

THE VALENCIA SESSION REPORT

• A Publication for Trustees, Faculty, Staff, Students, and Friends of Valencia •

May 18, 2004



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House Chamber

2004 Legislative Session Closes, Community Colleges Fare Well

Introduction

► At 11:41 PM Friday night, April 30th, the 2004 Legislative Session was adjourned sine die. The session ended with the passage of 500 bills out of almost 2,700 filed. The community college system received great support from the legislature in operational and capital budgets and benefited from several pieces of substantive legislation.

Funding Issues

► **Summary of Community College System and Related Budget Issues**

- Operating budgets for community colleges will receive an increase of \$63.8 million, or 7.2%
- Community College Library Automation (CCLA) Operations received \$8 million
- Baccalaureate Degrees - \$7,767,160
- Domestic Security - \$2.5 million
- Challenge Grants - \$73.2 million
- PECO received \$233.6 million, which is \$23.7 million more than requested
- Displaced Homemaker Program continues to be funded at \$2 million
- College Reach Out Program (CROP) continues to be funded at \$3.2 million
- Public Financial Aid was increased by \$1.5 million to \$71 million
- \$2 million is available within the Agency for Workforce Innovation to provide training and scholarships for Child Development Associates who plan to work in pre-kindergarten
- Tuition Policy: A 5% increase is permitted for college credit and a 5% increase is required for workforce (eg. A.S.) programs.

► Valencia's percentage increase, ninth largest among community colleges, was 8.26% - representing a general revenue appropriation increase of \$4,507,707. The District Board of Trustees received authorization to increase college credit program student fees by 5%, and is required to increase workforce program student fees by 5%.

► With regard to the overall budget approved by both Chambers, it should be noted that a major change in the District Cost Differential (DCD) for public schools was approved which significantly impacts the funds larger counties receive, to the benefit of smaller counties.

**Valencia Community College
2004-2005 Appropriations
(Excluding fees and retirement savings)**

	Amount Funded	Change from Current Year Funding
CCPF Lottery	\$ 6,122,149	\$ 61,284
CCPF General Revenue	\$ 52,092,471	\$ 4,457,810
Performance Based Budget-General Revenue	\$ 858,181	\$ -11,387
TOTAL	\$ 59,072,801	\$ 4,507,707 (8.26% Increase)

Public Educational Capital Outlay (PECO) Funds

Project	Valencia Request/FBOE Project List	Amount Funded*
Ren/Rev West	\$ 1,300,000	\$ 1,300,000
Building 9 East, w/ parking	\$ 3,645,918	\$ 3,645,918
Ren/Rem collegewide	\$ 1,888,379	\$ 1,888,379
Ren/Rem West Gym	\$ 5,797,850	\$ 5,797,850
Sum-of Digits		\$ 1,061,314
TOTAL PECO	\$ 12,632,147	\$ 13,693,461

► In addition, the legislature fully funded the community college systems challenge matching programs at \$73.2 million, including facilities match. Valencia's Foundation received \$1,171,466 to place in its endowment for scholarship matching purposes.

► It appears that the legislature distributed its appropriation to the community college system in accordance with the agreed upon Community College Program Fund formula as set forth in law and as agreed upon by the presidents, legislative staff, and legislators.

Legislative Issues:

■ Bills that Passed

[General Appropriations Act 2004HB 1835](#)

- Authorizes \$58 billion state budget.

[Appropriation Implementing Bill for the 2004 Budget HB 1837](#)

- Provides specific authority for implementing the budget - expires in one year.

[More detailed summary](#)

[Appropriation Conforming Bill on Workforce Development SB 1258](#)

- Merges the workforce fund into the community college program fund.
- References to the Workforce Development Fund are deleted.
- 90% to be allocated on enrollment and 10% on performance.
- Requires DOE to develop funding process for school district (SD) workforce programs that is comparable to funding of CC workforce programs.
- Requires DOE to develop a plan for reporting workforce data that is comparable between CCs and SD, which include program, student, facility, personnel, cost and financial data.

[More detailed summary](#)

[Appropriation Conforming Bill HB 1867](#)

- Requires identical fees for resident students within a college to be charged for a specific course regardless of the program in which the students taking the course are enrolled.
- Provides that fee waivers may not exceed the amount annually set in the General Appropriations Act and establishes the 8% maximum allowed in statute.
- Prohibits the reporting of FTE for state funding purposes in instances where the direct

instructional costs of the program or course are fully funded by an external agency.

- Requires all state inmate education provided by community colleges be reported and projected separately by program, FTE expenditure and revenue source. Prohibits FTE generated through the instruction of state inmates from inclusion in the FTE enrollment for CCPF funding and prohibits the use of CCPF funds for college-level courses to inmates who do not pay their own fees.
- Renames some community colleges as “colleges” that offer baccalaureate degrees: Chipola College, Edison College (though they are not authorized to offer a BA), Miami-Dade College and Okaloosa-Walton College.

[More detailed summary](#)

[Appropriation Conforming Bill on Retirement SB 2230](#)

- Establishes retirement rates and health insurance subsidy for retirees.

[More detailed summary](#)

[Teacher Institutes \(Alternative Certification\) SB 2986](#)

- Authorizes community colleges to offer competency-based alternative certification programs to persons with baccalaureate degrees through the creation of Educator Preparation Institutes.
- Institutes’ programs must be approved by DOE and are authorized to provide: professional development instruction to assist teachers in improving classroom instruction and in meeting certification or re-certification; instruction to assist potential and existing substitute teachers in performing their duties; instruction to assist paraprofessionals in meeting education and training requirements; and, instruction for baccalaureate degree holders who were not education majors to become certified.
- Requires participants to meet the educator certification requirements required in statutes, and that each of the programs authorized for this alternative certification must be “competency-based,” provide field experience, and a certification ombudsman to facilitate the process and procedures required for eventual certification.
- Accountability provisions and fingerprinting outlined.
- Nomenclature Changes—changes terms “vocational” and “technical” to “career” to more accurately describe the professional preparation

of these programs and changes “workforce development” to “workforce education.”

[More detailed summary](#)

[Voluntary Pre-Kindergarten \(VPK\) HB 821](#)

- Establishes phase-in of the program including the training requirements for personnel working in facilities.
- No specified number of hours for articulation between Child Development Associate (CDA) and a community college program is in this bill.
- Parents choose among three distinct programs:
 - Pre-K program delivered by a child development provider;
 - Summer Pre-K program delivered by a public school; or
 - School-year Pre-K program delivered by a public school.
- CDA requirements for each Pre-K class include at least one teacher or child care personnel with the following credentials:
 - A CDA credential issued by the National Credentialing Program of the Council for Professional Regulation;
 - A credential approved by the Department of Children and Family Services as being equivalent to or greater than the national CDA; or
 - One of the following educational credentials:
 - Bachelor’s or higher degree in early childhood education, pre-kindergarten or primary education, preschool education, or family and consumer science;
 - Bachelor’s or higher degree in elementary education, if the teacher has been certified to teach children any age from birth through 6th grade, regardless of whether the certificate is current;
 - Associate’s or higher degree in child development;
 - Associate’s or higher degree in an unrelated field, at least 6 credit hours in early childhood education or child

development, and at least 480 hours experience in teaching or providing child care services for children any age from birth through 8 years of age;

- Educational credential approved by the Department of Education as being equivalent to or greater than any of these educational credentials.
- Emergent literacy training course to be in effect by January 1, 2005. The course must consist of 5 clock hours and provide instruction in strategies and techniques to address the age-appropriate progress of Pre-K students in the development of emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development. Teachers and child care personnel who possess educational credentials in lieu of a CDA or state approved equivalent are exempt from this requirement.

[More detailed summary](#)

[Child Care Training SB 1572](#)

- Requires the 40 hour course for Child Development Associate to include SIDs, Shaken Baby Syndrome and early brain development.

[More detailed summary](#)

[Career and Technical Education HB 769](#)

- Charter Technical Career Centers—establishes uniform procedure for FTE calculation to minimize inconsistencies created by varying class time requirements by high schools and community colleges.
- Career Education Certification on Diploma—establishes requirements for a student to receive a career education certification on his or her diploma.
- Industry-Certified Career Education Programs—provides for career education programs to be coordinated with industry. Requires studies on industry-certified career education programs to determine effect on student performance and need for cost factors or start-up funding.
- Guidance Services—requires an annual district guidance report.
- Workforce Development Funding—removes Workforce Development Education Fund to conform with budget transfer of the remaining

adult and career education workforce budget to the school district budget. Requires Department of Education to develop comparable processes for funding and reporting data from workforce education programs conducted by school districts and community colleges.

- Apprenticeships—Requires a study by the Agency for Workforce Innovation and CEPRI on the need for apprenticeship and other workforce education programs.
- Comprehensive Study on Workforce Education—requires study group appointed by the Commissioner of Education to make recommendations on funding and allocation models, improvements to articulation, implementation of innovative programs for high school and postsecondary workforce education, and improvements to guidance counseling.

[More detailed summary](#)

[Accelerated High School Graduation Options SB 364](#)

- Raises required GPA to 3.5 for 3 yrs HS option.
- Eliminates 3 yr career option.
- Allows those already in program to complete under prior law.
- Requested selection of 3 yr option by end of 9th grade is required.
- Allow student to change to 4 yr option at any time.
- Requires 6 of 18 credits required to be in AP or IB and must earn a 3.5 in every class or automatically go to 4 yr option.
- Requires those who want academic graduation honors to take the 4 yr option.
- Authorizes for high school students the substitution of the ACT or SAT for FCAT, if scores are at a certain level.

[More detailed summary](#)

[Flags in the Classroom HB 1757](#)

- Named after the House of Representatives member who served in Iraq, the Carey Baker Freedom Flag Act requires every public classroom in K-12, community colleges and universities to display an American flag, two foot by three foot in accordance with Title 4, U.S.C.
- Requires the education institution's CEO to purchase flags with donations through fundraising for a period of one year prior to requesting the educational institution's governing bodies to authorize payment from the institution's funds.

[More detailed summary](#)

[Domestic Security SB 124](#)

- This bill requires state agencies, universities and community colleges to conduct initial security assessments of buildings and facilities owned or leased by December 1, 2004, under a prescribed format and within existing resources.
- It provides for the Chief of Domestic Security Initiatives to make follow up recommendations and enhancements for the safety and security of the facilities, and to report to the Governor and Legislature if any institution fails to cooperate.
- There is no additional funding provided for this task.

[More detailed summary](#)

[Charter Schools SB 3000](#)

- Contains provisions on operations and accountability.

[More detailed summary](#)

[Respiratory Therapy SB 476](#)

- Removes the provision allowing students to work as respiratory therapists while in training (this aligns it with other disciplines).

[More detailed summary](#)

[Middle School Reform SB 354](#)

- Reading coaches will be added to low performing middle schools. Schools must develop a reading improvement plan and individual improvement plans for poor readers.

[More detailed summary](#)

[School Code Glitch SB 340](#)

- Changes State Board of CC to State Board of Education (SBOE)
- Clarifies that the SBOE as an appointed board may not waive state statutory law
- Clarifies some of the functions of the commissioner, the Dept and the SBOE
- Contains UMIFA by repealing the prior repeal

[More detailed summary](#)

[Insurance Public Construction SB 2696](#)

- Affects owner controlled insurance programs for public construction projects

[More detailed summary](#)

[Retirement FRS SB 1650](#)

- Provides that a spouse at the time of FRS' participant's death is considered beneficiary for the purposes of retiree's health insurance subsidy.

- Contains other provisions related to obligations of employers to communicate with employees.

[More detailed summary](#)

[Educational Facilities Near Airports SB 2572](#) –

This bill amends statutes related to the placement of educational facilities adjacent or near airport facilities by providing fewer restrictions.

[Sick Leave for K-12 Personnel SB 300](#)

Although this bill does not apply to community college personnel, it is significant because it revises key provisions in statute related to sick leave that community colleges may wish to consider in the future. The bill deletes restrictions. This bill allows school boards to set policy regarding terminal pay for unused sick leave that is less restrictive than as established a few years ago by the Legislature.

[Financial Impact Estimating Conference HB 1743](#)

- A related measure passed that requires the creation of a Financial Impact Estimating Conference to determine expected costs of citizen initiatives and requiring shorter (deadlines by 6 months) for filing paperwork to qualify an initiative for the ballot, currently it is 91 days.

[More detailed summary](#)

Bills that Failed

[SB 2858 Apprenticeship Funding](#)- would have required participating colleges to allocate \$3,500 per FTE to fund apprenticeship students.

[SB 2388 Baccalaureate Bill and Capital Improvement Fee](#) -

These two bills were combined. The BA bill clarified the process by which community colleges can pursue authorization to offer the BA. The Capital Improvement Fee bill indexed the fee to tuition (maximum of 10%) with a cap of no more than \$2 per year as an increase.

[HB 119 Resident Status for Tuition](#) - This bill would have granted in-state tuition at a community college or state university to undocumented students who have attended a Florida high school for at least 3 years and graduated or passed the GED.

[SB 544 Prompt Pay](#) – This bill would have imposed on community colleges construction payment

requirements designed for counties and municipalities. The colleges agreed to guideline contractual language in exchange for being removed from the application of the bill.

SB 1670 Instruction in American National Government - A highly controversial bill for community colleges, the bill would have required the inclusion of an American National Government course within the 36 credit hours of general education. Community colleges opposed this bill because of the infringement on academic freedom, and potential problems with articulation. This bill has been repeatedly filed.

SB 1218 Social Security Numbers - This bill would have prohibited community colleges and state universities from using Social Security numbers for student identification purposes beginning July 1, 2004. This was an identity theft issue.

SB 1904 Per Diem and Travel Expenses - This bill proposed to increase the per diem and subsistence ranges for travel expenses of public employees (including community college employees).

HB1781/SB2884 Higher Education Finance Bill - Primarily a state university bill, this legislation would have capped funding for students at 115%

of a degree, and authorized a similar study of excess hours at community colleges. The impact to the College's transfer students and community college students in subsequent years would have been significant.

SB 1350 Mold Assessment and Remediation - This bill would have imposed strict and expensive requirements on community colleges with regard to indoor air quality.

SB 1666 Repeal of CEU Electronic Requirements

SB 885, 1974, 1556 Retirement



Senate Chamber

HOW CAN YOU GET COPIES OF FINAL, "ENROLLED" BILLS?

The legislative homepage known as "Online Sunshine" provides access to all versions of House and Senate bills. The address is: <http://www.leg.state.fl.us> . The final, **enrolled** version of the bill that passed will be listed as "bill # er" under the bill number in the appropriate Chamber.

Additionally, you can access the 2004-2005 General Appropriations Act, *the Conference Committee Report on House Bill 1835*, (a.k.a., "the budget") at:
http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2004&billnum=1835

If you have questions regarding The Session Report or need additional information, please contact [William J. Mullowney, Esq.](#), or [Lisa Lovell](#) in the Office of the Vice President for Policy and General Counsel. Dr. Mullowney and Ms. Lovell can be reached at 407-582-3450.

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A BETTER PLACE TO START.