

2018

**Legislative
Summary
Report**

**Prepared by the
Association of Florida Colleges
Legislative Committee**



Serving the Florida College System since 1949

CONTRIBUTORS

2017-18 Association of Florida Colleges Legislative Committee (Florida College System Institutional Lobbyists)

Jack Hall, Chair – St. Johns River State College
Rachael Ondrus – Chair-elect, Palm Beach State College
Liam McClay, Santa Fe College
Ed Woodruff, St. Petersburg College
Victoria Hernandez, Miami Dade College
Matt Holliday, Florida SouthWestern State College
Sandra Cesaretti-Ray, Pensacola State College
Eric Johnson, Hillsborough Community College
Greg Haile, Broward College
Mike McKee, Florida Gateway College
Brian Thomas, State College of Florida, Manatee-Sarasota
Andrew Treadwell, Indian River State College
Bill MULLowney Valencia College
Jay Galbraith, Valencia College
Scott Balog, Tallahassee Community College
Brian Babb, Daytona State College
Jack Capra, Northwest Florida State College
Jessica Kummerle, College of Central Florida
Michael Brawer, Association of Florida Colleges

Other contributors:

Dr. Judy Bilsky, Association of Florida Colleges
Chris Hansen, Ballard Partners
Don Payton, Ballard Partners
Allyce Heflin, Southern Strategies
Jeff Schembera, Northwest Florida State College
Shawn Foster, Pasco-Hernando State College
Lucia Fishburne, Association of Florida Colleges

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Legislative Session Highlights

The 2018 Florida Legislature adjourned sine die on Sunday evening, March 11, 2018 following a querulous budget process that resulted in the extension of the legislative session by 2 days and the requisite 72-hour "cooling-off" period. In the end, the Legislature approved the General Appropriations Act (GAA), Ch. 2018-119, L.O.F., (HB 5001), appropriating an overall budget of \$88.7 billion which takes effect July 1, 2018. The Governor vetoed 88 items totaling \$64 million. A total of 3,250 bills were filed this session, with only 196 passing both Chambers, resulting in one of the lowest number of bills passed in nearly two decades and 49 less than during the 2017 session.

The Florida College System Program Fund will receive a slight increase of about **\$6.7 million**, restoring a little less than 25% of last year's program reduction of \$30.2 million. Lottery funds will provide \$272,175,155 for the colleges and \$945,332,666 will come from General Revenue, including \$60 million for performance funding, half for state incentive and half for institutional investment. \$10 million has also been allocated for industry certifications.

Due to significant funding being allocated for school safety (\$400 million) and health care initiatives (\$300 million), funding for construction projects was minimal. The Florida College System will get \$27.2 million for the entire system with three colleges receiving some additional assistance. In comparison, the State University System will receive approximately \$82.5 million for construction projects at the University of Florida, Florida State University, and Florida Gulf Coast University, while public schools will reap \$120 million for charter school construction and \$50 million for school districts.

In the final days of session, two education bills directly tied to budget negotiations were passed. **CS/HB 7055**, a massive K-12 bill that promotes charter schools, and was championed by the House, narrowly passed the Senate.

Senate Bill 4, (CS/SB 4), dubbed "The Florida Excellence in Higher Education Act of 2018, successfully navigated both Chambers and was signed into law by the Governor on March 11, 2018. This bill expands financial aid provisions and incentivizes postsecondary institutions to emphasize "on-time" graduation as well as funding state universities to recruit and retain exemplary faculty. Significantly, the bill allows Bright Futures awards to be used to cover technology fees and for awards to be used for summer terms. The Bright Futures Academic Scholars programs was returned to 100% of tuition and fees, plus \$300 for textbooks. The Medallion Scholars Program was returned to 75% of tuition and fees with no provisions for textbooks. The First Generation Matching Grant program was extended to the FCS, authorizing a \$2 match in state money for every \$1 raised privately. The final bill version also included language prohibiting a public institution of higher education from designating any area of campus as a "free-

speech” zone or otherwise creating policies restricting expressive activities to a particular outdoor area of campus. The consolidation of University of South Florida branch campus with the main campus was also included in this bill.

Senate Bill 7026 reflects the Legislature’s response to the tragic February 2018 shootings at Marjory Stoneman Douglas High School. The bill includes changes to background checks, prohibiting people under 21 from buying a firearm, outlawing bump-fire stocks and attempting to keep firearms from those with mental illness. The most controversial measure is the creation of a voluntary program, the “Aaron Feis Guardian Program,” that would allow some school personnel to carry firearms. Attempts to ban the sale of assault weapons, however, failed.

Significant opposition by the FCS college presidents, the Association for Florida Colleges, business and industry leaders, and the college lobbyists to **Senate Bill 540**, “The Community College Competitiveness Act,” resulted in its demise. The bill, which was never taken up by the House, would have made significant changes to system governance, performance standards, Direct Support Organization (DSO) personnel funding and baccalaureate degree approval and growth.

Please see the “Education Bills Passed” and “Education Bills Failed” sections of this report for additional details

**2018-2019 GENERAL APPROPRIATIONS ACT (GAA)
Statewide Funding (HB 5001)**

Florida College System 2017-18 and 2018-19 Funding

Issue	Funding 2017-18	Funding 2018-19
Florida College System Program Fund (FCSPF) - Lottery	\$231,751,579	\$272,175,155
Florida College System Program Fund (FCSPF) – GR	\$972,573,301 (includes \$60m performance) (\$7,280,154 was vetoed leaving a net appropriation of \$965,293,147) (HB 1A appropriated \$2,540,288 additional funds creating a new net total program appropriation of \$967,833,435)	\$945,332,666 (includes \$60m performance, \$30 m from state funds and \$30 m from the systems individual colleges base) (\$500,000 was vetoed leaving a net appropriation of \$944,832,666)
TOTAL COMBINED	\$1,199,585,014 (Reflects \$30.2m developmental education reduction and Governor’s veto of \$7.3m at 9 colleges and \$2.5m increase in HB 1A	\$1,217,007,821 (Reflects a \$4.7m pass through of FRS contribution funds, \$6.8m actual increase in the program fund, \$8.1m in special projects, and \$.5m reduction from the Governor’s veto
Above includes:		
• Performance Funding - GR	\$30m state / \$30m base	\$30m state / \$30m base
• Operating Cost New Facilities, Combined	0	0
• FRS Contribution Adjustment	\$4,942,768	\$4,761,000
• “Operational Support”	0 (No system-wide dollars were provided for operational support, however individual colleges did receive specific appropriations.)	0 (No system-wide dollars were provided for operational support, however individual colleges did receive specific appropriations.)
• Special Projects/Operational Support Funding	\$15,342,950 (\$7,270,154 was vetoed, leaving a net appropriation of \$8,072,796) (\$2,540,288 was added in HB 1A creating a new net total of \$10,613,084)	\$8,050,000 (\$500,000 was vetoed, leaving a net appropriation of \$7,550,000 in special projects)
• Distinguished Colleges	0	0
ADDITIONAL FUNDING		
Performance Incentives/Industry Certifications	\$10,000,000	\$10,000,000

Issue	Funding 2017-18	Funding 2018-19
PECO, Sum-of-Digits (Maintenance)	\$38,066,518	\$35,448,853
Fixed Capital Outlay (PECO and GR and other sections of the bill)	\$83,512,835 (\$14,494,530 was vetoed leaving a net appropriation of \$69,018,305) (HB 1A in Special Session 2017A appropriated \$4,572,518 additional funds creating a new net total of \$73,590,823)	\$43,086,872 (\$12,150,000 was appropriated in section 99 contingent upon receipt of federal hurricane reimbursement funds and \$812,000 for fire equipment.
Displaced Homemakers	0	0
College Reach Out Program	\$ 1,000,000	\$1,000,000
First Generation Matching Florida College System Share	\$2,654,332	\$ 2,654,332
NON FUNDED ITEMS		
Adults with Disabilities	\$6,924,676	\$6,924,676
Student Tuition/Fees	0 % increase	0 % increase
Phillip Benjamin Matching	0	0
Facilities Matching	0	0

Florida Financial Aid Summary 2017-18 and 2018-19 Funding

Issue	Funding 2017-18	Funding 2018-19
Florida's Bright Futures Scholarship Program (Lottery)	\$397,282,030	\$397,282,030 (An additional \$91.6 million is provided in SB 4.)
<p>Academic Scholars</p> <ul style="list-style-type: none"> • 4-year Institutions • 2- Year Institutions • Upper-division Programs at Florida Colleges • Career-technical Centers 	<p>Per Credit Hour</p> <p>Awards are to cover 100% of the cost of tuition and applicable fees plus \$300 for each fall and spring semester for textbooks and expenses.</p> <p>\$39.5 million was earmarked for summer 2018 awards</p>	<p>Per Credit Hour</p> <p>Awards are to cover 100% of the cost of tuition and applicable fees plus \$300 for each fall and spring semester for textbooks and expenses.</p> <p>\$39.5 million(an additional \$1.7 million in SB 4 is earmarked for summer 2019 awards.)</p>
<p>Medallion Scholars (Projected amount for 2018-19)</p> <ul style="list-style-type: none"> • 4-year Institutions • 2- Year Institutions • Upper-division Programs at Florida Colleges • Career-technical Centers 	<p>77</p> <p>63</p> <p>53</p> <p>39</p>	<p>159</p> <p>80</p> <p>92</p> <p>62</p>
<p>Gold Seal Vocational Scholars</p> <ul style="list-style-type: none"> • Career Certificate Program • Applied Technology Diploma Program • Technical Degree Education Program 	<p>39</p> <p>39</p> <p>48</p>	<p>39</p> <p>39</p> <p>48</p>
Additional Stipend for Top Scholars	44	44
<p>Gold Seal CAPE Vocational Scholars</p> <ul style="list-style-type: none"> • Bachelor of Science Program with Statewide Articulation Agreement • Florida College System Bachelor of Applied Science Program 	<p>48</p> <p>48</p>	<p>48</p> <p>48</p>
<p>Florida Student Assistance Grants (Lottery)</p> <p>(General Revenue)</p> <p>(Trust Funds)</p> <ul style="list-style-type: none"> • Florida Student Assistance Grant – Public Full and Part-time 	<p>59,401,461</p> <p>218,979,271</p> <p>97,099</p> <p>(208,002,403)</p>	<p>59,401,461</p> <p>218,979,271</p> <p>97,099</p> <p>(208,002,403)</p>

Issue	Funding 2017-18	Funding 2018-19
<ul style="list-style-type: none"> • FSAG – Private • FSAG – Postsecondary • FSAG – Career Education Maximum Award for FSAG <ul style="list-style-type: none"> • Deceased/Disabled Veterans • Florida Work Experience • Rosewood Family Scholarships • Honorably Discharged Graduate Assistance Program • Florida Farmworker Scholarship Program 	(33,472,777) (23,381,592) (4,539,240) (2,610)/award (5,755,150) (1,569,922) (256,747) (1,000,000) (500,000)	(33,472,777) (23,381,592) (2,610)/award (1,569,922) (256,747) (1,000,000) (1,000,000) \$500,000 (appropriated in SB 4)
First Generation in College Matching Grant Program <ul style="list-style-type: none"> • (In 2017-18 the match was \$1 state dollar for \$1 private dollar) • (In 2018-19 the match will be \$2 state dollars for each \$1 private dollar) Amount Reserved for FCS in 2017-18	10,617,326 \$2,654,332	10,617,326 \$2,654,332
<ul style="list-style-type: none"> • ABLE Grants (Private for-profit college students) 	\$6,832,500 (est. \$2,500 /student)	\$6,338,500 (est. \$3,500 /student)
<ul style="list-style-type: none"> • Florida Resident Access Grants (Private not-for-profit college students) 	\$125,449,500 (est. \$3,300/student)	\$136,815,000 (est. \$3,500/student)
<ul style="list-style-type: none"> • Florida National Merit Scholars Incentive Program (renamed as Benacquisto Scholarship Program by Legislature in 2016) 	\$14,282,138	\$14,282,138 (An additional \$1.2 million is provided in SB 4)
<ul style="list-style-type: none"> • Prepaid Tuition Scholarship 	\$7,000,000	\$7,000,000
<ul style="list-style-type: none"> • Florida ABLE, Incorporated 	\$2,166,000	\$2,166,000
<ul style="list-style-type: none"> • Minority Teacher Scholarship Program 	\$917,798	\$917,798
<ul style="list-style-type: none"> • Nursing Student Loan Reimbursement/ Scholarships 	\$1,233,006	\$ 1,233,006
Mary McLeod Bethune Scholarship (General Revenue) (Trust Funds)	\$160,500 \$160,500	\$160,500 \$160,500
Jose Marti Scholarship Challenge Grant (General Revenue) (Trust Funds)	\$50,000 \$74,000	\$50,000 \$74,000
In 2017, the following proviso appeared in the GAA for the first time. <ul style="list-style-type: none"> • Institutions that received state funds in Fiscal Year 2016-2017 for student scholarships or grants administered by the Office of Student Financial Assistance shall 		

Issue	Funding 2017-18	Funding 2018-19
<p>create the following two reports in a format prescribed by the Department of Education; both due by December 1, 2017. A report of the following information by institution, 1) federal loan information, including the total federal loan amounts disbursed and total number of students who received federal loans; and 2) student level data for all grants, scholarships, and awards to students who applied for and/or received state-funded tuition assistance and aid. This language was continued in the 2018-19 GAA.</p>		

Appropriations Proviso and Implementing Bill Issues

The Legislature has three methods to reflect funding decisions made in the General Appropriations Act (GAA) process. “Proviso” is language in the General Appropriations Act attached to a specific appropriation which directs or authorizes how the funds can be expended. An implementing bill is a substantive bill which provides instructions to enact specific provisions for a GAA appropriation or proviso by changing the law (Florida Statutes) temporarily for one year. This is necessary because the courts have ruled the GAA cannot contradict current law; however, there may be a need to temporarily suspend some provision of law. A conforming bill is a substantive bill which may “travel” with the GAA. It differs from the implementing bill in that it makes permanent changes to Florida Statutes. Individual bills which become law permanently change the law. For 2018-19, there was no language affecting the FCS in the implementing bill. There was no general conforming bill as such but individual bills did impact appropriations.

While the Governor may veto the entire appropriations act or exercise his veto by “line item,” he does not have “line item” veto in an implementing or conforming bill, but must act on the entire bill. If a specific appropriation or proviso language relating to a specific appropriation is vetoed, then language in an implementing bill pertaining to that item is void.

Bills which are passed by the Legislature are sent to the Governor. If the Legislature is not in Session, the Florida Constitution allows the Governor fifteen days after receiving a bill to veto, sign, or let a bill become law without his signature. If the Legislature is in Session, the Governor has seven days.

FCS Performance Funding/Industry Certifications

An appropriation of \$10 million for industry certification performance included proviso language that identified the programs eligible for funding for 2018-19 to be: public safety, health sciences, automotive service technology, auto collision repair and refinishing, cyber security, cloud virtualization, network support services, computer programming, advanced manufacturing, electrician, welding, Federal Aviation Administration airframe mechanics, power plant mechanics, pharmacy technicians, and heating, ventilation and air conditioning technicians. These are the same programs as in 2017-18.

FCS Performance Funding

The General Appropriations Act included \$60 million in performance funding for the Florida College System, with \$30 million in state funds, and \$30 million deducted from the Colleges’ base funding. Base funding could potentially be redistributed among other colleges based on individual college performance. There are no changes to performance metrics for the FCS for 2018-19.

EDUCATION-RELATED BILLS THAT PASSED

SB 4 (CS/SB 4): “The Florida Excellence in Higher Education Act of 2018”

This bill expands financial aid provisions and incentivizes postsecondary institutions to emphasize “on-time” graduation as well as funding state universities to recruit and retain exemplary faculty (The State University Professional and Graduate Degree Excellence Program). It also requires universities to use a four-year rather than six-year graduation rate in its performance funding formula, but did **not** address time -to-degree specifically for FCS students). **Significantly, the bill allows Bright Futures awards to be used to cover technology fees and, for the first time, allows awards to be used for summer terms. The Bright Futures Academic Scholars programs was returned to 100% of tuition and fees, plus \$300 for textbooks. The Medallion Scholars Program was returned to 75% of tuition and fees with no provisions for textbooks. The First Generation Matching Grant program was extended to the FCS, authorizing a \$2 match in state money for every \$1 raised privately.** The bill additionally establishes a scholarship program for students from farmworker families. **The final bill version also included language prohibiting a public institution of higher education from designating any area of campus as a “free-speech” zone or otherwise creating policies restricting expressive activities to a particular outdoor area of campus. The bill also states that violations can be fined. Colleges will need to review current campus policies and student rights’ manuals.** The consolidation of University of South Florida branch campus with the main campus was also included in this bill.

Approved by Governor March 11, 2018, effective date March 11, 2018 except as otherwise provided.

HB 7055 (CS/HB 7055): (Omnibus Education Bill)

The sum of \$13,750,000 in recurring funds from the General Revenue Fund and the sum of \$100,000 in nonrecurring funds from the General Revenue Fund are appropriated to the DOE to implement 7055. \$9,700,000 of recurring funds shall be used to fund reading scholarship accounts, \$300,000 shall be used as an administrative fee, \$2,000,000 shall be used to implement the provisions of 1002.40(8)(establishing the Hope Scholarship Fund), \$950,000 shall be used to implement additional oversight requirements of 1002.421 (Accountability of private schools participating in state school choice scholarship programs), \$250,000 for competitive grant awards 1002.395(9) (Florida Tax Credit Scholarship Program), \$550,000 used for instructional materials pursuant to 1007.271(13) (Dual Enrollment Programs), \$150,000 from 2017-18 is appropriated to the DOR to implement 212.099.

- Creates the Hope Scholarship Program for students who have been bullied to transfer to another public school or receive a scholarship to attend an eligible private school.

- The Hope Scholarship Program will be funded by taxpayers who make a contribution limited to \$105 when a vehicle or registration is purchased. The contributor will receive a 100% credit of the contribution against the sales tax.
- Allows the Commissioner of Education to coordinate through the most appropriate means of communication with school districts, colleges, and satellite offices to assess the need for resources and assistance to enable each institution to reopen as soon as possible after considering the safety of students and others (from SB 436).
- For dual enrollment articulation agreements, college board of trustees may not arbitrarily limit the number of dual enrollment courses in which a student may enroll based solely upon enrollment by the student at an independent postsecondary institution.
- Home education dual enrolled students are no longer responsible for his or her own instructional materials.

- ***The home education articulation agreement must include:***

- ***** Delineation of courses and programs, any course or program limitations may not exceed the limitations for other dually enrolled students***

- ***** A high school grade point average may not be required for home education students who meet the minimum score on a common placement test adopted by the State Board of Education which indicates that the student is ready for college-level coursework***

- ***** Home education students' eligibility requirements for continued enrollment in dual enrollment courses must include the maintenance of the minimum postsecondary grade point average established by the postsecondary institution.***

- In amending s. 1007.271, F.S., removes from the list of specific provisions required to be included in an articulation agreement between a private school and postsecondary institution, a provision stating whether the private school will compensate the postsecondary institution for the standard tuition rate per credit hour for each dual enrollment course taken by its students. Although it now is no longer a required component, nothing in the amended law prohibits the continued inclusion of a provision stating whether the private school will compensate the postsecondary institution for the standard tuition rate per credit hour for each dual enrollment course taken by its students. In addition, the law as amended does not specify that the public postsecondary institution may not charge tuition and fees to the private school for the dual enrollment of its students.
- If a teacher's union at a school cannot get more than 50% of the school's employees to join, the union will not be able to bargain. They must petition the Public Employees Relations Commission for recertification within one month after the date on which the organization applies for renewal of registration. Applies only to K12 System.
- School boards must adopt rules to require all schools to display, "In God We Trust" in a conspicuous place.
- School districts are encouraged to provide basic training in first aid including cardiopulmonary resuscitation and using an automated external defibrillator,

beginning in grade 6 and every 2 years thereafter.

• **CAPE bonuses may not be awarded to a teacher who fails to maintain the security of any CAPE industry certification examination or who otherwise violates the security or administration protocol of any assessment instrument.**

• Students enrolled in Marjory Stoneman Douglas High School are exempt from taking statewide standardized assessments. Seniors are exempt from minimum hours of instruction requirement to earn a diploma.

Approved by Governor, March 11, 2018. effective date 7/1/18.

HB 29 (CS/HB 29): "The Don Hahnfeldt Veteran and Military Family Opportunity Act"

Revises licensure eligibility requirements; requiring the Department of Agriculture and Consumer Services to waive certain fees; authorizing the licensing authority to recognize certain military-issued credentials for purposes of licensure; designating March 25 of each year as "Medal of Honor Day"; requiring the State Board of Education to issue a temporary certificate in educational leadership to certain persons, etc.

- The bill eases professional licensing fees and requirements for certain military members, veterans, and their spouses, including:
- For the Department of Health (DOH) professional licensees, granting current DOH fee waivers for dentists, and providing an affirmative defense in certain unlicensed activity actions;
- For the Department of Business and Professional Regulation professional licensees, expanding license renewal fee waivers;
- For the Department of Agriculture and Consumer Services professional licensees, expanding current initial licensing fee waivers and creating renewal fee waivers;
- For the Office of Financial Regulation mortgage loan originators and associated persons licensees, creating an initial licensing and renewal fee waivers;
- For the Department of Financial Services professional licensees, relief from pre-licensure insurance coursework requirements, and expanding initial licensure fee waivers; and
- **For the Department of Education (DOE) licensees, creating certain initial fee waivers, granting a temporary certificate in education, and establishing a pathway for veteran officers for certification as a school principal.**
- **Requires DOE to coordinate efforts to educate veterans about apprenticeship and career opportunities;**
- Allows Junior Reserve Officer Training instructors to participate in the Florida Teachers Classroom Supply Assistance Program;
- **Designates March 25 every year as "Medal of Honor Day"** and allows classroom instruction related to the values of the recipients of the Congressional Medal of Honor to meet certain instructional requirements on

character development and the contributions of veterans to our country;
* gives students who are children of an active duty member who is not stationed in this state, but whose home of record or state of legal residence is Florida, priority for attendance in the Florida Virtual School; and

- **Expands and clarifies the processes for obtaining veteran training grants and instituting veteran entrepreneurship programs through Veterans Florida in the Department of Veterans' Affairs.**
- The bill has an indeterminate fiscal impact on state government and no fiscal impact on local governments.

Approved by Governor March 14, 2018, effective date 7/1/18.

HB 75: Postsecondary Fee Waivers

Authorizes FCS institutions to waive a portion of certain postsecondary fees for active duty members of U.S. Armed Forces using military tuition assistance; requires FCS institutions to report to SBE number & value of such fee waivers granted annually. Mostly impacts FCS institutions with high numbers of active duty service members (e.g. FSCJ, NWFS).

Approved by Governor March 13, 2018, effective date 7/1/18.

SB 394: Fire Safety

This legislation requires the Division of the State Fire Marshal to establish courses that provide training related to cancer and mental health. Specifically, this training must include cancer and mental health awareness, prevention, mitigation, and treatment as well as lifestyle, environmental, inherited, and occupational risks and must emphasize appropriate behavior, attitude, and cultural changes within the fire service. Such training must be a requirement for obtaining a Firefighter Certificate of Compliance, a Volunteer Firefighter Certificate of Completion, or a Special Certificate of Compliance. The bill also requires certified firefighters to have such training available to them.

Approved by Governor March 19, 2018, effective date 7/1/18.

CS/HB 565: Excess Credit Hour Surcharges

Requires state university to return specified amount of assessed excess credit hour surcharges to first-time-in-college students who meet certain requirements.

Approved by Governor 3/30/18, effective date 7/1/18.

HB 577: High School Graduation Requirements

This legislation authorizes students to use credit earned upon completion of apprenticeship or pre-apprenticeship program to satisfy specified high school graduation requirements; requires SBE to approve & identify registered apprenticeship HB 577.

Approved by Governor 4/6/18, effective date 7/1/18.

CS/SB 7026: The Marjory Stoneman Douglas High School Public Safety Act

This bill provides law enforcement, the courts, and schools with the tools to enhance public safety by temporarily restricting firearm possession by a person who is undergoing a mental health crisis and when there is evidence of a threat of violence. The bill also promotes school safety and enhanced coordination between education and law enforcement entities at the state and local level. Some key issues addressed in the bill as related to K-12 school safety include:

- Prohibits a person who has been adjudicated mentally defective or who has been committed to a mental institution from owning or possessing a firearm until a court orders otherwise.
- Requires a three-day waiting period for all firearms, not just handguns or until the background check is complete, whichever is later.
- Prohibits a person under 21 years of age from purchasing a firearm.
- Prohibits a licensed firearm dealer, importer, or manufacturer, from making or facilitating the sale or transfer of a firearm to a person under the age of 21. This prohibition does not apply to the purchase of a rifle or shotgun by a law enforcement officer or a correctional officer or to a member of the military.
- Prohibits a bump-fire stock from being imported, transferred, distributed, transported, sold, keeping for sale, offering or exposing for sale, or given away within the state.
- Creates a process for a law enforcement officer or law enforcement agency to petition a court for a risk protection order to temporarily prevent persons who are at high risk of harming themselves or others from accessing firearms when a person poses a significant danger to himself or herself or others, including significant danger as a result of a mental health crisis or violent behavior.
- Provides a court can issue a risk protection order, ex parte in certain circumstances, and requires the surrender of all firearms and ammunition under said order.
- Establishes the Marjory Stoneman Douglas High School Public Safety Commission within the Florida Department of Law Enforcement (FDLE) to investigate system failures in the Parkland school shooting and prior mass violence incidents, and develop recommendations for system improvements.
- Codifies the Office of Safe Schools (office) within the Florida Department of Education (DOE) and specifies the purpose of the office is to serve as the state education agency's primary coordinating division for promoting and supporting safe-learning environments.
- Creates the Feis Guardian Program within the DOE as a voluntary program to assist school districts and public schools in enhancing the safety and security of students, faculty, staff, and visitors to Florida's public schools and campuses.
- Codifies the Multiagency Service Network for Students with Severe Emotional Disturbance (SEDNET) as a function of the DOE in partnership with other state,

regional, and local entities to facilitate collaboration and communication between the specified entities.

- Establishes the Public School Emergency Response Learning System Program to assist school personnel in preparing for and responding to active emergency situations and to implement local notification systems for all Florida public schools.
- Establishes the “FortifyFL” program and requires the FDLE to procure a mobile suspicious activity reporting tool that allows students and the community to report information anonymously about specified activities or the threat of such activities to appropriate public safety agencies and school officials.
- Requires each district school board and school district superintendent to cooperate with law enforcement agencies to assign one or more safe-school officers at each school facility,
- Requires each district school board to designate a district school safety specialist to serve as the district’s primary point of public contact for public school safety functions.
- Requires each school district to designate a threat assessment team at each school, and requires the team to operate under the district school safety specialist.
- Creates the mental health assistance allocation to provide supplemental funding to assist school districts and charter schools in establishing or expanding comprehensive mental health programs and to connect students and families with appropriate services.

Approved by the Governor 3/9/2018, effective date 3/9/18.

HB 1013: Daylight Saving Time

- Provides legislative approval for the State of Florida and its political subdivisions to observe daylight saving time year-round under certain conditions.
- Directs the Legislature to submit a request to the Secretary of the United States Department of Transportation to re-designate portions of the state in the Central Time Zone into the Eastern Time Zone.

Approved by Governor 3/23/18, effective date TBD.

HB 67: Slavery Memorial

- Creates the first Florida Slavery Memorial at the Capitol complex in Tallahassee.

Approved by Governor 3/19/18, effective date 7/1/18.

HB 139/SB 472: Mary McLeod Bethune

- Replaces one of Florida’s two statues in the U.S. Capitol. A statue of civil rights leader Mary McLeod Bethune will replace the likeness of Confederate General Edmund Kirby Smith.

Approved by Governor 3/19/18, effective date 7/1/18.

CS/HB 333: Minimum Officer Qualifications

- The bill exempts individuals who served in the special operations forces of the U.S. military from completing the basic recruit training program for law enforcement, correctional, or correctional probation officers. To qualify for the exemption, an applicant must have served in the special operations forces for a minimum of five years and must apply for the exemption within four years of separating from the special operations forces.
- The bill defines “special operations forces” to include service members of the Army Special Forces and Army 75th Ranger Regiment; the Navy SEALs and Special Warfare Combatant-Craft Crewmen; the Air Force Combat Control, Pararescue, and Tactical Air Control Party specialists; the Marine Corps Critical Skills Operators; and any other component of the U.S. Special Operations Command approved by the Criminal Justice Standards and Training Commission (Commission).
- An applicant who served in the special operations forces and is exempt from completing a basic recruit training program must also meet the minimum officer qualifications prescribed in s. 943.13, F.S., such as passing a physical examination and having good moral character. Additionally, an exempt applicant must demonstrate proficiency in high-liability areas and pass the officer certification examination within 1 year of receiving the exemption, and complete any additional training required by the Commission, based on the applicant’s prior training and experience.
- The bill directs the Commission to adopt rules that establish the criteria and procedures to determine if an applicant is exempt from completing a basic recruit training program.

Approved by Governor 3/21/18, effective date 7/1/18.

CS/HB 495: K-12 Public Education

The bill revises time limits for certain public employees who qualify to participate in the Deferred Retirement Option Program (DROP); modifies educator certification requirements and district school board duties relating to school safety, and prohibits misconduct by authority figures against students; promotes opportunities for public middle and high school students to learn computer science taught by qualified teachers; and modifies end-of-course statewide assessment requirements for certain students. Specifically:

Deferred Retirement Option Program (DROP)

The bill provides that effective July 1, 2018, instructional personnel who are authorized to extend Deferred Retirement Option Program (DROP) participation beyond the 60-month period must have a termination date that is the last day of the last calendar month of the school year within the DROP extension granted by

the employee. Administrative personnel in grades K-12 who have a DROP termination date on or after July 1, 2018, may be authorized to extend DROP participation beyond the initial 60 calendar month period if the administrative personnel's termination date is before the end of the school year.

Educator Certification and Student Safety

The bill modifies Florida law regarding educator certification requirements and district school board duties relating to school safety, and prohibits misconduct by authority figures against students. Specifically, the bill:

- Expands the applicability of certain employment disqualification criteria to include all positions that require direct contact with students.
- Grants the Department of Education (DOE) and the Education Practices Commission additional authority to enforce the educator certification requirements and impose penalties against persons who do not comply with certification requirements.
- Requires an educator who has been placed on probation to immediately notify the investigative office in the DOE upon separation from employment in any public or private position requiring a Florida educator's certificate.
- Prohibits an authority figure from soliciting or engaging in sexual conduct, a relationship of a romantic nature, or lewd conduct with a student and deems such offenses against students by authority figures as a second-degree felony.
- Adds a school bus to the definition of "school," to apply to the provisions in law regarding trespass on school grounds or facilities.
- Revises standards of ethical conduct for instructional personnel and school administrators to require the training on alleged misconduct by instructional personnel and school administrators which affects student safety to include specified misconduct that would result in disqualification from educator certification or employment.
- Requires a (K12) school district to: File in writing with the DOE any legally sufficient complaint against an employee of the school district within a specified timeframe, regardless of the status of the complaint and regardless of whether the subject of the complaint is still a district employee. Immediately notify the DOE if the subject of a legally sufficient complaint of misconduct affecting the health, safety, or welfare of a student resigns or is terminated before the conclusion of the district's investigation. Requires the DOE, upon receipt of notification by the school district, to place an alert on a person's certification file indicating that he or she resigned or was (CS/HB 495 cont.)

Computer Science Instruction

The bill promotes opportunities for public middle and high school students to learn computer science taught by qualified teachers. Specifically, the bill:

- Defines "computer science" and expands access to computer science courses:

- Requires middle schools, high schools, and combination schools to offer computer science courses.
- Requires computer science courses to be identified in the Course Code Directory (CCD) and published on the DOE's website by July 1, 2018. Additional computer science courses may be subsequently identified and posted on the DOE's website.
- Requires the Florida Virtual School (FLVS) to offer computer science courses identified in the CCD. The bill requires a school district that does not offer a computer science course to provide students access to such course through the FVS or through other means.
- Creates opportunities for teachers to be certified and trained to teach computer science courses, and requires the DOE to award funding, subject to legislative appropriation, to a school district or a consortium of school districts to deliver or facilitate training for classroom teachers to:

Statewide Assessments

The bill specifies that a student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) course who takes the respective AP, IB, or AICE assessments and earns the minimum score necessary to earn college credit does not have to take the required end-of-course assessment for the corresponding course.

Approved by Governor 4/6/18. Effective date: The provisions in the bill related to computer science instruction take effect upon becoming law; the provisions related to offenses against students by an authority figure and trespass on school grounds or facilities take effect October 1, 2018; and the remaining provisions take effect July 1, 2018.

SB 1940: Public Records and Public Meetings/School Safety

This bill creates three new public records exemptions. Each of these exemptions is related to legislation on school safety. The School Safety legislation provides for, among other things, enhancement of the School Safety Awareness Program (FortifyFL) through implementation of a new mobile suspicious activity reporting tool, the designation of school guardians and other safe-school officers, and the creation of the Marjory Stoneman Douglas High School Public Safety Commission.

First, the bill makes confidential and exempt from disclosure the identity of a reporting party received through the mobile suspicious activity reporting tool which is held by the Department of Law Enforcement, law enforcement agencies, or school officials. Without the exemption, a person may be fearful of reporting suspicious activity which could otherwise be used by law enforcement as a lead in preventing an incident of mass violence.

Another public records exemption is created to make exempt from disclosure information held by a law enforcement agency, school district, or **charter school**

which would identify whether a particular individual has been appointed as a safe-school officer. The exemption is needed to maximize the effectiveness of safe-school officers, including adequately responding to an active assailant situation.

Finally, the bill makes exempt from disclosure a portion of a meeting of the Marjory Stoneman Douglas High School Public Safety Commission (commission) at which exempt or confidential and exempt information is discussed. In investigating failures in the Marjory Stoneman Douglas High School shooting and other mass violence incidents in the state, the commission will have for its review sensitive information that may already be protected from public records disclosure. Without the exemption provided in this bill, existing public records exemptions would be negated.

Each of these public records exemptions is subject to the Open Government Sunset Review and stands repealed October 2, 2023, unless the Legislature reviews the exemptions and saves them from repeal before that date.

Approved by Governor 3/9/18, effective date 3/9/18.

EDUCATION-RELATED BILLS THAT **FAILED**

HB 459: Public Records

- Sought to remove trade secret exemption from public records law. Bill could have persuaded bidders from submitting proposals thus narrowing procurement marketplace diminishing competition.
- Died in Governmental Oversight & Accountability, 3/10/18.

SB 540/HB 831: Community College Competitiveness Act of 2018

This legislation would have provided for a complete overhaul of the Florida College System and done the following:

- Created a 13-member State Board of Colleges (SBC) as the governing body (with rule-making responsibilities) for the System and transferred all powers and duties of State Board of Education (SBOE) to the SBC on Oct. 1, 2018;
 - SBC to be appointed by the Governor;
 - Chancellor to be appointed by SBC by Nov. 1, 2018;
- Revised the general duties and powers of the Commissioner of Education in regard to the FCS;
- Required cooperation between SBC and Board of Governors (BOG) on curriculum (including the state course numbering system) and transfer articulation matters, which was no substantive change;
- Defined primary mission of FCS, career centers and charter technical centers;
- Placed restrictions on Direct Support Organizations (DSO) in regard to use of state funds for personal services and DSO travel;
- Revised industry certification requirements for automotive service technology education programs;
- Prohibited FCS institutions from offering Bachelor of Arts degrees
- Detailed the circumstances under which a baccalaureate degree program may be required to be terminated;
- Set total upper-level undergraduate full-time equivalent (FTE) enrollment caps at each FCS institution (20%) and a baccalaureate enrollment cap for the FCS system-wide (10%);
- Specified conditions for planned and purposeful growth of baccalaureate degree programs;
- Established the “2+2” targeted pathway program to provide students guaranteed access to baccalaureate degree programs at state universities;
- Established “Supporting Students for Academic Success” program to fund the efforts of colleges in assisting students enrolled in an associate in arts (AA) degree program to complete college-credit courses, graduate with an AA degree, and transfer to a baccalaureate degree program;

- Revised performance funding metrics from the current 150% (3-year) and 200% (4-year) completion rates to 100% (2-year) completion for first-time-in-college, full-time students;
- Held FCS institutions accountable for the students who graduate from the FCS institution with their AA degrees and then those students must complete their upper-level undergraduate degrees at a university in 2 years;
- Tied \$100 million in recurring performance and program funding for the FCS;
 - \$10 million in recurring funds for CAPE – Industry Certifications;
 - \$60 million in recurring funds for the Florida College Performance-Based Incentive (\$30 million state investment and \$30 million in institutional investment);
 - \$30 million in recurring funds for the Supporting Students for Academic Success Program, to be allocated to each college through the FCS Program Fund funding model.

Senate Bill 540 passed through each of its referenced committees but was never heard by the full Senate. House Bill 831 was never taken up for consideration and therefore, the policy died on calendar.

HB 619: Renaming of FCS institutions

- Would have changed name of Florida Keys Community College to “The College of the Florida Keys;
- Would have changed name of North Florida Community College to “North Florida College.”
- Died in Senate Education, 3/10/18.

SB 702: Criminal History Records in Applications for Public Employment and Admission to Public Postsecondary Educational Institutions

- Would have prohibited a public employer from inquiring into or considering an applicant’s criminal history on an initial employment application unless required to do so by law; would have also prohibited public postsecondary educational institutions from inquiring into or considering the criminal history of an applicant seeking admission.
- Died in Governmental Oversight and Accountability, 3/10/18.

HB 711: Pre-apprenticeship and Apprenticeship Programs

- Would have created Earn & Learn Grant Program within DOE and provided requirements for pre-apprenticeship and apprenticeship programs receiving grant funds;
- Would have established Task Force on Apprenticeship expansion within DEO with required report to Governor and Legislature by specified date.
- Died in PreK-12 Quality Subcommittee, 3/10/18.

SB 722: Retirement

- Would have specified the minimum amount of the factor used to calculate the cost-of-living adjustment of benefits for certain retirees and beneficiaries of the Florida Retirement System.
- Died in Appropriation Subcommittee, 3/10/18.

HB 779: Education Facilities as Emergency Shelters

- Would have required education facilities that have received public education capital outlay funding be made available to county and state emergency management offices during state of emergency for specified purposes.
- Died in Education Committee, 3/10/18

HB 977: Retirement of Instructional Personnel and Administrative Personnel

- Would have revised limitations on maximum length of participation in DROP for certain instructional personnel and administrative personnel;
- Would have required employer to notify Division of Retirement of DMS regarding any change in termination date and program participation for each affected member.
- Died in Messages, 3/10/18.

SB 1440: Mental Illness Training for Law Enforcement Officers

- Would have required the Department of Law Enforcement to establish a continued employment training component relating to mental illness.
- Died in Senate Appropriations, 3/10/18.

HB 7003 and HB 7005: Local Government Ethics Reform & Trust Fund

- Would have strengthened the financial disclosure requirements of local government officials;
- Would have expanded conflicting employment or contractual relationship obligations, ethics training obligations, voting conflicts ;
- Would have required Commission on Ethics to create Local Government Lobbyist Registration System and required lobbyists to register with commission before lobbying specified governmental entities.
- **HB 7005** would have further created Local Government Lobbyist Trust Fund within Commission on Ethics.
- Both died in Senate Ethics and Elections, 3/10/18.

HB 7009: Workers' Compensation

- Would have required panel to annually adopt statewide workers' compensation schedules of maximum reimbursement allowances; extended timeframes in which employees received certain benefits and in which the carrier must notify treating doctor of certain requirements.
- Would have revised provisions relating to retainer agreements and award of attorney fees.
- Died in Senate Banking and Insurance, 3/10/18.

SB 1242: Carrying of Weapons and Firearms

- Would have provided that specified provisions relating to the carrying of weapons and firearms do not apply to persons engaged in, traveling to, or returning from certain outdoor activities or raveling to or returning from certain moor vehicles, residences, shelters and other placed.
- Died in Senate Judiciary, 3/10/18.

SB 1048: Firearms

- Would have authorized a church, a synagogue or other religious institution to allow a concealed weapons or concealed firearm licensee to carry a concealed handgun in certain established physical places of worship under certain circumstances.
- Died 3/10/18)

SB 1006 : Disaster Response and Preparedness

- Would have modified requirements for the state comprehensive emergency management pan and statewide public awareness programs administered by the Division of Emergency Management
- Would have required DMS to establish and maintain a registry with homeless shelters and services providers for specified purposes;
- Would have required that , upon the request of the director of a local emergency management agency, FCS institutions and state universities participate in emergency management activities through the provision of facilities and personnel, et.
- Died in Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development, 3/10/18.

HB 1249: Search of the Content, Information and Communications of Cell Phones, Portable Electronic Communication Devices and Microphone-Enabled Household Devices

- Would have prohibited unlawful access to communications stored in specified devices and required law enforcement obtain a warrant to acquire

certain location information; provided procedures for such warrants; provided limited exceptions in certain circumstances.

- Died on second reading, 3/10/18.

HB 7073: Government Integrity

- Would have created Florida Accountability Office and provided duties & responsibilities of Florida Accountability Officer for ensuring accountability and reducing waste in state and local governments.
- Provided investigative duties to Chief Inspector General & agency inspectors general and required report to the CFO within specified timeframe;
- Provides liability; authorized CFO to commence investigation on complaint from state employee; required certain records be sent to Florida Accountability Officer; required agency inspectors general to make certain reports; authorized & provided requirements for whistle-blower awards; required specific documentation for certain legal claims;
- Provided requirements for certain contracts and prohibited certain employees from negotiating & awarding state contracts;
- Revised list of contractual services & commodities not subject to competitive-solicitation requirements;
- Prohibited certain funds be paid to state contractor or subcontractor; provided school board member shall receive certain documents upon request; required certain school districts employ internal auditor; provided duties of such auditor; authorized Office of the Auditor General to use carry-forward funds to fund Florida Accountability Office.
- Died in Senate Messages, 3/10/18.

SB 88: High School Graduation

- Would have revised the requirements for the Next Generation Sunshine State Standards to include financial literacy and revised the required credits for a standard high school diploma to include one-half credit of instruction in personal financial literacy and money management and seven and one-half, rather than eight credits in electives.
- Withdrawn from consideration by House and died in Messages, 3/10/18.

Glossary of Abbreviations and/Definitions

ACC	Articulation Coordinating Council
BOG	Board of Governors for the State University System
BOT	Board of Trustees
CAPE	Career and Professional Education
CIE	Council for Independent Education
CS	Committee Substitute
CPT	Common/College Placement Test
DBPR	Department of Business and Professional Regulation
DCF	Department of Children and Families
DMS	Department of Management Services
DOE	Department of Education
EOC	End of Course (exam)
FCCS	Florida Community College System
FCS	Florida College System
FCSPF	Florida College System Program Fund
FCO	Fixed Capital Outlay
FAFSA	Free Application for Federal Student Assistance
FERPA	Family Educational Rights and Privacy Act
FS	Florida Statute
GAA	General Appropriations Act, also referred to as the budget
HB	House Bill
HECC	Higher Education Coordinating Council
ICUF	Independent Colleges and Universities of Florida
LOF	Laws of Florida
Line Item	The number attached to an appropriation or proviso in the GAA
MOOC	Massive Open Online Course
PECO	Public Education Capital Outlay
PECO Sum of Digits	Funds provided to the colleges for maintenance that is based upon square feet of facility space at the institution
Proviso	Language that directs specific instructions regarding an appropriation in the GAA
PERT	Postsecondary Education Readiness Test
SACS	Southern Association of Colleges and Schools (accreditation body)
SB	Senate Bill
SBCC	State Board of Community Colleges
SBE	State Board of Education
VTC	Vocational Technical Center

