

# THE VALENCIA SESSION REPORT

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

May 16, 2006



The full text of all bills is available online at <http://www.leg.state.fl.us>  
Please Note: All matters reported are subject to Governor's Veto



*A Job Well Done*

## *2006 Legislative Session Adjourns, Valencia Fares Well in Capital Funds*

### **Introduction**

► At 12:11 AM Saturday morning, May 6<sup>th</sup>, the 2006 Legislative Session was adjourned sine die. The session ended with the passage of 386 bills out of almost 2,500 filed. Of special note is the continued leadership and hard work of House Majority Leader Andy Gardiner, who at the eleventh hour was able to obtain funding for Valencia's portion of the proposed Valencia/UCF Joint Use building to be constructed on the West Campus.

Valencia also received funding for the signature building on the West Campus and for land acquisition for the planned Southwest campus. Please extend thanks to Rep. Gardiner and all of the members of Valencia's local legislative delegation - their names and contact information are contained at the end of this report.

### **Funding Issues**

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

- Operating funds for the community college system received an increase of \$75.3 million. System highlights:
- Hurricane Relief - \$1,325,000
- Baccalaureate Degrees - \$9,292,578
- Distance Learning - \$315,397
- Foundation Matching Grants - \$39,137,887
- PECO received \$359.5 million, which is \$17.8 million more than requested
- Critical Jobs/SUCCEED, Florida- \$20 million
- Commission on Community Service - \$559,261
- College Reach Out Program (CROP) to be funded at \$3.39 million
- Performance Based Incentives - \$18,075,996
- Operating Costs for New Facilities - \$6,452,893

- System Tuition Policy: A 2.5% increase is permitted for college credit and workforce (eg. A.S) programs.

▶ Valencia's percentage increase in operating funds, the 17<sup>th</sup> largest increase among community colleges, was 5.01% - representing a revenues and fees appropriation increase of \$5,127,451. The District Board of Trustees received authorization to increase college credit program student fees by 2.5% and workforce program student fees by 2.5%.

**Valencia 2006-2007 Appropriations  
(Excluding operating costs for new facilities and Florida Retirement System adjustment)**

| <u>Revenue Source</u>                    | <u>Amount Funded</u> | <u>Change from Current Year Funding</u> |
|------------------------------------------|----------------------|-----------------------------------------|
| CCPF Lottery                             | \$ 7,212,835         | \$ 1,004,469                            |
| CCPF General Revenue                     | \$57,146,893         | \$ 2,961,763                            |
| Performance Based Budget-General Revenue | \$ 1,874,911         | \$ 203,714                              |
| Student Fees                             | \$41, 156,829        | \$ 957,505                              |

**TOTAL                    \$107,391,46    \$ 5,127,451**

**(5.01% Increase)**

▶ **Operating Costs of New Facilities**

The college also received \$200,865 to be used specifically for operating costs of new facilities.

▶ **FRS Rate Adjustment**

The college also received a Florida Retirement System rate adjustment appropriation of \$963,000, to offset the FRS rate increase of nearly 30%, as provided in [CS/SB 1040](#).

▶ **CCPF Formula**

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

▶ **2+2 Partnership Baccalaureate Incentives**

CCPF Lottery Funds provided to the community colleges system include \$1,045,000 for 2+2 Partnership Baccalaureate Incentives, which along with \$2,000,000 appropriated to public and private universities shall be awarded to eligible community colleges, private colleges and universities, and state universities based on the eligible full-time equivalent enrollment in each 2+2 partnership baccalaureate program during the 2006-07 academic year. The community college and the partner institution shall receive equal proportions of the per student incentive award. Programs with partnership articulation agreements to provide 2+2 baccalaureate degree programs at a community college during the 2006-07 academic year are eligible for incentive funding. Community colleges shall submit applications requesting funds for eligible programs and the program's participating partner by April 15, 2007. Community colleges with baccalaureate degree programs are not eligible to participate.

▶ **Critical Jobs Initiative (CJI)**

SUCCEED, Florida - Crucial Professionals Initiative was funded in part as follows:

Nursing and Allied Health..... \$11,000,000  
Teaching..... \$11,000,000  
Past Recipients of CJI funds..... \$8,800,000

The funds for Nursing and Allied Health programs are provided to increase the capacity of nursing programs approved by the Board of Nursing at public and private postsecondary educational institutions to produce more nurses and allied health professionals to enter the workforce in Florida. Priority is given to applications that focus on expanding undergraduate enrollments. The funds for Teaching programs are provided to increase the capacity of teacher certification programs at public and private postsecondary educational institutions to produce more teachers to enter the workforce in Florida.

▶ **Other Budget Provisions (expire in 1 yr.)**

**Inmates** No funds are provided for instruction of state or federal inmates.

**Fee Waivers** Community colleges may grant fee waivers for Workforce Education programs for up to 8 percent of the fee revenues that would otherwise be collected.

**Hurricane Waivers** Community colleges may grant out-of-state fee waivers on a temporary basis for the 2006-07 academic year to those students who originally enrolled in a Florida community college under the provisions of Executive Order 05-176 and who have maintained continuous enrollment since that time.

## Public Educational Capital Outlay (PECO) Funds

| <u>Project</u>                          | <u>Amount Funded</u> |
|-----------------------------------------|----------------------|
| Gen Renovation and Remodeling (Ren/Rem) | \$ 3,620,923         |
| Ren/Rem Classrooms Labs, 1,2,3, WC      | \$ 848,385           |
| Land Acquisition, SW Campus             | \$ 5,500,000         |
| Building 10, WC                         | \$ 8,474,843         |
| Culinary Arts Lab, WC w/ local match    | \$ 4,000,000         |
| Land Acquisition, SE Campus             | \$ 1,000,000         |
| Joint Use/UCF, WC planning              | \$ 750,000           |
| Sum-of Digits (maintenance)             | \$ 1,202,472         |

**TOTAL PECO \$ 25,396,623**

### ► Capital Funds Flexibility

The College also benefited from sections 18-21 of the Conference Report on the appropriations bill ([HB 5001](#)), which provide specific authority and flexibility to Valencia regarding the expenditure of certain capital funds in the amount of \$1.68 million, previously budgeted for other projects.

### ► Foundation Matching Funds

In addition, the legislature funded the community college system's challenge matching programs at \$39.1 million, excluding facilities match. Valencia's Foundation received \$1,433,788 to match private contributions received by February 1, 2006.

## Legislative Issues:

### ■ Bills that Passed

#### General Appropriations Act 2005, Conference Report on HB 5001

- Authorizes the \$71.3 billion state budget.

#### Appropriation Implementing Bill for the 2005 Budget HB5003

- Provides specific authority for implementing the budget - expires in one year.
- Extends prohibition on per diem and subsistence reimbursement for Class C travelers (in or out of

district, but not overnight) for one more year, until July 1, 2007.

#### Appropriation Conforming Bill for the 2005 Budget, Education Funding HB 5005

- Adjusts the percentage of tuition and fees covered by the Bright Futures Medallion Scholarship Program from 75% to 100% for community college students enrolled in college credit courses leading to an Associate degree, and who have completed college prep courses and maintain a 3.0 GPA .

#### SB 80 Electronic Mail

- This bill requires that public entities such as Valencia post the following statement in a conspicuous location on its website:

*Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.*

#### SB 122 Purple Heart Tuition Waivers

- This bill requires state universities & community colleges to waive tuition for recipients of the Purple Heart or other combat decoration superior in precedence who fulfill specified criteria, and provides percentage cap on number of required credit hours for which tuition waiver may be received.

#### HB 263 Florida Prepaid Program

- Deletes a restriction on the types of postsecondary educational institutions to which a qualified beneficiary may apply his or her benefits under the program, thus allowing expenditure of funds at for-profit institutions.

#### CS/CS/SB 428 Travel Expenses/Per Diem

- Applicable to Valencia employees as of 7/1/06, this bill revises per diem, subsistence, & mileage rates for purposes of reimbursement of travel expenses of public officers, employees, & authorized persons. The new figures are \$80 per diem (was \$50) and \$6, \$12, and \$19, respectively, for breakfast lunch and dinner while traveling (was \$3, \$6, and \$12). The mileage reimbursement rate was increased from 29 cents per mile to 44.5 cents per mile.

#### HB 795 First Generation Matching Grants

- This bill creates the First Generation Matching Grant Program for state universities to provide financial aid to undergraduate students who have a financial need and whose parents have not earned a baccalaureate degree, and clarifies that first

generation matching grant donations collected by community colleges will be matched dollar for dollar in the Dr. Philip Benjamin Matching Grant Program for Community Colleges. \$5 million was appropriated to community colleges for first generation matching grant purposes in [HB 1237](#).

- Also requires postsecondary institutions to include certain disability testing costs in the costs of attendance.

#### [HB 1237 State University Research](#)

- Provides that for the 2006-2007 fiscal year, the sum of \$5 million is appropriated from nonrecurring general revenue to the State Board of Education for the Dr. Philip Benjamin Matching Grant Program for Community Colleges to match donations for scholarships for first-generation-in-college students.

- Creates the 21st Century Technology, Research, and Scholarship Enhancement Act for economic development purposes, and allocates \$95 million to state universities to support the 21st Century World Class Scholars Program, the Centers of Excellence Program, Funding Level 1 of State University System Research and Economic Development Investment Program, and Funding Level 2 of the State University System Research and Economic Development Investment Program.

#### [HB 1369 Sunshine Law/Rejected Bids](#)

- Creates a temporary exemption from public records requirements for rejected bids, proposals, and competitive sealed replies in response to an invitation to negotiate received by a state agency if the agency reissues the invitation to bid or request for proposals or invitation to negotiate.
- Creates an exemption from public meetings requirements for a meeting at which negotiation with a vendor is conducted.

#### [SB 2000 Ethics/Public Officers and Employees](#)

- Provides that an employee of the state or any political subdivision (like Valencia) may not participate in any political campaign for an elective office while on duty.

#### [SB 2434 Travel to Terrorist States](#)

- Prohibits use of funds from Community College Program Fund, or funds made available to community colleges from outside entities, to implement, organize, direct, coordinate, or administer activities related to or involving travel to terrorist state; also applies to state universities.

#### [SB 2548 State Financial Matters/Single Audit](#)

- Provides that a contract involving the State University System or the Florida Community College System funded by state financial assistance may be in certain forms.

#### [HB 7033 Sunshine Law/Security Plans](#)

- Preserves the public records exemption for security system plans for any property owned by or leased to the state or any of its political subdivisions; reorganizes provisions, makes editorial changes, and removes superfluous language.
- Preserves the public meetings exemption for meetings that would reveal a security system plan or portion thereof; makes editorial changes.

#### [HB 7087 General Education/A++ Program](#)

- Emphasizes and enhances dual enrollment program, providing that alternative grade calculation, weighting systems, or information regarding student education options which discriminates against dual enrollment courses are prohibited. Among other myriad provisions:
  - Creates Division of Accountability, Research and Measurement in DOE;
  - Commissioner of Education is sole custodian of the K-20 data warehouse;
  - Creates “Just Read, Florida” in statute;
  - K-12 opening date is set no earlier than 14 days before Labor Day, starting 07/08 year;
  - Allows team teaching;
  - Requires exit interviews with students dropping out of High School, with counseling about options;
  - Secondary School Reform including ‘credit recovery’, grade forgiveness;
  - Middle School Reform, includes educational and career planning;
  - High School Reform, includes majors and minors; 14 core courses, 10 in majors/minors/electives;
  - Allowance for vets who left high school between designated years to get diploma;
  - New Career Academy Language;
  - Creates Florida Center for Reading Research at FSU, with two outreach centers (one at a central Florida Community college...);
  - Creates Ready to Work Certification related to workplace skills, for high school and community college (and other) students;
  - Requires State Board of Education to analyze high school and college placement tests for alignment with FCAT, and to allow to meet graduation requirements;

- University fee policy is placed under Board of Governors (BOG), and University undergraduate tuition is established in General Appropriations Act. BOG sets graduate and professional tuition.

## ■ Bills that Failed

### SB 246 Excess Hours

- This bill, which passed and was vetoed by the Governor last session, would have required community college students to pay 75% over the in-state tuition rate for any credit hours the student takes in excess of 120 percent of the number of credit hours required to earn an associate degree.
- The bill contained similar language for baccalaureate students at state universities and community colleges.
- This bill would have applied to students who are freshmen in Fall 2006 and thereafter.
- Certain credit hours are not calculated as hours required to earn a degree for these purposes, including dual enrollment, internships, certification credits, withdrawals due to hardship, credits taken by active military, dual major credits, and remedial and English as Second Language (ESL) work.

### HB 137 CS Baccalaureate Bill

- This bill would have clarified the statutory authority of community colleges to provide baccalaureate level instruction and to award baccalaureate degrees.

### CS/SB 1554 Sales Tax on Textbooks

- This bill would have provided a sales tax exemption for textbooks purchased by full-time and part-time postsecondary students for their courses.

### CS/CS/HB 119 Residency/Dream Act

- This bill would have changed the conditions for residency for certain nonimmigrant students, and would amended residency requirements for tuition purposes in several other ways.

### CS/HB 387 Independent Collegiate Assistance

- This bill would have authorized a new grant program for students of nationally accredited for-profit institutions. Despite the defeat of this bill, the program was approved in the appropriations bill in Line 70A with an appropriation of \$2.5 million and implementing proviso language.

### HB 7257 BOG Governance

- This bill would have clarified governance issues over the state university system as exist among the legislature, the Board of Governors, the state universities, and the State Board of Education. The bill also contained some unrelated provisions which would have unduly limited the local authority of community college boards of trustees.

### CS/HB 129 Firearms/Motor Vehicles

- Among other things, this bill would have authorized an employee or invitee in lawful possession of a firearm to transport and store a firearm in a motor vehicle under certain conditions, perhaps on college grounds.

### HB 505 Community College Football

- This bill would have authorized community colleges to create and participate in intercollegiate football programs.



**Future House Speaker Dean Cannon**

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

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(As of 5/11/2006)

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Domestic Security

Education Appropriations

Environmental Preservation

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Committee on Public Service

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Government Efficiency

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