit hours earned at another institution, including community colleges, and accepted for transfer by the state university and applied toward the student's baccalaureate degree program.

The language as written does not appear to apply to four-year programs offered by state and community colleges.

Hours that may be exempted from the provisions of this law in the following circumstances are not calculated as hours required to earn a baccalaureate degree:

- College credits earned through an articulated accelerated mechanism
- Credit hours earned through internship programs.
- Credit hours required for certification, recertification, or certificate programs.
- Credit hours in courses from which a student must withdraw due to reasons of medical or personal hardship.
- Credit hours taken by active-duty military personnel.
- Credit hours required to achieve a dual major taken while pursuing a baccalaureate degree.

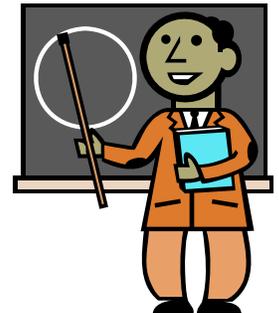
Although, the bill provides a disincentive for state university students to take excess credit hours, the exemption from the excess hours requirement is not limited. Accordingly, it is possible for a state university to create an exemption for any reason. Additionally, each student who earned more than 120 percent of credit hours for the degree program would be required to meet with an advisor before registering for additional classes and prepare an educational plan to complete the program.

Retirement/DROP

[HB 0479](#) by Rep. Schenk and [SB 1182](#) by Sen. Fasano

Some changes have been added to the retirement bills that we have been following. As you have been informed, these bills will change the Florida Retirement System and the DROP provisions. However, there are provisions that will grandfather in any person who is in the DROP prior to Jan. 1, 2010 or anyone who DROP's prior to that date.

In the Senate, the bill was considered today in the Government and Accountability Oversight Committee. The bill passed as amended by Sens. Haridopolis and King—5 yeas, 3 nays. The bill states that among other things a retiree who is re-employed within 6 calendar months after retirement voids his or her application for retirement benefits. Additionally, a retiree may be re-employed after sitting out six months. Both retirement and pay may be collected but no additional retirement benefit can be earned. Any retirement benefits received by a retiree while reemployed within the six month limitation period must be repaid to the Florida Retirement System Trust Fund, and his or her benefits remain suspended until repayment is made. Finally, these provisions would apply to persons in either the Defined program or the Option program.



This bill is changing almost daily. Stay tuned for more in the closing weeks of session.