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# **Education Committee**

**Tuesday, February 7, 2012**

**1:30 pm – 6:00 pm**

**Reed Hall – 102 HOB**

**Meeting Packet**

**Dean Cannon  
Speaker**

**William Proctor  
Chair**



## AGENDA

Education Committee  
Tuesday, February 7, 2012  
1:30 pm – 6:00 pm  
Reed Hall – 102 HOB

- I. Call to Order/Roll Call
- II. Opening Remarks
- III. Discussion with Florida College System Presidents:
  - Broward College - J. David Armstrong, President
  - Daytona State College - Carol Eaton, President
  - Indian River State College - Edwin R. Massey, President
  - Miami Dade College - Eduardo J. Padrón, President
  - St. Johns River State College - Joe H. Pickens, President
  - St. Petersburg College - William D. Law, Jr., President
- IV. Consideration of the following bill(s):
  - CS/HB 45 Postsecondary Education Course Registration for Veterans by K-20 Innovation Subcommittee, Smith
  - CS/HB 285 Sick Leave for School District Employees by K-20 Competitiveness Subcommittee, Harrell
  - HJR 931 Board of Governors/Student Body President by Gaetz
  - CS/HB 1357 District School Boards by K-20 Competitiveness Subcommittee, Glorioso
- V. Closing Remarks and Adjournment



# FLORIDA COLLEGE SYSTEM

## Snapshot

First College Established:	1933
Institutions:	28
Campuses:	64
Sites:	182
Capital Assets:	\$6.6 billion
Types of Degrees Awarded:	Bachelor's, Associate in Arts, Associate in Science, Vocational and College Credit Certificates, GED
Percentage of Faculty Part-time:	76%
Percentage of Faculty Full-time:	24%

## STUDENTS

### Total Headcount (2009-10)

	Number
Students Served	907,753
Total FTE	359,900

Source: The Florida College System.

### Dual Enrollment (2009-10)

	Number
Total Headcount	46,083
Total FTE	17,474

Source: The Florida College System.

### College Remediation Rate (2009-10)

	Percentage
Percentage of students needing remediation in one or more subject areas	54%

Source: The Florida College System.

### Student Characteristics (Fall 2010)

Characteristic	Percentage	
Race/ Ethnicity	Black/African American	18%
	Hispanic/Latino	23%
	White	49%
	Other	9%
Gender	Male	41%
	Female	59%
Average Student Age	25	
Attendance	Full-time	39%
	Part-time	61%

Source: Florida Department of Education Fall 2011 Fact Book.

# PROGRAMS & DEGREES AWARDED

## Programs Enrollments (2009-10)

Program	FTE Enrollment	Percentage of Total FTE Enrollment
Bachelor's Degree	5,377	1%
Associate in Arts (AA)	217,375	60%
Associate in Science (AS)/College Credit Certificates	60,827	17%
Vocational Certificates	11,551	3%
College and Vocational Preparatory	42,015	11%
Adult and Secondary	10,202	3%
Continuing Workforce Education	10,070	3%
Educator Preparation Institute (EPI)	1,581	<1%
Apprenticeship	6,279	2%

Source: The Florida College System.

## Degrees/Certificates (2009-10)\*

Degree/Certificate	Number
Bachelor's Degree Program	1,602
AA Degrees	48,763
AS Degrees	12,936
Vocational and College Credit Certificates	22,113
Educator Preparation Institute (EPI)	1,556
<b>Total Degrees/Certificates Awarded</b>	<b>86,970</b>

Source: The Florida College System.



# BROWARD COLLEGE

## Snapshot

Year Established:	1960
Counties Served:	Broward
Sites:	10
Campuses:	3
Student-To-Faculty Ratio:	30 to 1
Types of Credentials Awarded:	Vocational and College Credit certificates, Associate in Science degree, Associate in Arts degree, Bachelor's degree
Percentage of Faculty Part-time:	76%
Percentage of Faculty Full-time:	24%

## STUDENTS

### Total Student Enrollment (2009-10)

	Number
Total Unduplicated Headcount	62,279
Total FTE	27,774

Source: The Florida College System.

### Dual Enrollment (2010-11)

	Number
Total Unduplicated Headcount	3,151
Total FTE	1,280

Source: The Florida College System.

### College Remediation Rate (2010)

	Percentage
Percentage of Students that Need Remediation for one or More Subject Areas	64%

Source: Florida Department of Education, Office of Articulation.

### Student Characteristics (Fall 2010)

Characteristic	Percentage	
Race/ Ethnicity	Black/African American	31%
	Hispanic/Latino	31%
	White	26%
	Other	12%
Gender	Male	41%
	Female	59%
Age*	25 and Over	35%
	24 and Under	65%
	Unknown	0%
Attendance	Full-time	36%
	Part-time	64%

\*Age data are reported for Fall 2009.

Source: College Navigator and the Integrated Postsecondary Education Data System (IPEDS).

## PROGRAMS & DEGREES AWARDED

### Program Enrollments (2009-10)

Program	FTE Enrollment	Percentage of Total FTE Enrollment
Bachelor's Degree	129	<1%
Associate in Arts (AA)	15,753	56%
Associate in Science (AS)/College Credit Certificates	6,985	25%
Vocational Certificates	447	2%
College and Vocational Preparatory	4,325	16%
Adult and Secondary	-	-
Continuing Workforce Education	199	1%
Educator Preparation Institute (EPI)	65	<1%
Apprenticeship	-	-

Source: The Florida College System.

### Bachelor's Degree Programs (Fall 2011)

Programs:
1. Exceptional Student Education
2. Middle Grades Mathematics Education
3. Middle Grades Science Education
4. Secondary Biology Education
5. Secondary Mathematics Education
6. Information Technology
7. Nursing
8. Supervision and Management
9. Technology Management

Source: The Florida College System.

### Degrees/Certificates (2009-10)

Degree/Certificate	Number
Bachelor's Degree Program	0
AA Degrees	4,017
AS Degrees	896
Vocational and College Credit Certificates	857
Educator Preparation Institute (EPI)	33
<b>Total Degrees/Certificates Awarded</b>	<b>5,803</b>

Source: The Florida College System.

## STUDENT SUCCESS

### Overall Graduation Rates for Students who Began Their Studies in Fall 2004

Rate	Percentage
Overall Graduation Rate	22%

Source: College Navigator and the Integrated Postsecondary Education Data System (IPEDS).

### Transfer Students (Fall 2010)

	Number/Percentage
Number of Students who Transferred to the University System	1,610
Percentage of all College System Transfers to the University System	8%

Source: The Florida Board of Governors.





# DAYTONA STATE COLLEGE

## Snapshot

Year Established:	1958
Counties Served:	Flagler, Volusia
Sites:	7
Campuses:	2
Student-To-Faculty Ratio:	23 to 1
Types of Credentials Awarded:	Vocational and College Credit certificates, Associate in Science degree, Associate in Arts degree, Bachelor's degree
Percentage of Faculty Part-time:	72%
Percentage of Faculty Full-time:	28%

## STUDENTS

### Total Student Enrollment (2009-10)

	Number
Total Unduplicated Headcount	36,756
Total FTE	14,984

Source: The Florida College System.

### Dual Enrollment (2010-11)

	Number
Total Unduplicated Headcount	1,511
Total FTE	794

Source: The Florida College System.

### College Remediation Rate (2010)

	Percentage
Percentage of Students that Need Remediation for one or More Subject Areas	46%

Source: Florida Department of Education, Office of Articulation.

### Student Characteristics (Fall 2010)

Characteristic	Percentage	
Race/ Ethnicity	Black/African American	15%
	Hispanic/Latino	10%
	White	70%
	Other	5%
Gender	Male	39%
	Female	61%
Age*	25 and Over	43%
	24 and Under	57%
	Unknown	0%
Attendance	Full-time	47%
	Part-time	53%

\*Age data are reported for Fall 2009.

Source: College Navigator and the Integrated Postsecondary Education Data System (IPEDS).

## PROGRAMS & DEGREES AWARDED

### Program Enrollments (2009-10)

Program	FTE Enrollment	Percentage of Total FTE Enrollment
Bachelor's Degree	495	3%
Associate in Arts (AA)	7,570	49%
Associate in Science (AS)/College Credit Certificates	2,799	18%
Vocational Certificates	940	6%
College and Vocational Preparatory	1,635	11%
Adult and Secondary	1,399	9%
Continuing Workforce Education	73	<1%
Educator Preparation Institute (EPI)	27	<1%
Apprenticeship	542	3%

Source: OPPAGA analysis of Florida Department of Education Fall 2011 Fact Book data.

### Bachelor's Degree Programs (Fall 2011)

Programs:
1. Supervision and Management
2. Elementary Education
3. Exceptional Student Education
4. Secondary Biology Education
5. Secondary Chemistry Education
6. Secondary Earth/Space Science Education
7. Secondary Mathematics Education
8. Secondary Physics Education
9. Engineering Technology

Source: The Florida College System.

### Degrees/Certificates (2009-10)

Degree/Certificate	Number
Bachelor's Degree Program	178
AA Degrees	1,462
AS Degrees	618
Vocational and College Credit Certificates	1,342
Educator Preparation Institute (EPI)	63
<b>Total Degrees/Certificates Awarded</b>	<b>3,663</b>

Source: The Florida College System.

## STUDENT SUCCESS

### Overall Graduation Rates for Students who Began Their Studies in Fall 2004

Rate	Percentage
Overall Graduation Rate	33%

Source: College Navigator and the Integrated Postsecondary Education Data System (IPEDS).

### Transfer Students (Fall 2010)

	Number/Percentage
Number of Students who Transferred to the University System	515
Percentage of all College System Transfers to the University System	3%

Source: The Florida Board of Governors.



# INDIAN RIVER STATE COLLEGE

## Snapshot

<b>Year Established:</b>	1960
<b>Counties Served:</b>	Indian River, Martin, Okeechobee, St. Lucie
<b>Sites:</b>	7
<b>Campuses:</b>	1
<b>Student-To-Faculty Ratio:</b>	22 to 1
<b>Types of Credentials Awarded:</b>	Bachelor's degree, Associate in Arts degree, Associate in Science degree, Vocational and College Credit certificate
<b>Percentage of Faculty Part-time:</b>	81%
<b>Percentage of Faculty Full-time:</b>	19%

## STUDENTS

### Total Student Enrollment (2009-10)

	Number
Total Unduplicated Headcount	34,512
Total FTE	13,332

Source: The Florida College System.

### Dual Enrollment (2010-11)

	Number
Total Unduplicated Headcount	2,386
Total FTE	975

Source: The Florida College System.

### College Remediation Rate (2010)

	Percentage
Percentage of Students that Need Remediation for one or More Subject Areas	54%

Source: Florida Department of Education, Office of Articulation.

### Student Characteristics (Fall 2010)

Characteristic		Percentage
Race/ Ethnicity	Black/African American	17%
	Hispanic/Latino	13%
	White	64%
	Other	6%
Gender	Male	39%
	Female	61%
Age*	25 and Over	42%
	24 and Under	58%
	Unknown	0%
Attendance	Full-time	38%
	Part-time	64%

\*Age data are reported for Fall 2009.

Source: College Navigator and the Integrated Postsecondary Education Data System (IPEDS).

# PROGRAMS & DEGREES AWARDED

## Program Enrollments (2009-10)

Program	FTE Enrollment	Percentage of Total FTE Enrollment
Bachelor's Degree	495	4%
Associate in Arts (AA)	6,200	45%
Associate in Science (AS)/College Credit Certificates	2,920	21%
Vocational Certificates	1,103	8%
College and Vocational Preparatory	822	6%
Adult and Secondary	1,452	11%
Continuing Workforce Education	20	<1%
Educator Preparation Institute (EPI)	108	1%
Apprenticeship	708	5%

Source: OPPAGA analysis of Florida Department of Education Fall 2011 Fact Book data.

## Bachelor's Degree Programs (Fall 2011)

Programs:
1. Exceptional Student Education-with ESOL Endorsement
2. Middle Grades Mathematics Education
3. Middle Grades Science Education
4. Nursing
5. Organizational Management
6. Secondary Biology Education
7. Secondary Mathematics Education
8. Biology
9. Digital Media
10. Human Services

Source: The Florida College System.

## Degrees/Certificates (2009-10)

Degree/Certificate	Number
Bachelor's Degree Program	137
AA Degrees	1,335
AS Degrees	552
Vocational and College Credit Certificates	1,117
Educator Preparation Institute (EPI)	103
<b>Total Degrees/Certificates Awarded</b>	<b>3,244</b>

Source: The Florida College System.

# STUDENT SUCCESS

## Overall Graduation Rates for Students who Began Their Studies in Fall 2004

Rate	Percentage
Overall Graduation Rate	41%

Source: College Navigator and the Integrated Postsecondary Education Data System (IPEDS).

## Transfer Students (Fall 2010)

	Number/Percentage
Number of Students who Transferred to the University System	450
Percentage of all College System Transfers to the University System	2%

Source: The Florida Board of Governors.



# MIAMI DADE COLLEGE

## Snapshot

Year Established:	1960
Counties Served:	Miami-Dade
Sites:	11
Campuses:	8
Student-To-Faculty Ratio:	24 to 1
Types of Credentials Awarded:	Bachelor's degree, Associate in Arts degree, Associate in Science degree, Vocational and College Credit certificate
Percentage of Faculty Part-time:	83%
Percentage of Faculty Full-time:	17%

## STUDENTS

### Total Student Enrollment (2009-10)

	Number
Total Unduplicated Headcount	139,942
Total FTE	56,614

Source: The Florida College System.

### Dual Enrollment (2010-11)

	Number
Total Unduplicated Headcount	2,066
Total FTE	804

Source: The Florida College System.

### College Remediation Rate (2010)

	Percentage
Percentage of Students that Need Remediation for one or More Subject Areas	63%

Source: Florida Department of Education, Office of Articulation.

### Student Characteristics (Fall 2010)

Characteristic	Percentage	
Race/ Ethnicity	Black/African American	17%
	Hispanic/Latino	69%
	White	8%
	Other	6%
Gender	Male	41%
	Female	59%
Age*	25 and Over	37%
	24 and Under	63%
	Unknown	0%
Attendance	Full-time	40%
	Part-time	60%

\*Age data are reported for Fall 2009.

Source: College Navigator and the Integrated Postsecondary Education Data System (IPEDS).



## PROGRAMS & DEGREES AWARDED

### Program Enrollments (2009-10)

Program	FTE Enrollment	Percentage of Total FTE Enrollment
Bachelor's Degree	907	2%
Associate in Arts (AA)	34,875	61%
Associate in Science (AS)/College Credit Certificates	4,170	7%
Vocational Certificates	667	1%
College and Vocational Preparatory	11,748	20%
Adult and Secondary	2,943	5%
Continuing Workforce Education	1,516	3%
Educator Preparation Institute (EPI)	82	<1%
Apprenticeship	613	1%

Source: The Florida College System.

### Bachelor's Degree Programs (Fall 2011)

Programs:
1. Exceptional Student Education
2. Secondary Biology Education
3. Secondary Chemistry Education
4. Secondary Earth Science Education
5. Secondary Mathematics Education
6. Secondary Physics Education
7. Public Safety Management
8. Nursing
9. Film, Television, and Digital Production
10. Health Science with an Option in Physician Assistant Studies
11. Supervision and Management
12. Electronics Engineering Technology
13. Biological Sciences
14. Early Childhood Education, Age 3 through Grade 3 and Birth through Age 4

Source: The Florida College System.

### Degrees/Certificates (2009-10)

Degree/Certificate	Number
Bachelor's Degree Program	264
AA Degrees	7,463
AS Degrees	1,627
Vocational and College Credit Certificates	1,852
Educator Preparation Institute (EPI)	27
<b>Total Degrees/Certificates Awarded</b>	<b>11,233</b>

Source: The Florida College System.

## STUDENT SUCCESS

### Overall Graduation Rates for Students who Began Their Studies in Fall 2004

Rate	Percentage
Overall Graduation Rate	25%

Source: College Navigator and the Integrated Postsecondary Education Data System (IPEDS).

### Transfer Students (Fall 2010)

	Number/Percentage
Number of Students who Transferred to the University System	3,035
Percentage of all College System Transfers to the University System	15%

Source: The Florida Board of Governors.



# ST. JOHNS RIVER STATE COLLEGE

## Snapshot

Year Established:	1958
Counties Served:	Clay, Putnam, St. Johns
Sites:	3
Campuses:	1
Student-To-Faculty Ratio:	16 to 1
Types of Credentials Awarded:	Vocational and College Credit certificates, Associate in Science degree, Associate in Arts degree, Bachelor's degree
Percentage of Faculty Part-time:	72%
Percentage of Faculty Full-time:	28%

## STUDENTS

### Total Student Enrollment (2009-10)

	Number
Total Unduplicated Headcount	11,109
Total FTE	4,913

Source: The Florida College System.

### Dual Enrollment (2010-11)

	Number
Total Unduplicated Headcount	1,467
Total FTE	524

Source: The Florida College System.

### College Remediation Rate (2010)

	Percentage
Percentage of Students that Need Remediation for one or More Subject Areas	46%

Source: Florida Department of Education, Office of Articulation.

### Student Characteristics (Fall 2010)

Characteristic		Percentage
Race/ Ethnicity	Black/African American	11%
	Hispanic/Latino	5%
	White	78%
	Other	6%
Gender	Male	38%
	Female	62%
Age*	25 and Over	38%
	24 and Under	62%
	Unknown	0%
Attendance	Full-time	36%
	Part-time	64%

\*Age data are reported for Fall 2009.

Source: College Navigator and the Integrated Postsecondary Education Data System (IPEDS).

## PROGRAMS & DEGREES AWARDED

### Program Enrollments (2009-10)

Program	FTE Enrollment	Percentage of Total FTE Enrollment
Bachelor's Degree	-	-
Associate in Arts (AA)	2,981	61%
Associate in Science (AS) / College Credit Certificates	938	19%
Vocational Certificates	116	2%
College and Vocational Preparatory	407	8%
Adult and Secondary	98	2%
Continuing Workforce Education	52	1%
Educator Preparation Institute (EPI)	83	2%
Apprenticeship	239	5%

Source: OPPAGA analysis of Florida Department of Education Fall 2011 Fact Book data.

### Bachelor's Degree Programs (Fall 2011)

Programs:
1. Organizational Management
2. Elementary Education

Source: The Florida College System.

### Degrees/Certificates (2009-10)

Degree/Certificate	Number
Bachelor's Degree Program	0
AA Degrees	568
AS Degrees	211
Vocational and College Credit Certificates	212
Educator Preparation Institute (EPI)	58
<b>Total Degrees/Certificates Awarded</b>	<b>1,049</b>

Source: The Florida College System.

## STUDENT SUCCESS

### Overall Graduation Rates for Students who Began Their Studies in Fall 2004

Rate	Percentage
Overall Graduation Rate	31%

Source: College Navigator and the Integrated Postsecondary Education Data System (IPEDS).

### Transfer Students (Fall 2010)

	Number/Percentage
Number of Students who Transferred to the University System	194
Percentage of all College System Transfers to the University System	1%

Source: The Florida Board of Governors.



# ST. PETERSBURG COLLEGE

## Snapshot

Year Established:	1947
Counties Served:	Pinellas
Sites:	12
Campuses:	4
Student-To-Faculty Ratio:	22 to 1
Types of Credentials Awarded:	Vocational and College Credit certificates, Associate in Science degree, Associate in Arts degree, Bachelor's degree
Percentage of Faculty Part-time:	81%
Percentage of Faculty Full-time:	19%

## STUDENTS

### Total Student Enrollment (2009-10)

	Number
Total Unduplicated Headcount	55,477
Total FTE	18,707

Source: The Florida College System.

### Dual Enrollment (2010-11)

	Number
Total Unduplicated Headcount	2,324
Total FTE	1,038

Source: The Florida College System.

### College Remediation Rate (2010)

	Percentage
Percentage of Students that Need Remediation for one or More Subject Areas	50%

Source: Florida Department of Education, Office of Articulation.

### Student Characteristics (Fall 2010)

Characteristic	Percentage	
Race/ Ethnicity	Black/African American	13%
	Hispanic/Latino	7%
	White	69%
	Other	11%
Gender	Male	39%
	Female	61%
Age*	25 and Over	50%
	24 and Under	50%
	Unknown	0%
Attendance	Full-time	32%
	Part-time	68%

\*Age data are reported for Fall 2009.

Source: College Navigator and the Integrated Postsecondary Education Data System (IPEDS).

## PROGRAMS & DEGREES AWARDED

### Program Enrollments (2009-10)

Program	FTE Enrollment	Percentage of Total FTE Enrollment
Bachelor's Degree	1,971	10%
Associate in Arts (AA)	11,876	57%
Associate in Science (AS)/College Credit Certificates	4,661	23%
Vocational Certificates	117	1%
College and Vocational Preparatory	1,765	9%
Adult and Secondary	-	-
Continuing Workforce Education	290	1%
Educator Preparation Institute (EPI)	-	-
Apprenticeship	-	-

Source: OPPAGA analysis of Florida Department of Education Fall 2011 Fact Book data.

### Bachelor's Degree Programs (Fall 2011)

Programs:		
1. Elementary Education	10. Secondary Business Technology Education	18. Middle Grades Science Education
2. Exceptional Student Education	11. Secondary Technology Education	19. Sustainability Management
3. Nursing	12. International Business	20. Biology, General
4. Secondary Mathematics Education	13. Paralegal Studies	21. Public Policy and Administration
5. Technology Management	14. Banking	22. Secondary Biology Education
6. Dental Hygiene	15. Educational Studies: non-certification	23. Business Administration
7. Orthotics and Prosthetics	16. Health Services Administration	
8. Public Safety Administration	17. Management and Organizational Leadership	
9. Veterinary Technology		

Source: The Florida College System.

### Degrees/Certificates (2009-10)

Degree/Certificate	Number
Bachelor's Degree Program	701
AA Degrees	2,483
AS Degrees	861
Vocational and College Credit Certificates	665
Educator Preparation Institute (EPI)	43
<b>Total Degrees/Certificates Awarded</b>	<b>4,753</b>

Source: The Florida College System.

## STUDENT SUCCESS

### Overall Graduation Rates for Students who Began Their Studies in Fall 2004

Rate	Percentage
Overall Graduation Rate	28%

Source: College Navigator and the Integrated Postsecondary Education Data System (IPEDS).

### Transfer Students (Fall 2010)

	Number/Percentage
Number of Students who Transferred to the University System	692
Percentage of all College System Transfers to the University System	3%

Source: The Florida Board of Governors.





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A bill to be entitled  
An act relating to postsecondary education course registration for veterans; creating s. 1004.075, F.S.; requiring certain Florida College System institutions and state universities to provide priority course registration for veterans; providing eligibility requirements; creating s. 1005.09, F.S.; encouraging certain independent postsecondary educational institutions to provide priority course registration for veterans; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1004.075, Florida Statutes, is created to read:

1004.075 Priority course registration for veterans.—Each Florida College System institution and state university that offers priority course registration for a segment of the student population, or upon implementation of priority course registration for a segment of the student population, shall provide priority course registration for each veteran of the United States Armed Forces who is receiving GI Bill educational benefits or for the spouse or dependent children of the veteran to whom the GI Bill educational benefits have been transferred. Each eligible veteran, or his or her spouse or dependent children, shall be granted priority for course registration until the expiration of the GI Bill educational benefits.

CS/HB 45

2012

28 Section 2. Section 1005.09, Florida Statutes, is created  
 29 to read:

30 1005.09 Priority course registration for veterans.—Each  
 31 independent postsecondary educational institution defined in s.  
 32 1005.02(11) that offers priority course registration for a  
 33 segment of the student population, or upon implementation of  
 34 priority course registration for a segment of the student  
 35 population, is encouraged to provide priority course  
 36 registration for each veteran of the United States Armed Forces,  
 37 or his or her spouse or dependent children, who is receiving GI  
 38 Bill educational benefits, in accordance with s. 1004.075.

39 Section 3. This act shall take effect July 1, 2012.

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 45 Postsecondary Education Course Registration for Veterans

**SPONSOR(S):** K-20 Innovation Subcommittee; Smith

**TIED BILLS:** IDEN./SIM. BILLS: SB 94

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) K-20 Innovation Subcommittee	15 Y, 0 N, As CS	Thomas	Sherry
2) Community & Military Affairs Subcommittee	15 Y, 0 N	Tait	Hoagland
3) Education Committee		Thomas <i>MT</i>	Klebacha <i>CK</i>

### SUMMARY ANALYSIS

The bill requires institutions within the Florida College System (FCS) and the State University System (SUS) that offer priority course registration for a segment of the student population (or upon the implementation of such a policy), to provide priority course registration to veterans of the U.S. Armed Forces who are receiving GI Bill educational benefits.

The bill encourages independent postsecondary educational institutions that offer priority course registration for a segment of the student population (or upon the implementation of such a policy) to provide priority course registration to veterans of the U.S. Armed Forces, who are receiving GI Bill educational benefits.

The spouse or dependent children of the veteran to whom the GI Bill educational benefits have been transferred would also be granted priority course registration.

The bill provides that qualified GI Bill users will be eligible for priority registration until the expiration of the GI Bill educational benefits.

The fiscal impact of the bill is minimal. (See Fiscal Comments)

The bill provides an effective date of July 1, 2012.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Present Situation

##### **Priority Course Registration**

Florida laws authorize colleges and universities to establish rules and policies to govern admission of students to programs and courses within the institutions. All State University System and Florida College System institutions have priority course registration for designated groups of students as a component of their admission policies.<sup>1</sup>

Priority course registration allows designated groups of students at colleges and universities to register for courses for an upcoming semester before the entire student population is able to register. Some examples of groups of students who may typically be eligible for priority course registration at institutions that implement such a policy include: upper division students, student athletes, students with disabilities, honors college students, and student veterans.

Postsecondary institutions are currently not required to offer veterans of the U.S. Armed Forces priority when registering for courses based on their status as a veteran.<sup>2</sup> It is at the discretion of both public and private institutions of higher education whether or not to offer priority course registration and to determine which groups of students would be eligible. If an institution does not offer priority registration for veterans, students who are veterans register for courses at the same time as the general student population.

Currently, the following public colleges and universities offer priority course registration for veterans: Florida International University, Florida State University, the University of South Florida, Tallahassee Community College, St. Petersburg College, Northwest Florida State College, and Miami-Dade College. The institutions licensed by the Commission for Independent Education (Commission) currently enroll veterans but do not generally provide priority course registration for a segment of the population.<sup>3</sup>

For those veterans who attend institutions that do not provide priority course registration for veterans using the GI Bill, the Department of Veterans Affairs provided the following example: if a veteran using the GI Bill is a junior registering for classes, the veteran may have to wait for the seniors to register first. Then, the veteran would have to compete with other juniors to register for the class seats still available. If the veteran is unable to register for classes required for the degree, he or she would be unable to take non-degree electives to maintain full-time enrollment status and could receive a reduction of benefits through the GI Bill.<sup>4</sup>

##### **Federal GI Bill Education Benefits Programs for Veterans**

The U.S. Department of Veterans Affairs (VA) administers a variety of education benefit programs, commonly known as the GI Bill, for veterans pursuing higher education. The most commonly utilized GI Bill benefits include the Montgomery GI Bill Active Duty and the Post 9/11 - GI Bill. The Post 9/11 -

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<sup>1</sup> For public universities, the Florida Board of Governor's regulation 1.001(4)(a)3., authorizes the board of trustees of each state university to adopt university regulations or policies relating to the admission and enrollment of students, which would include priority course registration policies. Section 1007.263, F.S., governs admissions of students to Florida College System institutions.

<sup>2</sup> Section 1.01(14), F.S. defines the term "veteran" as a person who serves in the active military, naval, or air service and who was discharged or released under honorable conditions only or who later receive an upgrade discharge under honorable conditions, notwithstanding any action by the U.S. Department of Veterans Affairs on individuals discharged or released with other than honorable discharges.

<sup>3</sup> Department of Education Analysis, *Bill Analysis for HB 45* (August 17, 2011).

<sup>4</sup> Telephone conversation with Department of Veterans Affairs Office (November 8, 2011).

GI Bill is the most recent adaptation of the GI Bill and offers substantially enhanced financial assistance compared to the Montgomery GI Bill.

*The Montgomery GI Bill Active Duty (MGIB-AD) Educational Assistance Program  
(Chapter 30 of Title 38, U.S. Code)*

The benefits outlined in chapter 30 are available to veterans who served on active duty service beginning on or after July 1, 1985. In order to use benefits under the MGIB-AD, service members must serve on active duty for a minimum of two years and receive a fully honorable discharge. Recipients receive one month of benefits for each month of active duty.

The GI Bill monthly payment rate is determined by two factors: student status (full time, half time, or part time) and duty status. In most cases a student would be considered a full time student if he or she is taking 12 or more credits per semester. If a student is on active duty, the GI Bill will only reimburse for the actual tuition and expenses. Once a student leaves active duty service, the GI Bill will pay the full payment rate regardless of the actual cost of tuition.<sup>5</sup>

*The Post 9/11 Veterans Educational Assistance Program (Post-9/11)  
(Chapter 33 of Title 38, U.S. Code)*

In order to qualify for chapter 33 benefits, a service member must have served on active duty for a minimum of 90 days after September 10, 2001. A veteran's eligibility for benefits under this chapter expires 15 years from the date of the last discharge. Individuals eligible under chapter 33 are entitled to 36 months of educational assistance. Service members enrolled in the Post-9/11 GI Bill program are able to transfer unused education benefits to their spouses or children.

The new Post 9/11 GI Bill, which went into effect on August 1, 2009, provides education benefits for service members who have served on active duty for 90 or more days since Sept. 10, 2001. These benefits are tiered based on the number of days served on active duty, creating a benefit package that gives current and previously activated National Guard and Reserve members the same benefits as active duty service members.<sup>6</sup>

## **Veterans in Florida**

Florida's population of 1.6 million veterans is the third largest in the nation, after California and Texas.<sup>7</sup> Florida is home to approximately 127,000 veterans whose ages range from 18-34, which demonstrates a significant concentration of "college age" veterans who may be interested in pursuing higher education either at the undergraduate or the graduate level.

Both nationwide and in Florida, there has recently been an influx of veterans on college campuses. Nationwide, the number of veterans enrolling in colleges has increased to approximately 800,000 veterans using the GI Bill in 2010, which is an increase of 40 percent from 2009.<sup>8</sup> In Florida there is a large student veteran presence in universities and colleges. For the 2010 academic year, 10,966 veterans and/or spouses or dependent children were enrolled in the State University System of

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<sup>5</sup> Active Duty Montgomery GI Bill User's Guide, available at <http://www.military.com/education/content/gi-bill/active-duty-gi-bill-users-guide.html>

<sup>6</sup> New Post 9/11 GI Bill Overview available at <http://www.military.com/education/content/gi-bill/new-post-911-gi-bill-overview.html>.

<sup>7</sup> Florida Department of Veterans' Affairs 2009-10 Annual Report, available at [http://www.floridavets.org/pdf/ann\\_rprt\\_10.pdf](http://www.floridavets.org/pdf/ann_rprt_10.pdf)

<sup>8</sup> Trevor Hughes, *Vets Go From Combat to Campus*, USA Today, April 12, 2011, available at [http://www.usatoday.com/news/education/2011-04-11-college-vets\\_N.htm](http://www.usatoday.com/news/education/2011-04-11-college-vets_N.htm)

Florida,<sup>9</sup> 15,604 in the Florida College System;<sup>10</sup> 16,500 in private for-profit institutions; and 4,490 in private non-profit institutions.<sup>11</sup>

### **Effect of Proposed Changes**

This bill is intended to extend priority registration opportunities to veterans if the institution offers such opportunities to other students. More specifically, the bill requires institutions within the Florida College System and the State University System that offer priority course registration for a segment of the student population, or upon the implementation of such a policy, to provide priority course registration to veterans of the U.S. Armed Forces who are receiving GI Bill educational benefits. The bill also allows for the spouse or dependent children of the veteran to whom the GI Bill educational benefits have been transferred to be granted priority course registration. The bill will enable veterans who are utilizing GI Bill educational benefits to have greater access to available courses, thereby decreasing the number of excess hours taken by veterans and reducing the time to graduation.

The bill encourages independent postsecondary educational institutions<sup>12</sup> that offer priority course registration for a segment of the student population, or upon the implementation of such a policy, to provide priority course registration to veterans of the U.S. Armed Forces who are receiving GI Bill educational benefits. The spouse or dependent children of the veteran to whom the GI Bill educational benefits have been transferred must also be granted priority course registration. Since independent postsecondary institutions are not required to implement a priority course registration policy, the impact on veterans enrolled in those institutions will depend upon whether a policy is adopted.

The bill provides that qualified GI Bill recipients will be eligible for priority course registration until the expiration of the GI Bill educational benefits.

The bill provides an effective date of July 1, 2012.

#### **B. SECTION DIRECTORY:**

- Section 1:** Creates s. 1004.075, F.S., relating to priority course registration for veterans; to require institutions within the Florida College System and the State University System to provide priority course registration for veterans if a priority course registration policy is implemented or exists, providing eligibility requirements.
- Section 2:** Creates s. 1005.09, F.S. relating to priority course registration for veterans; to encourage certain independent postsecondary educational institutions to provide priority course registration for veterans.
- Section 3:** Provides an effective date of July 1, 2012.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

#### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:  
None.

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<sup>9</sup> Board of Governors Analysis, *Bill Analysis for HB 45* (September 16, 2011).

<sup>10</sup> Email, Florida Department of Education, Division of Florida Colleges (October 28, 2011).

<sup>11</sup> Independent Colleges & Universities of Florida Accountability Report, 13, (2010), *available at* <http://www.icuf.org/newdevelopment/publications/icuf-accountability-report>

<sup>12</sup> Section 1005.02(11), F.S. defines the term "independent postsecondary educational institutions" as any postsecondary educational institution that operates in this state or makes application to operate in this state, and is not provided, operated, and supported by the State of Florida, its political subdivisions, or the Federal Government."

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

A veteran or his or her spouse or dependent children receiving GI Bill educational benefits may benefit from priority course registration which would give the recipient greater access to the courses needed in order to move through a degree/certificate program rapidly and graduate earlier.

D. FISCAL COMMENTS:

The State University System and the Florida College System expect a minimal fiscal impact as a result of the priority course registration. Both systems acknowledge that minimal expenses may occur due to computer programming and related administrative costs of implementation.<sup>13</sup>

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On December 6, 2011, the K-20 Innovation Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment provided a definition of independent postsecondary educational institutions, as defined in s. 1005.02(11), F.S., that are encouraged to provide priority course registration for veterans.

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<sup>13</sup> Department of Education Analysis, *Bill Analysis for HB 45* (August 17, 2011).





1                                   A bill to be entitled  
 2           An act relating to sick leave for school district  
 3           employees; amending s. 1012.61, F.S.; authorizing each  
 4           district school system to provide a policy allowing  
 5           the donation of accrued sick leave to any district  
 6           employee; providing standards for a sick leave  
 7           transfer policy; providing an effective date.

8  
 9   Be It Enacted by the Legislature of the State of Florida:

10  
 11           Section 1. Paragraph (e) of subsection (2) of section  
 12   1012.61, Florida Statutes, is amended to read:

13           1012.61 Sick leave.—

14           (2) PROVISIONS GOVERNING SICK LEAVE.—The following  
 15   provisions shall govern sick leave:

16           (e) Use by family member or other district employee.—

17           1. Each district school system must provide a policy under  
 18   which a district employee may authorize his or her spouse,  
 19   child, parent, or sibling who is also a district employee to use  
 20   sick leave that has accrued to the authorizing employee.

21           2. Each district school system may provide a policy under  
 22   which a district employee may authorize any district employee to  
 23   use sick leave that has accrued to the authorizing employee. The  
 24   district policy must:

25           a. Require that the recipient provide documentation, by  
 26   the treating physician, of the illness, accident, or injury for  
 27   which leave is otherwise authorized under subsection (1).

28           b. Establish a minimum number of sick leave days needed by

29 | the recipient to participate in the sick leave program.

30 |       c. Require that any unused transferred sick leave shall be  
 31 | returned to the authorizing employee whose donated sick leave  
 32 | has not yet been used.

33 |       d. Establish the minimum number of sick leave days an  
 34 | authorizing employee must retain.

35 |

36 | In developing the policy, the district school board must provide  
 37 | that the recipient may not use the donated sick leave until all  
 38 | of his or her sick leave has been depleted, excluding sick leave  
 39 | from a sick leave pool, if the recipient participates in a sick  
 40 | leave pool. Donated sick leave under this paragraph shall have  
 41 | no terminal value as provided in this subsection.

42 |       Section 2. This act shall take effect July 1, 2012.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 285 Sick Leave for School District Employees

SPONSOR(S): K-20 Competitiveness Subcommittee; Harrell

TIED BILLS: IDEN./SIM. BILLS: SB 874

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) K-20 Competitiveness Subcommittee	12 Y, 0 N, As CS	Muller	Ahearn
2) PreK-12 Appropriations Subcommittee	12 Y, 0 N	Seifert	Heflin
3) Education Committee		Muller <i>EM</i>	Klebacha <i>CK</i>

SUMMARY ANALYSIS

The bill authorizes, but does not require, school districts to create policies which extend the opportunity for employees to donate their unused sick leave to a specific, non-relative employee. The bill provides standards for school district sick leave policies and requires that recipients must have exhausted all of their own sick leave before using donated leave. In addition, donated sick leave has no terminal value.

Current law provides that school district employees who are unable to perform their duties due to personal sickness, accident disability, or extended personal illness, or because of illness or death of a family member or member of their household, and has to be absent from work must be granted a leave of absence. School districts are authorized to adopt rules permitting the annual payment of accumulated sick leave that is unused at the end of a school year, as well as policies providing terminal pay for accumulated sick leave.

School districts are currently required to provide a policy that allows an employee to donate sick leave to a spouse, child, parent, or sibling who is also employed by the school district. This policy must specify that the employee receiving the donated sick leave has exhausted his or her own sick leave before using donated leave and that the donated sick leave has no terminal value. School districts are also permitted, though not required, to create policies which allow employees to donate their unused sick leave to a sick leave pool, which other school district employees may use after they have exhausted their own sick leave.

The bill has an indeterminate fiscal impact on school districts. See FISCAL ANALYSIS.

The bill provides an effective date of July 1, 2012.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Present Situation

Currently, there is no statutory authority for school districts to create policies providing for donation of sick leave to a particular individual who is not a relative. However, sick leave transfers among non-relatives are already an option for state agency employees, as outlined in the Department of Management Services rule.<sup>1</sup> School districts are required to adopt a policy which allows family members employed within the same district to transfer sick leave. Also, school districts are currently authorized to establish sick leave pools which allow for the transfer of sick leave among district employees.

Any member of the instructional staff<sup>2</sup> or any other employee of a school district who is employed on a full-time basis and is unable to perform his or her duties due to personal sickness, accident disability, or extended personal illness, or because of illness or death of their father, mother, brother, sister, husband, wife, child, other close relative, or member of their household and has to be absent from work must be granted a leave of absence.<sup>3</sup> Instructional staff who are employed on a full-time basis are entitled to four days of sick leave as of the first day of employment of each contract year, and one day of sick leave for each month of employment, which is credited to them at the end of the month.<sup>4</sup> All other employees must be credited with four sick days at the end of the first month of employment of each contract year and one day of sick leave for each month of employment thereafter.<sup>5</sup>

Each member of the instructional staff and all other employees are entitled to earn no more than one day of leave times the number of months of employment during the year of employment. Sick leave is cumulative from year to year.<sup>6</sup> There is no limit on the number of sick leave days a member of the instructional staff or an educational support employee<sup>7</sup> may accrue, except that at least one-half of this sick leave must be established within the school district granting the leave.<sup>8</sup> The statute does not specify the limitations on sick leave for other types of employees such as school officers or administrative personnel.

School districts are authorized to adopt rules permitting annual payment for accumulated sick leave that is earned for that year and is unused at the end of the school year. This is based on the daily rate of pay of the employee, multiplied by up to 80 percent. Days for which such payment is received are deducted from an employee's accumulated leave balance.<sup>9</sup> According to the Florida Department of Education, "[t]he extent to which districts have adopted an annual unused sick leave payout policy is not known."<sup>10</sup>

School districts are also authorized to establish policies to provide terminal pay for accumulated sick leave to instructional staff and educational support employees.<sup>11</sup> If termination is by death, any terminal

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<sup>1</sup> Rule 60L-34.0042(5), F.A.C.

<sup>2</sup> "Instructional staff" is not a defined term. Section 1012.01(2), F.S., does, however, define "instructional personnel," which includes employees such as classroom teachers, student personnel services (such as guidance counselors), and librarians and media specialists.

<sup>3</sup> Section 1012.61(1), F.S.

<sup>4</sup> Section 1012.61(2)(a)1., F.S.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> Educational support employees include those whose job functions are neither administrative nor instructional, but whose work supports the educational process, such as technicians, clerical workers, and skilled craft workers. Section 1012.40(1)(a), F.S.

<sup>8</sup> Section 1012.61(2)(a)1., F.S.

<sup>9</sup> Section 1012.61(2)(a)3., F.S.

<sup>10</sup> Florida Department of Education, *2012 Agency Bill Analysis of HB 285* (Oct. 31, 2011).

<sup>11</sup> Section 1012.61(2)(a)4., F.S.

pay the employee is entitled to may be made to the employee's beneficiary.<sup>12</sup> The terminal pay may not exceed the formula outlined in statute, which provides the percentage of daily pay employees are entitled to, based upon their years of service.<sup>13</sup> For years one through three, the rate of daily pay is multiplied by 35 percent; for years four through six pay is multiplied by 40 percent; for years seven through nine pay is multiplied by 45 percent; and for years 10 through 12 pay is multiplied by 50 percent. That number is then multiplied by the number of days accumulated.<sup>14</sup> During and after the 13<sup>th</sup> year of service, the daily rate of pay is multiplied by 100 percent times the number of days of accumulated sick leave.<sup>15</sup> Districts are permitted to establish policies to provide terminal pay to any full-time employees of the district school board other than instructional staff or educational support employees.<sup>16</sup>

School districts are currently required to provide a policy that allows employees to donate sick leave to a spouse, child, parent, or sibling who is also employed by the school district.<sup>17</sup> This policy must specify that the recipient may not use the donated sick leave until all of his or her sick leave has been depleted, excluding sick leave from a sick leave pool. Donated sick leave has no terminal value.<sup>18</sup> School districts may also allow employees to donate unused sick leave to a sick leave pool which other employees may use after they have exhausted their own sick leave.<sup>19</sup> How many school districts have adopted sick leave pool policies is unknown, although anecdotal evidence indicates that most districts have implemented some type of sick leave pool.<sup>20</sup>

Section 110.1055, F.S., requires the Department of Management Services to adopt rules governing the management of state employees.<sup>21</sup> In this context, state employees include persons employed by state agencies such as the public defender and the Florida Public Service Commission.<sup>22</sup> Rule 60L-34.0042, F.A.C., adopted by the Department of Management Services, provides for the establishment of a formal sick leave transfer program amongst employees of state agencies.<sup>23</sup> While school districts are not considered a state agency, the rule provides useful guidance for district policies.<sup>24</sup> The rule specifies that an employee must maintain an 80 hour balance in his or her own sick leave account before donating any sick leave. Additionally, the rule outlines the conditions required for the donation of sick leave, including that the employee receiving the leave has used all accrued sick and annual leave, suffered a documented illness which requires absence from the workplace for a minimum of five days, is not eligible for disability leave, and has not used more than 1040 hours of transferred sick leave credits in the preceding twelve month period.<sup>25</sup> Upon documented termination of the qualifying illness, unused transferred sick leave credit is returned to those employees whose donated sick leave credits have not yet been drawn upon.<sup>26</sup> Transferred sick leave has no terminal value.<sup>27</sup>

### **Effect of Proposed Changes**

The bill authorizes, but does not require, districts to provide a policy which permits employees to donate their unused sick leave to a specific, non-relative recipient. Recipients must have exhausted all of their own sick leave before using donated leave. The donated sick leave has no terminal value.

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<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> Section 1012.61(2)(a)4.a.-d., F.S.

<sup>15</sup> Section 1012.61(2)(a)4.e., F.S.

<sup>16</sup> Section 1012.61(2)(a)5., F.S.

<sup>17</sup> Section 1012.61(2)(e), F.S.

<sup>18</sup> *Id.*

<sup>19</sup> Section 1012.61(3), F.S.

<sup>20</sup> Telephone interview with General Counsel, Florida Association of District School Superintendents (Nov. 22, 2011).

<sup>21</sup> Section 110.1055, F.S.

<sup>22</sup> Section 216.011(1)(qq), F.S.

<sup>23</sup> Rule 60L-34.0042(5), F.A.C.

<sup>24</sup> Section 216.011(1)(qq), F.S.

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

The bill specifies that the school district policy must require documentation by the treating physician of the illness, accident, or injury for which leave is authorized; establish a minimum number of sick leave days needed before an employee may participate in the sick leave program; require that any unused transferred sick leave be returned to the authorizing employee whose donated sick leave has not yet been used; and establish the minimum number of sick leave days an authorizing employee must retain. These additional specifications provide guidance for the school districts if they chose to provide a sick leave transfer policy. The bill echoes the agency rule, allowing school districts to adopt a policy authorizing an employee of a school district to donate sick leave to a specific non-relative employee.

**B. SECTION DIRECTORY:**

**Section 1.** Amends s. 1012.61, F.S., relating to sick leave, to authorize school districts to provide a policy which permits employees to donate their unused sick leave to a specific, non-relative recipient.

**Section 2.** Provides an effective date of July 1, 2012.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

None.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

Currently, school districts are permitted to adopt policies which allow for up to 80 percent payout of unused sick leave at the end of each school year, as well as policies that allow for a terminal payout plan for accumulated sick leave.<sup>28</sup> An employee who transfers sick leave may forego an end-of-year payout for those donated hours, which is paid at a maximum of 80 percent of the accumulated sick leave balance earned in the current year. Any leave that was not used by the recipient will be returned to the authorizing employee whose donated sick leave has not yet been used and may be included in their calculated end-of-year payout. Therefore any leave that is used by the recipient will produce a maximum savings of up to 80 percent of the employee who transferred the sick leave. The same savings would be realized if a district has adopted policies regarding a terminal payout plan for accumulated sick leave. Because school districts are permitted to create their own policies, the specific fiscal effects are indeterminate.<sup>29</sup>

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

<sup>28</sup> Section 1012.61(2)(a)3. and 4., F.S.

<sup>29</sup> Florida Department of Education, *2012 Agency Bill Analysis of HB 285* (Oct. 31, 2011).

**D. FISCAL COMMENTS:**

None.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

**1. Applicability of Municipality/County Mandates Provision:**

Not applicable. This bill does not appear to affect county or municipal governments.

**2. Other:**

None.

**B. RULE-MAKING AUTHORITY:**

None.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

On December 7, 2011, the K-20 Competitiveness Subcommittee adopted one amendment and the bill was reported favorably as a committee substitute. The amendment provided additional standards for the school district sick leave transfer policy, specifying that the school district policy must require documentation, by the treating physician, of the illness, accident, or injury for which leave is authorized; establish a minimum number of sick leave days needed by a recipient to participate in the sick leave program; require that any unused sick leave be returned to the authorizing employee whose donated sick leave has not yet been used; and establish the minimum number of sick leave days an authorizing employee must retain.





House Joint Resolution

A joint resolution proposing an amendment to Section 7 of Article IX of the State Constitution to require the Governor to appoint a state university student body president to the Board of Governors of the State University System.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 7 of Article IX of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE IX

EDUCATION

SECTION 7. State University System.—

(a) PURPOSES. In order to achieve excellence through teaching students, advancing research and providing public service for the benefit of Florida's citizens, their communities and economies, the people hereby establish a system of governance for the state university system of Florida.

(b) STATE UNIVERSITY SYSTEM. There shall be a single state university system comprised of all public universities. A board of trustees shall administer each public university and a board of governors shall govern the state university system.

(c) LOCAL BOARDS OF TRUSTEES. Each local constituent university shall be administered by a board of trustees

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29 consisting of thirteen members dedicated to the purposes of the  
 30 state university system. The board of governors shall establish  
 31 the powers and duties of the boards of trustees. Each board of  
 32 trustees shall consist of six citizen members appointed by the  
 33 governor and five citizen members appointed by the board of  
 34 governors. The appointed members shall be confirmed by the  
 35 senate and serve staggered terms of five years as provided by  
 36 law. The chair of the faculty senate, or the equivalent, and the  
 37 president of the student body of the university shall also be  
 38 members.

39 (d) STATEWIDE BOARD OF GOVERNORS. The board of governors  
 40 shall be a body corporate consisting of seventeen members. The  
 41 board shall operate, regulate, control, and be fully responsible  
 42 for the management of the whole university system. These  
 43 responsibilities shall include, but not be limited to, defining  
 44 the distinctive mission of each constituent university and its  
 45 articulation with free public schools and community colleges,  
 46 ensuring the well-planned coordination and operation of the  
 47 system, and avoiding wasteful duplication of facilities or  
 48 programs. The board's management shall be subject to the powers  
 49 of the legislature to appropriate for the expenditure of funds,  
 50 and the board shall account for such expenditures as provided by  
 51 law. The governor shall appoint to the board fifteen ~~fourteen~~  
 52 citizens dedicated to the purposes of the state university  
 53 system, one of whom shall be a state university student body  
 54 president. The appointed members shall be confirmed by the  
 55 senate and serve staggered terms of seven years as provided by  
 56 law, except that a state university student body president

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57 appointed to the board shall serve a term of one year and shall  
 58 not be subject to senate confirmation. A student body president  
 59 is ineligible for appointment if the student body president  
 60 appointed to the board in the previous year was from the same  
 61 state university. The commissioner of education and~~7~~ the chair  
 62 of the advisory council of faculty senates, or the equivalent,  
 63 ~~and the president of the Florida student association, or the~~  
 64 ~~equivalent,~~ shall also be members of the board.

65 BE IT FURTHER RESOLVED that the following statement be  
 66 placed on the ballot:

67 CONSTITUTIONAL AMENDMENT

68 ARTICLE IX, SECTION 7

69 APPOINTMENT OF STUDENT BODY PRESIDENT TO BOARD OF GOVERNORS  
 70 OF THE STATE UNIVERSITY SYSTEM.—Proposing an amendment to the  
 71 State Constitution to remove the president of the Florida  
 72 Student Association, or the equivalent, as a member of the Board  
 73 of Governors of the State University System and to require that  
 74 the Governor appoint a state university student body president  
 75 to the Board of Governors. Specifically, the amendment requires  
 76 that a state university student body president shall be one of  
 77 15 citizen members appointed to the Board of Governors by the  
 78 Governor, except that a state university student body president  
 79 is not subject to confirmation by the Senate and the term of  
 80 appointment is 1 year. The amendment also provides that a  
 81 student body president of a state university is ineligible for  
 82 appointment if the student body president appointed to the Board  
 83 of Governors in the previous year was from the same state  
 84 university.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HJR 931 Board of Governors/Student Body President  
SPONSOR(S): Gaetz  
TIED BILLS: IDEN./SIM. BILLS: SJR 1508

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) K-20 Innovation Subcommittee	8 Y, 5 N	Thomas	Sherry
2) Education Committee		Thomas <i>MT</i>	Klebacha <i>CK</i>

SUMMARY ANALYSIS

The joint resolution proposes to amend the Florida Constitution to revise the membership of the Board of Governors (BOG) of the State University System (SUS).

As established in Article IX of the Florida Constitution, state-level government of the SUS is provided by the BOG and Legislature. The BOG is comprised of 17 members – the Commissioner of Education, the chair of the Advisory Council of Faculty Senates, the Florida Student Association (FSA) president, and 14 members appointed by the Governor. Members appointed by the Governor must be confirmed by the Florida Senate.

The joint resolution proposes to amend Section 7(d), Article IX of the Florida Constitution as follows:

- The FSA president is removed as a BOG member;
- The number of members appointed by the Governor is increased from 14 to 15; and
- One of the 15 members appointed by the Governor must be a state university student body president.

The state university student body president will serve a one-year term and is not subject to confirmation by the Florida Senate. A state university student body president is ineligible for appointment if the student body president appointed to the BOG in the previous year was from the same university. The joint resolution contains a ballot summary that notifies voters regarding the contents of the proposed amendment.

The joint resolution, if adopted by three-fifths vote of the membership of each house of the Legislature, would place the proposed amendment on the ballot of the next general election or an earlier special election if specifically authorized for that purpose. The proposed amendment must be approved by 60 percent of the voters in order to take effect.

See Fiscal Analysis and Economic Impact Statement.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Present Situation

##### **The Board of Governors of the State University System**

As set forth in the Florida Constitution, state-level governance of the state university system (SUS) is provided by the Board of Governors (BOG) and Legislature.<sup>1</sup> The BOG's responsibilities include, but are not limited to, defining the distinctive mission of each SUS institution and its articulation with public schools and Florida College System institutions, ensuring the well-planned coordination and operation of the system, and avoiding wasteful duplication of facilities or programs.<sup>2</sup> Among other things, the BOG is responsible for:

- Accounting for the expenditure of state funds;
- Submitting a legislative budget request for each SUS institution;
- Adopting strategic plans;
- Approving, reviewing, and terminating degree programs;
- Governing admissions to SUS institutions; and
- Complying with and enforcing all applicable local, state, and federal laws.<sup>3</sup>

The BOG's oversight of the SUS is subject to the Legislature's power to appropriate funds and establish tuition, fee, and financial aid policies, as well as the Legislature's responsibility to provide for the establishment, maintenance, and operation of institutions of higher learning and other public education programs that the needs of the people may require.<sup>4</sup>

The BOG may establish policies through rulemaking or the adoption of regulations. When acting pursuant to statutory authority derived from the Legislature, the BOG must adopt rules under the Administrative Procedure Act,<sup>5</sup> unless expressly authorized by law to adopt regulations. The BOG may also adopt regulations when implementing its constitutional duties and responsibilities.<sup>6</sup>

The BOG is comprised of 17 members – the Commissioner of Education, the chair of the Advisory Council of Faculty Senates, the Florida Student Association (FSA) president, and 14 members appointed by the Governor. Members appointed by the Governor serve staggered seven-year terms and must be confirmed by the Florida Senate.<sup>7</sup>

FSA is comprised of the student body presidents of Florida Agricultural and Mechanical University, Florida Atlantic University, Florida Gulf Coast University, Florida International University, New College of Florida, University of Central Florida, University of Florida, University of North Florida, University of South Florida, and University of West Florida. Florida State University is not represented by FSA.<sup>8</sup> Participating institutions pay membership dues, which are based upon Fall semester student enrollment for the previous year.<sup>9</sup>

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<sup>1</sup> Section 7(d), Art. IX of the State Constitution; s. 1001.705(2), F.S.

<sup>2</sup> Section 7(d), Art. IX of the State Constitution; ss. 1001.705(3) and 1001.706, F.S.

<sup>3</sup> Section 1001.705(2), F.S.

<sup>4</sup> Sections 1(a) and 7(d), Art. IX of the State Constitution; s. 1001.705(3), F.S.

<sup>5</sup> Chapter 120, F.S.

<sup>6</sup> Section 1001.706(2), F.S. If the BOG adopts regulations, it must comply with its regulation development procedure, rather than Administrative Procedure Act rulemaking requirements. *Id.*

<sup>7</sup> Section 7(d), Art. IX of the State Constitution; s. 1001.70(1), F.S.

<sup>8</sup> Florida Student Association, <http://myfsa.org/> (last visited Jan. 10, 2012).

<sup>9</sup> Florida Student Association, *Constitution and Bylaws of the Florida Student Association*, at 2 (Jan. 10, 2012), available at [http://myfsa.org/includes/files/FSA\\_Bylaws\\_January\\_1\\_2011.pdf](http://myfsa.org/includes/files/FSA_Bylaws_January_1_2011.pdf).

## **Effect of Proposed Changes**

The joint resolution proposes to amend the Florida Constitution to ensure that all state university student body presidents have an opportunity to serve as a member of the BOG, regardless of their university's membership in FSA. Membership of the BOG of the SUS would be revised, as follows:

- The FSA president is removed as a BOG member;
- The number of members appointed by the Governor is increased from 14 to 15; and
- One of the 15 members appointed by the Governor must be a state university student body president.

The state university student body president appointed by the Governor will serve a one-year term and is not subject to confirmation by the Florida Senate. A state university student body president is ineligible for appointment if the student body president appointed to the BOG in the previous year was from the same university. The joint resolution contains a ballot summary that notifies voters regarding the contents of the proposed amendment.

The joint resolution, if adopted by three-fifths vote of the membership of each house of the Legislature, would place the proposed amendment on the ballot of the next general election or an earlier special election if specifically authorized for that purpose.<sup>10</sup> The proposed amendment must be approved by 60 percent of the voters in order to take effect.<sup>11</sup>

### **B. SECTION DIRECTORY:**

As this legislation is a joint resolution proposing a constitutional amendment, it does not contain bill sections. The joint resolution proposes to amend Section 7 (d) of Article IX of the Florida Constitution, relating to the state university system.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

#### **1. Revenues:**

None.

#### **2. Expenditures:**

The Florida Constitution requires the proposed amendment to be published, once in the tenth week and once in the sixth week immediately preceding the week of the election, in one newspaper of general circulation in each county where a newspaper is published.<sup>12</sup> The Department of State executes this requirement and has projected a non-recurring fiscal impact of \$65,382.24 for the publication.<sup>13</sup>

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

#### **1. Revenues:**

None.

#### **2. Expenditures:**

None.

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<sup>10</sup> Section 1 an 5, Art. XI of the State Constitution.

<sup>11</sup> Section 5(a) and (e), Art. XI of the State Constitution.

<sup>12</sup> Section 5(d), Art. XI of the State Constitution.

<sup>13</sup> Department of State Analysis, *Bill Analysis for HJR 931* (Dec. 16, 2011).

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

**D. FISCAL COMMENTS:**

None.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

**1. Applicability of Municipality/County Mandates Provision:**

Not Applicable. This bill does not appear to affect county or municipal governments.

**2. Other:**

None.

**B. RULE-MAKING AUTHORITY:**

None.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

None.





1                                   A bill to be entitled  
 2           An act relating to district school boards; amending s.  
 3           1001.371, F.S.; requiring that each district school  
 4           board organize and elect a chair in November and, in  
 5           an election year, elect a chair in compliance with  
 6           requirements for a general election year; providing an  
 7           exception if the chair is elected by a districtwide  
 8           vote; providing an effective date.

9  
 10   Be It Enacted by the Legislature of the State of Florida:

11  
 12           Section 1.   Section 1001.371, Florida Statutes, is amended  
 13   to read:

14           1001.371   Organization of district school board. ~~On the~~  
 15   ~~third Tuesday after the first Monday~~ In November of each year,  
 16   the district school board shall organize by electing a chair. In  
 17   an election year, that date shall coincide with the requirements  
 18   of s. 100.041(3)(a). It may elect a vice chair, and the district  
 19   school superintendent shall act ex officio as the secretary. If  
 20   a vacancy should occur in the position of chair, the district  
 21   school board shall proceed to elect a chair at the next ensuing  
 22   regular or special meeting. At the organization meeting, the  
 23   district school superintendent shall act as chair until the  
 24   organization is completed. The chair and secretary shall then  
 25   make and sign a copy of the proceedings of organization,  
 26   including the schedule for regular meetings and the names and  
 27   addresses of all district school officers, and annex their  
 28   affidavits that the same is a true and correct copy of the

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29 | original, and the secretary shall file the document within 2  
30 | weeks with the Department of Education. This section does not  
31 | apply to any school district with a district school board chair  
32 | who is elected by districtwide vote.

33 |       Section 2. This act shall take effect July 1, 2012.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 1357 District School Boards  
**SPONSOR(S):** Glorioso  
**TIED BILLS:** IDEN./SIM. **BILLS:** SB 620

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) K-20 Competitiveness Subcommittee	11 Y, 0 N, As CS	Muller	Ahearn
2) Education Committee		Muller <i>mu</i>	Klebacha <i>ok</i>

**SUMMARY ANALYSIS**

The bill provides flexibility for school districts in scheduling elections of a school board chair. The bill amends the existing requirement that district school boards elect a chair on the third Tuesday after the first Monday of November, and instead requires that the election be held in November. The bill also provides that in a general election year, the election of a school board chair must comply with the statutory requirements for a general election.

The bill has no fiscal impact.

The bill provides an effective date of July 1, 2012.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Present Situation

The Florida Constitution requires that each county constitute a school district, and that each school district be governed by school board composed of five or more members.<sup>1</sup> The school board is charged with the operation, control, and supervision of all free public schools.<sup>2</sup>

Members of district school boards are elected by a vote of qualified electors within the district.<sup>3</sup> These elections take place during the general election and members are elected for 4 year terms.<sup>4</sup> General elections are required to take place in each county on the first Tuesday after the first Monday in November of each even-numbered year.<sup>5</sup> The school board members begin their term on the second Tuesday following the general election.<sup>6</sup>

Current law provides that a district school board elect a chair of the board on the third Tuesday after the first Monday in November of each year.<sup>7</sup> This requirement has resulted in the election taking place during a school district's Thanksgiving holiday.<sup>8</sup>

There is no explicit public notice requirement in the statute governing school board chair elections, but the meetings at which the elections take place are subject to both the constitutional requirements for public notice of open meetings as well as the public notice requirements for meetings found in statute.<sup>9</sup>

##### Effect of Proposed Changes

Current law requires that the election of a school board chair take place on the third Tuesday after the first Monday in November of each year.<sup>10</sup> School districts have expressed concerns with the current scheduling requirement because sometimes the third Tuesday occurs during Thanksgiving holidays.<sup>11</sup> When this occurs, school districts need to bring in staff and provide access to the school district facilities when the facilities would otherwise be closed. The need to bring in additional staff and reopen facilities can present additional costs to the school district.<sup>12</sup>

To address these concerns, the bill gives school districts flexibility in scheduling the election of the school board chair by removing the requirement that the meeting fall on the third Tuesday after the first Monday. The bill requires that the meeting take place in November. Additionally, the bill requires that during a general election year, the election of a school district chair must comply with the statutory requirements for a general election.

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<sup>1</sup> Art. IX, s. (4)(a), Fla. Const.

<sup>2</sup> Art. IX, s. (4)(b), Fla. Const.

<sup>3</sup> Section 1001.361, F.S.

<sup>4</sup> Section 100.041(3), F.S.

<sup>5</sup> Section 100.031, F.S.

<sup>6</sup> Section 100.041, F.S.

<sup>7</sup> Section 1001.371, F.S.

<sup>8</sup> For example, in the 2011-12 school year, the third Tuesday after the first Monday was November 22, 2011, which was the Tuesday before Thanksgiving.

<sup>9</sup> Art. I, s. 24(b), Fla. Const. ("All meetings ... of any ... school district ... at which official acts are to be taken or at which public business of such body is to be transacted or discussed shall be open and noticed to the public."); s. 1001.37, F.S.; s. 286.011(1), F.S. ("Any meetings of any ... political subdivision ... at which official acts are to be taken are declared to be public meetings open to the public at all times ... . The board or commission must provide reasonable notice of all such meetings.").

<sup>10</sup> Section 1001.371, F.S.

<sup>11</sup> For example, in the 2011-12 school year, the third Tuesday after the first Monday was November 22, 2011, which was the Tuesday before Thanksgiving.

<sup>12</sup> Telephone interview with staff, Hillsborough County Public Schools (Feb. 1, 2012).

**B. SECTION DIRECTORY:**

Section 1. Amends s. 1001.371, F.S., relating to the organization of district school boards, to require that each district school board organize and elect a chair in November, and in an election year, elect a chair in compliance with requirements for a general election year.

Section 2. Provides an effective date of July 1, 2012.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

None.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

**D. FISCAL COMMENTS:**

None.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

None.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

#### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

On January 31, 2012, the K-20 Competitiveness Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment removed the bill's requirement that the election of a school board chair take place on the first Tuesday after the first Monday in November and required that the election take place in November. Additionally, the amendment specified that during a general election year, the election of a school board chair must comply with the statutory requirements for a general election.