



Higher Education & Workforce Subcommittee

**Tuesday, March 10, 2015
9:00 a.m. – 11:00 a.m.
102 HOB
Action Packet**

**Steve Crisafulli
Speaker**

**Elizabeth Porter
Chair**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

(AMENDED 3/6/2015 5:19:18PM)

Amended(1)

Higher Education & Workforce Subcommittee

Start Date and Time: Tuesday, March 10, 2015 09:00 am

End Date and Time: Tuesday, March 10, 2015 11:00 am

Location: Reed Hall (102 HOB)

Duration: 2.00 hrs

Consideration of the following bill(s):

HB 223 Public Records and Meetings/Postsecondary Education Executive Search by Combee

Workshop on the following:

Postsecondary access, articulation, & affordability.

Postsecondary education options for students with disabilities.

Draft legislation is available at myfloridahouse.gov on the Higher Education & Workforce Subcommittee page under General Publications.

Pursuant to rule 7.12, the deadline for amendments to bills on the agenda by non-appointed members shall be 6:00 p.m., Monday, March 9, 2015.

By request of the Chair all committee members are asked to have amendments to bills on the agenda submitted to staff by 6:00 p.m., Monday, March 9, 2015.

NOTICE FINALIZED on 03/06/2015 17:19 by Gilliam.Ann

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

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NOTICE FINALIZED on 03/06/2015 15:51 by Gilliam.Ann

COMMITTEE MEETING REPORT
Higher Education & Workforce Subcommittee

3/10/2015 9:00:00AM

Location: Reed Hall (102 HOB)

Summary:

Higher Education & Workforce Subcommittee

Tuesday March 10, 2015 09:00 am

HB 223 Favorable With Committee Substitute
Amendment 331889 Adopted Without Objection

Yeas: 9

Nays: 1

Committee meeting was reported out: Tuesday, March 10, 2015 10:57:05AM

COMMITTEE MEETING REPORT
Higher Education & Workforce Subcommittee

3/10/2015 9:00:00AM

Location: Reed Hall (102 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Elizabeth Porter (Chair)	X		
Robert Cortes	X		
Katie Edwards			X
Julio Gonzalez	X		
Travis Hutson	X		
Kristin Jacobs			X
Dave Kerner	X		
Jeanette Nuñez	X		
W. Keith Perry	X		
Rene Plasencia	X		
Jake Raburn	X		
Michelle Rehwinkel Vasilinda	X		
Ray Rodrigues	X		
Totals:	11	0	2

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COMMITTEE MEETING REPORT
Higher Education & Workforce Subcommittee

3/10/2015 9:00:00AM

Location: Reed Hall (102 HOB)

HB 223 : Public Records and Meetings/Postsecondary Education Executive Search

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Robert Cortes	X				
Katie Edwards			X		
Julio Gonzalez	X				
Travis Hutson	X				
Kristin Jacobs			X		
Dave Kerner				X	
Jeanette Nuñez	X				
W. Keith Perry	X				
Rene Plasencia	X				
Jake Raburn	X				
Michelle Rehwinkel Vasilinda		X			
Ray Rodrigues	X				
Elizabeth Porter (Chair)	X				
Total Yeas: 9		Total Nays: 1			

HB 223 Amendments

Amendment 331889

Adopted Without Objection

Appearances:

Howard Stewart - Waive In Opposition
 3030 S. Ocean Blvd.
 Palm Beach FL 33480
 Phone: 734-660-1127

Marshall Ogletree (Lobbyist) - Waive In Opposition
 United Faculty of Florida
 Interim Executive Director
 306 E. Park Avenue
 Tallahassee FL 32301
 Phone: 850-556-5239

Dr. Jennifer Proffitt (State Employee) - Opponent
 FSU Chapter of the United Faculty of Florida
 President
 307 Chestnut Drive
 Tallahassee FL 32301
 Phone: 850-597-9615

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COMMITTEE MEETING REPORT
Higher Education & Workforce Subcommittee

3/10/2015 9:00:00AM

Location: Reed Hall (102 HOB)

HB 223 : Public Records and Meetings/Postsecondary Education Executive Search (continued)

Appearances: (continued)

Dr. Ana Ciereszlo (Lobbyist) - Waive In Opposition
United Faculty of Miami Dade College
Legislative Director
11420 N Kendall Drive
Miami FL 33186
Phone: 305-321-0016

Lakey - Opponent
FSU Progress Coalition
Graduate Teaching Assistant-FSU
3816 Lost Lane #32
Tallahassee FL
Phone: 850-345-0018

Michael Cocco - Waive In Opposition
2833 Mayflower Loop
Clermont FL 34714
Phone: 352-255-1317

Travis Joyner - Waive In Opposition
15853 Wilkinson Drive
Clermont FL 34714
Phone: 229-630-8455

Rick Templin (Lobbyist) - Opponent
Florida AFL-CIO
135 S. Monroe Street
Tallahassee FL 32301
Phone: 850-224-6926

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COMMITTEE MEETING REPORT
Higher Education & Workforce Subcommittee

3/10/2015 9:00:00AM

Location: Reed Hall (102 HOB)

Workshop

Postsecondary access, articulation, & affordability.

Postsecondary education options for students with disabilities.

Committee meeting was reported out: Tuesday, March 10, 2015 10:57:05AM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> ✓ </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Higher Education &
 2 Workforce Subcommittee
 3 Representative Combee offered the following:
 4

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
 7 Section 1. Section 1004.097, Florida Statutes, is created
 8 to read:

9 1004.097 Information identifying applicants for president,
 10 provost, or dean at state universities or Florida College System
 11 institutions; public records exemption; public meetings
 12 exemption.-

13 (1) Any identifying information of an applicant for
 14 president, provost, or dean of a state university or Florida
 15 College System institution is exempt from s. 119.07(1) and s.
 16 24(a), Art. I of the State Constitution.



Amendment No. 1

17 (2)(a) Any portion of a meeting held for the purpose of
18 identifying or vetting a potential applicant for president,
19 provost, or dean of a state university or Florida College System
20 institution is exempt from s. 286.011 and s. 24(b), Art. I of
21 the State Constitution.

22 (b) Any portion of a meeting that would disclose
23 identifying information of an applicant for president, provost,
24 or dean of a state university or Florida College System
25 institution is exempt from s. 286.011 and s. 24(b), Art. I of
26 the State Constitution.

27 (c) Any portion of a meeting that is closed pursuant to
28 paragraph (a) or paragraph (b) must be reasonably noticed. A
29 complete recording must be made of any closed portion of a
30 meeting, and a closed portion of a meeting may not be held off
31 the record. The recording of the closed portion of a meeting is
32 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
33 Constitution.

34 (d) Any portion of a meeting held for the purpose of
35 establishing the qualifications of a potential applicant for
36 president, provost, or dean of a state university or Florida
37 College System institution or establishing the compensation
38 framework to be offered to a potential applicant must be open to
39 the public and is subject to s. 286.011 and s. 24(b), Art. I of
40 the State Constitution.

41 (3) No later than 30 days before the date of the meeting
42 at which a final action or vote is to be taken regarding the



Amendment No. 1

43 employment of an applicant for president, provost, or dean of a
44 state university or Florida College System institution,
45 identifying information of the applicant on whom a final action
46 or vote is to be taken is no longer exempt under subsections (1)
47 and (2).

48 (4) This section is subject to the Open Government Sunset
49 Review Act in accordance with s. 119.15 and shall stand repealed
50 on October 2, 2020, unless reviewed and saved from repeal
51 through reenactment by the Legislature.

52 Section 2. The Legislature finds that it is a public
53 necessity that any identifying information of an applicant for
54 president, provost, or dean of a state university or Florida
55 College System institution be made exempt from s. 119.07(1),
56 Florida Statutes, and s. 24(a), Article I of the State
57 Constitution. The Legislature also finds that any portion of a
58 meeting that is held for the purpose of identifying or vetting
59 an applicant for president, provost, or dean of a state
60 university or Florida College System institution or that would
61 disclose identifying information of such applicant be made
62 exempt from s. 286.011, Florida Statutes, and s. 24(b), Article
63 I of the State Constitution. The Legislature also finds that
64 identifying information of finalists shall no longer be exempt
65 from public records and public meetings requirements 30 days
66 before the date of the meeting at which a final action or vote
67 occurs regarding the hiring of such applicant. The task of
68 filling the position of president, provost, or dean of a state



Amendment No. 1

69 university or Florida College System institution is often
70 conducted by an executive search committee. Many, if not most,
71 applicants for such a position are currently employed at another
72 job at the time they apply, and disclosure of their applications
73 could jeopardize their current employment. These exemptions from
74 public records and public meetings requirements are needed to
75 ensure that the executive search committee can avail itself of
76 the most experienced and desirable pool of qualified applicants
77 from which to fill the position of president, provost, or dean
78 of a state university or Florida College System institution. If
79 potential applicants fear the possibility of losing their
80 current employment as a consequence of attempting to progress
81 along their chosen career path or seeking different and more
82 rewarding employment, the number and quality of applicants
83 available to fill the position of president, provost, or dean of
84 a state university or Florida College System institution would
85 be greatly diminished. Therefore, this exemption fulfills an
86 important state interest.

87 Section 3. This act shall take effect October 1, 2015.
88
89

90 -----
91 **T I T L E A M E N D M E N T**

92 Remove everything before the enacting clause and insert:

93 A bill to be entitled



Amendment No. 1

94 An act relating to public records and meetings; creating s.
95 1004.097, F.S.; providing an exemption from public records
96 requirements for identifying information of an applicant for
97 president, provost, or dean of a state university or Florida
98 College System institution; providing an exemption from public
99 meeting requirements for any portion of a meeting held for the
100 purpose of identifying or vetting or otherwise disclosing
101 identifying information of such applicants; requiring that
102 closed meetings be reasonably noticed and recorded; providing
103 that the recordings of closed portions of a meeting are exempt
104 from public records requirements; specifying that any portion of
105 a meeting held for the purpose of establishing the
106 qualifications of, or any compensation framework to be offered
107 to, potential applicants is subject to public meetings
108 requirements; specifying that the identifying information of
109 final applicants is no longer exempt from public records and
110 public meetings requirements within a certain time period before
111 a final action or vote; providing for future legislative review
112 and repeal of the exemptions; providing a statement of public
113 necessity; providing an effective date.

Students with Disabilities Workshop

**Higher Education and Workforce
Subcommittee**

March 10, 2015

Chair: Honorable Elizabeth Porter

What is a Comprehensive Transition and Postsecondary Program?

Federal law defines a comprehensive transition and postsecondary (CTP) program as a degree, certificate, or nondegree program that meets each of the following criteria:

- Is offered by an institution of higher education (IHE);
- Is delivered to students physically attending the IHE;
- Is designed to support students with intellectual disabilities who are seeking to continue academic, career and technical, and independent living instruction at an IHE in order to prepare for gainful employment;
- Includes an advising and curriculum structure;
- Requires students with intellectual disabilities to participate on not less than a half-time basis, as determined by the institution, with such participation focusing on academic components, and occurring through one or more of the following activities with nondisabled peers:
 - Regular enrollment in credit-bearing courses offered by the institution.
 - Auditing or participating in courses offered by the institution for which the student does not receive regular academic credit.
 - Participation in noncredit-bearing, nondegree courses.
 - Participation in internships or work-based training; and
- Requires students with intellectual disabilities to be socially and academically integrated with nondisabled students to the maximum extent possible.
- 20 U.S.C. s. 1140(1); 34 C.F.R. s. 231(a).
- 34 C.F.R. s. 668.231(a)(2).

FPCTP - Purpose

The purpose of the program is to increase independent living, inclusive and successful experiential postsecondary education and employment opportunities for students with intellectual disabilities through degree, certificate and nondegree programs and to establish statewide coordination of the dissemination of information regarding programs and services for students with disabilities.

Florida Postsecondary Comprehensive Transition Program

The goal of this workshop is to establish a process for postsecondary institutions in Florida to voluntarily seek approval of a Florida Postsecondary Comprehensive Transition Program to provide postsecondary education options for students with intellectual disabilities.

FPCTP

One idea is to align the state approval requirements with federal requirements for comprehensive transition and postsecondary programs. In addition, an institution would be required to submit an application no later than the academic year immediately following the academic year in which the federal grant was approved.

FPCTP

To be eligible to enroll in a FPCTP program a student must meet the following criteria:

- Meeting the definition of a “student with an intellectual disability” as defined in 20 U.S.C s. 1140(2);
- Physically attend the eligible institution;
- Submit to the institution documentation regarding his or her intellectual disability.

Florida Center for Students with Unique Abilities

Another goal of this workshop is to create the Florida Center for Students with Unique Abilities at the University of Central Florida to serve as the statewide coordinating center for the dissemination of information regarding programs and services available to students with disabilities and their families.

Florida Center for Students with Unique Abilities

Duties of the Center:

- Disseminating information regarding education programs, services and resources available at eligible institutions; support, accommodations, technical assistance or training provided by eligible institutions, the advisory council or regional autism centers; and mentoring, networking and employment opportunities;
- Coordinating, facilitating and overseeing statewide implementation including creating the application and deadlines for the submission, review and approval of applications;
- Consulting and collaborating with the National Center and the Coordination Center regarding guidelines for effective implementation of the programs which align with federal requirements and standards, quality indicators and benchmarks;

Florida Center for Students with Unique Abilities

Duties Continued:

- Consulting and collaborating with the Higher Education Coordinating Council to identify meaningful credentials and engage businesses and stakeholders to promote experiential training and employment opportunities to students with intellectual disabilities;
- Providing technical assistance regarding programs and services for students with intellectual disabilities to administrators, instructors and staff at eligible institutions; and
- Planning, advising and evaluating approved programs and student performance.

Special Diploma

Additionally we would like to restore the special diploma as a high school graduation option for students with disabilities that is currently scheduled to be repealed on July 1, 2015.