

**2015 Regular Session:
Legislation Passed
5/4/2015**

Hazardous Walking Conditions: CS/CS/CS/HB 41

(Passed by Legislature, 4/29/15)

- Revises criteria that determine a hazardous walking condition for public school students.
- Authorizes a district school superintendent to initiate a formal request for correction of a hazardous walking condition.
- Requires state or local governmental entities with jurisdiction over a road with a hazardous walking condition to correct the condition within a reasonable period of time.
- Provides that a district school board may implement a safe driver toll-free telephone hotline to report improper driving or operation by a school bus driver for investigation and other action.

Public Records/Active Duty Service-members: CS/CS/CS HB 185

(Passed by Legislature 4/23/15)

- Creates a public records exemption for current and former military service-members who served since September 11, 2001, and their spouses and dependents. Exempt information includes:
 - Home address, telephone numbers, birthdate of service-member.
 - Home address, telephone numbers, birthdate, and place of employment of spouse or dependent.
 - Name and location of school attended by spouse, or school/daycare attended by dependent.

Electronic Commerce: CS/CS/CS SB 222

(Passed by Legislature 4/22/15)

- Creates the “Computer Abuse and Data Recovery Act”
- Provides civil cause of action if injured by individual who, with intent to do harm obtains information from a protected computer, causes transmission of program/code/command, or traffics in ‘access barriers’ (passwords).
- Injured party will be able to recover damages.

Administrative Procedures: CS/CS/CS HB 435

(Passed by Legislature 4/28/15)

- Makes changes to the Administrative Procedures Act (APA), related to state agency’s rulemaking, and the agency’s reliance on un-adopted or invalid rules.

College Trustees: SB 446

(Passed by Legislature, 4/29/15)

- Specifies that St. John's River State College is to have seven members of their Board of Trustees, from their three-county service area.

Senior Management Service Class: HB 565

(Passed by Legislature, 4/27/15)

- Provides a six month window for local agencies to reassess the designation of positions classified as Senior Management, with additional windows every five years.

Individuals with Disabilities: CS/SB 642

(Passed by Legislature, 4/24/15)

- Creates Florida Achieving a Better Life Experience (ABLE) program, allowing those with disabilities to save money, using accounts like the 529-college savings plan accounts.
- Directs the Pre-Paid College Board to create a DSO for ABLE.

Local Government Construction Preferences: CS/CS/SB 778

(Passed by Legislature, 4/24/15)

- Amends state law relating to local government construction preferences.
- Prohibits local ordinances and regulations from restricting competition for the award of a contract for construction services based upon certain conditions, including:
 - if 50% or more of the cost of the project will be paid from state-appropriated funds (all funds appropriated in the general appropriations act, excluding federal funds) then a state college, county, municipality, school district, or other political subdivision of the state may not use a local ordinance or regulation that provides a preference to a local contractor over other qualified contractors.
- Requires language to be included in competitive solicitation documents stating that local ordinances containing restrictions on bidder is not applicable to the specific project.

Involuntary Examination of Minors CS/SB 954

(Passed by Legislature 4/28/15)

- Requires immediate notification to a student's parent, guardian, or caregiver if the student is removed from school, school transportation, or a school-sponsored activity and taken to a

receiving facility for an involuntary examination. School health services are required to develop plans to include notification requirements when a student is so removed.

- Requires a receiving facility to give notice of the whereabouts of a minor who is being involuntarily held for examination to the minor’s parent, guardian, caregiver, or guardian advocate, in person or by telephone or other form of electronic communication, immediately after the minor’s arrival at the facility. Repeat attempts to notify must be documented. Notification may be delayed if the facility has knowledge or suspicion of abuse, abandonment, or neglect and if the facility deems a delay to be in the minor’s best interest.
- Requires Charter School Principal or the Principal’s designee to immediately notify the parent of a student who is removed from school, school transportation, or a school sponsored activity and taken to a receiving facility for an involuntary examination pursuant. Notification may be delayed if in the student’s best interest and if a report has been submitted to the central abuse hotline, based upon knowledge or suspicion of abuse, abandonment, or neglect. Each charter school governing board shall develop a policy and procedures for notification under this paragraph.

Florida Civil Rights Act: SB 982

(Passed by Legislature: 4/24/15)

- Amends the Florida Civil Rights Act to prohibit discrimination on the basis of pregnancy in education, employment, housing and public accommodations.

Legislative Lobbying Requirements: SB 984

(Passed by Legislature: 4/28/15)

- Clarifies that use of a public facility for a public purpose is not an expenditure for purposes of the “legislative expenditure ban.”

Strategic Lawsuits Against Public Participation (SLAPP): CS/SB 1312

(Passed by Legislature, 4/24/15)

- Expands the application of anti-SLAPP statutes to prohibit retaliatory lawsuits related to protected free speech, in connection with public issues, to include:
 - Speech made before a governmental entity in connection with an issue under review by that entity, and
 - Speech in connection with a play, movie, TV program, radio broadcast, audiovisual work, book, magazine article, musical work, news report or other similar work.

Interception of Wire, Oral, or Electronic Communication: HB 7001

(Passed by the Legislature, 4/24/15)

- Allows a child under 18 to intercept and record oral communications if the child is a party to the communications and has reasonable grounds to believe the recording will capture a statement by another party that indicates the intent to commit an unlawful sexual act or unlawful physical force or violence against the child.

Workforce Services: CS/HB 7019

(Passed by Legislature, 4/14/15)

- Renames Workforce Florida, Inc. as CareerSource Florida, Inc. All regional workforce boards have changed as well.
- Creates task force to implement the 2014 federal Workforce Innovation and Opportunity Act (WIOA). The task force includes the following education representatives:
 - The Commissioner of Education
 - The Chancellor of the Florida College System
 - The Chancellor of the State University System
 - The Chancellor of the Career and Adult Education Division
 - The president of the Florida Association of Postsecondary Schools and Colleges
 - The president of the Independent Colleges and Universities of Florida, Inc.
- The Task Force will develop recommendations on the following:
 - Review of current service delivery programs
 - Regional planning design
 - One-stop service delivery design
 - Integration of economic development, workforce development, and education, and
 - Development of sector strategies and career pathways.

State Board of Administration: SB 7024

(Passed by Legislature, 4/22/15)

- Removes restrictions on the State Board of Administration (SBA) related to investments, and directs the SBA to distribute the residual balance of a Trust Fund to participants (which may include Colleges) who were members in November of 2007.

Educational Opportunities for Veterans: SB 7028

(Passed by Legislature, 4/24/15)

- Expands the existing out-of-state fee waivers for veterans, to anyone using U.S. Department of Veterans Affairs education benefits (G.I. Bill benefits.)
- Repeals the 110 percent restriction on use of the out-of-state fee waiver.
- Complies with federal law which requires colleges to provide in-state tuition rates for G.I. benefit use.

Education Accountability, CS/HB 7069

(Approved by Governor, Chapter 2015-6)

- Allows school districts to amend start dates, as early as August 10. This change will allow students to finish terms before the December holidays, and therefore will eliminate problems with dual enrollment.
- Eliminates duplicative assessments by repealing the statewide, standardized ELA assessments, and repealing the administration of PERT to high school students.
- Prohibits final exams in addition to EOC assessments.

Did not pass

FCS Baccalaureate Programs (SB 602, SB 948, CS/SB 1252, SB 2500)

As originally introduced, Senate Bill 1252 would simply have repealed the moratorium on new bachelor's degree programs in the Florida College System (FCS). It was amended by Senator Joe Negron to impose sweeping new restrictions on such programs, including extending the approval process by nearly a year and by capping baccalaureate enrollments at 5% of a college's total FTE enrollment. Numerous colleges would have been forced to change their names. In addition, proviso language was inserted into the General Appropriations Act calling for all FCS baccalaureate programs to be supported by tuition and fees only - no state money would be used to expand existing programs or start new programs.

Following a short period of intense negotiations, the colleges and Senator Negron agreed on a compromise that would do the following:

- **Moratorium** - Current moratorium is lifted.
- **Institutional Mission** - Bachelor's degrees become part of secondary mission.
- **Enrollment caps** -
 - Those at 10% or above may grow by 5% (i.e. from 10 to 15 percent of total enrollment.)
 - Those below 10% may grow by 7%.
 - 2014-15 FTE(3) is used as the benchmark.
 - Institutions will not exceed the enrollment cap at any time during any year for the next three years.
 - The caps sunset on June 30, 2018.
- **Approval Process for New Bachelor's Degrees** - The application and approval process for new degrees is strengthened. Colleges must file a Notice of Intent 120 days (now 100 days) before filing an application for a new baccalaureate program. Public and private universities get 90 days to review proposals (now 60 days and 30 days, respectively). Verification of need data by a single third party entity will be required.
- **Accountability** - New accountability provisions are added to the program, including annual review of performance and continuing need.
- **2+2 Initiatives** - Language strengthening articulation and stressing the importance of 2+2 programs is included, and the State Board of Education and the Board of Governors are required to study current 2+2 efforts.
- **Institutional and System Names** - All colleges get to keep their current names. No restrictions on future names. System will be renamed the Florida Community College System.

- **Funding of Programs** - The proviso language in the General Appropriations Act that limited program support to only tuition and fees would be removed. State funding could be used for program support.

The statutory text implementing this agreement was included in an amendment to Senate Bill 948, sponsored by Senator Gaetz, and later into Senate Bill 602. Both of these bills died when the House adjourned *sine die* on April 29.

Higher Education Coordinating Council Membership (CS/SB 1252)

Adds the Chancellor of Career and Adult Education as a member of the Higher Education Coordinating Council. This bill died on the Senate calendar when the House adjourned *sine die* on April 29.

Agency for State Technology

Section 1 of CS/CS/SB 948 amends current law to direct the Agency for State Technology to develop "architectural standards" for school districts when establishing digital classrooms. The language is similar to language contained in SB 7050 by the Senate Government Oversight and Accountability Committee which died in the Senate Education Appropriations Committee, and to CS/CS/SB 1264 by Senator Legg which was on the calendar as of April 29. The language in section 1 appears to only relate to district school boards. However, language contained in section 16, lines 906 through 974, specifically provides on line 959 that any charter school seeking funds from the Florida digital classrooms allocation funds must adhere to the uniform definitions of information technology architecture components identified by the Agency for State Technology. Those colleges which operate charter schools and which want to request funding from the Florida digital classrooms allocation funds appropriation, would be directly impacted by these restrictions.

DORMS

Section 61, lines 4804 through 4822 of CS/CS/SB 948, contains language amending current law to allow a Florida College System institution to construct dormitories with up to 400 beds, instead of the current 100 beds restriction, to house the institution's students. This language was adopted as an amendment by Sen. Flores to CS/SB 948 in the Senate Appropriations Committee meeting of April 21, 2015. Prior to this amendment being offered, no legislation had been filed in either House addressing the increase in size of dormitories. In the explanation of the need for the change, Florida Keys Community College was mentioned, but if the language becomes law, the increase in dormitory capacity would apply to all Florida College System institutions.

CS/CS/SB 948, Section 25, 34, 35, 36, and 37 relating to High School Extra-curricular Activities: The proposed changes to these sections amend current law relating to student eligibility to participate in extra-curricular activities, composition of the board of directors and the representative assembly of the Florida High School Activities Association (FHSAA), powers and duties of the FHSAA, penalties and the resolution of appeals of findings of the FHSAA, entities eligible to belong to the FHSAA, conditions under which individual students may transfer between schools, the sale and price of tickets sold for FHSAA events, and authorizing the Commissioner of Education, with approval of the State Board of Education, to designate a different non-profit organization as the officially recognized entity to govern interscholastic athletics in this state and serve as Florida's voting member association of the National Federation of State High School Association.

Council of Presidents Committee Opening and Other Positions Needed

2015-16

COP Steering Committee – Nine Members (3 at large opening; 1 appointed)

- Chair, Carol Probstfeld
- COP Vice- Chair(s); one year term and AFC Policy and Advocacy Committee Co-chair
- Policy and Advocacy Committee Co-Chair (new)
- At-large members; (3) three year term;
 1. Massey (offered to continue)
 - 2.
 - 3.
- Appointed member (1) one year term (usually the past chair)
 1. Jim Henningsen

FCSRMC Operations Committee

- Vice-Chair - John Holdnak (offered to serve)

FCSAA Rep

- Board Rep (one year term?)

Council Liaison

- (1) one year term

Committee Chairs

- Articulation
- Baccalaureate Issues
- Funding Formula
- Media and PR
 1. Leitzel
 2. Mojock (through December 2015)
- Wattenbarger Award Chair

From: Gallon, Dennis P [<mailto:gallond@palmbeachstate.edu>]

Sent: Thursday, April 30, 2015 11:47 AM

To: Ann McGee; Bill Law; Chuck Hall; Chuck Mojock; Cynthia Bioteau; David Armstrong; Ed Massey; Ed Meadows; Eduardo Padrón; Eileen Holden; Jackson Sasser; Jason Hurst; Jeff Allbritten; Jim Henningsen; Jim Murdaugh; Jim Richey; Joe Pickens; John Grosskopf; John Holdnak; Jonathan Gueverra; Katherine Johnson; Ken Atwater; Probstfeld, Carol; Sandy Shugart; Tom Leitzel; Tom LoBasso, Daytona State College; Ty Handy

Cc: Michael Brawer; Butler, Kasongo; julie.alexander@fldoe.org; 'kathy.hebda@fldoe.org'; David Klement (Klement.David@spcollege.edu); Furlong.Tom@spcollege.edu; mike@turbovote.org; Dean, Sherri A

Subject: TurboVote Update

Members of the Council of Presidents,

During our meeting earlier this month, I informed you that I had been in communication with Mike Ward, TurboVote Outreach Lead, and he expressed an interest in partnering with FCS institutions to make TurboVote available for a second year to augment civic engagement opportunities on our campuses. I also shared with you that I had conversations with David Klement and Tom Furlong, and they had informed me that the Institute for Strategic Policy Solutions was very impressed with the success of the program during its inaugural year. In addition, they both felt that the Institute was interested in supporting a TurboVote partnership for a second year.

I am happy to share with you that the Institute for Strategic Policy Solutions has donated \$14,000 (\$500 x 28 colleges) to underwrite the cost of establishing a partnership with each institution in the FCS. As a testament to TurboVote's interest in partnering with FCS, all mailing costs for this year will be underwritten by TurboVote. Next year, TurboVote will work with each college on identifying funding for the future. I know that we all appreciate President Law and SPC, as well as Mike Ward and TurboVote for making this opportunity available to the FCS institutions."

I hope that COP could entertain a vote to partner with TurboVote at our meeting/conference call on May 15, 2015. Comments and questions are welcomed!

Dennis

Please note: Due to Florida's broad open records law, most written communication to or from College employees is public record, available to the public and the media upon request. Therefore, this e-mail communication may be subject to public disclosure