

# THE VALENCIA SESSION REPORT

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

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The full text of all bills is available online at <http://www.leg.state.fl.us>



*House Chamber*

## ***2005 Legislative Session Adjourns, Community Colleges Pass Capital Improvement Fee Bill***

### **Introduction**

► At 11:49 PM Friday night, May 6<sup>th</sup>, the 2005 Legislative Session was adjourned sine die. The session ended with the passage of 394 bills out of almost 2,500 filed. Ten minutes before the gavel dropped, the House passed SB 670, the community college capital improvement fee bill, which was the top substantive priority of the Florida Community

College Council of Presidents. This bill, described in greater detail later in this Report, became entangled in a larger political disagreement between House and Senate members and staff and appeared to be dead, but with the leadership and hard work of House Majority Leader Andy Gardiner, and House Speaker Allan Bense, the bill broke free, passed, and will be sent to the Governor.

### **Funding Issues**

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

- Operating funds for community colleges received an increase of \$42 million, or 4.43%. Highlights:
- Community College Program Fund (CCPF) Funding Model Distribution - \$32,089,120
- Hurricane Relief - \$7,842,848
- Baccalaureate Degrees - \$7,957,947
- Distance Learning – \$315,397
- Foundation Matching Grants - \$37,736,481
- PECO received \$224.6 million, which is \$12.6 million more than requested
- Critical Jobs Initiative - \$20 million
- College Reach Out Program (CROP) continues to be funded at \$3.2 million
- Performance Based Incentives - \$18,075,996
- Operating Costs for New Facilities - \$3,661,328

- Tuition Policy: A 5% increase is permitted for college credit and workforce (eg. A.S) programs.
- ▶ Valencia's percentage increase in operating funds, ninth largest among community colleges, was 5.05% - representing a general revenue appropriation increase of \$2,981,734. The District Board of Trustees received authorization to increase college credit program student fees by 5% and workforce program student fees by 5%.

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

	<b>Amount Funded</b>	<b>Change from Current Year Funding</b>
CCPF Lottery	\$ 6,208,366	\$ 86,217
CCPF General Revenue	\$54,185,130	\$ 2,575,265
Performance Based Budget-General Revenue	\$ 1,671,197	\$ 320,252
<b>TOTAL</b>	<b>\$62,064,693</b>	<b>\$ 2,981,734 (5.05% Increase)</b>

**Public Educational Capital Outlay (PECO) Funds**

<b>Project</b>	<b>Valencia Request/ FBOE Project List</b>	<b>Amount Funded</b>
Gen Ren/Rev	\$ 2,170,963	\$ 2,170,963
Rem/Ren Gym to Classrms	\$ 250,000	\$ 250,000
Land Acquisition SW	\$ 2,500,000	\$ 2,500,000
Building 10, WC	\$ 1,840,215	\$ 1,840,215
<b>Sum-of Digits</b>		<b>\$ 861,535</b>
<b>TOTAL PECO</b>	<b>\$ 6,761,178</b>	<b>\$ 7,622,713</b>

- ▶ The college also received \$244,851 for operating costs of new facilities.
- ▶ The College also benefited from two “back of the appropriations bill” inclusions that provide authority and flexibility in the expenditure of certain capital funds previously earmarked for other uses.

▶ In addition, the legislature funded the community college system’s challenge matching programs at \$37.7 million, excluding facilities match. Valencia’s Foundation received \$3,060,175 to match private contributions received by February 1, 2005.

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

**Legislative Issues:**

**■ Bills that Passed**

[General Appropriations Act 2005 SB 2600](#)

- Authorizes \$63.1 billion state budget.

[Appropriation Implementing Bill for the 2005 Budget SB 2602](#)

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

[Capital Improvement Fee SB 670](#)

- Adjusts the authorized community college student capital improvement fee from \$1.00 per credit hour to 10% of tuition for resident students and 10% of tuition and out-of-state fees for non-resident students.
- The fee for resident students is limited to an increase of \$2.00 per credit hour over the prior year.
- Capital Improvement fee revenues may be bonded by colleges through the state Division of Bond Finance.

[Student Residency SB 2264](#)

- This bill adjusts terms and criteria to be considered by community colleges in making determinations of residency for tuition purposes.

[Excess Hours SB 2236](#)

- This bill requires 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 contains similar language for baccalaureate students at state universities and community colleges.
- This applies to students who are freshmen in 2005 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.

**Chad Meredith Act (Hazing) HB 193**

- Revises the definition of hazing at postsecondary institutions, and provides for felony and misdemeanor offenses of hazing.

**Acceleration Mechanisms HB 579**

- This bill adds programs to the list of public school choice options and adds programs to the list of rigorous academic programs included in parent guide. Also, it adds the Advanced International Certificate of Education programs to the acceleration mechanisms requiring postsecondary institution collaboration.

**University Governance HB 1001**

- This bill codifies the legislature’s constitutional authority over state universities for appropriations, fees, and other fiscal and operations matters, and the constitutional authority of the Florida Board of Governors of the State University System to operate, regulate, control, and be fully responsible for the management of the entire publicly funded State University System.
- Also provides that no member of the Florida Board of Governors or a state university board of trustees can serve as a registered lobbyist.

**Domestic Security HB 1715**

- This bill revises provisions regarding required security assessments of buildings, facilities, and structures owned or leased by state agencies, state universities, and community colleges.

**■ Bills that Failed**

**HB 6005 The Education “Train”** - an amalgamation of education related bills, cobbled together towards the end of session, was passed by the House, but never considered by the Senate. It included the capital improvement fee bill language.

**SB 2254 Baccalaureate Bill** - this bill would have clarified the statutory authority of community colleges to provide baccalaureate level instruction and to award baccalaureate degrees.

**SB 542 Transportation Fee Bill**- This bill would have granted to community colleges the authority to assess a student transportation fee, and would have clarified that student fines do not have to reflect the cost of services provided (as currently required by law).

**HB 553 Highway Signs/Colleges and Universities**

This bill would have required the Florida Department of Transportation to erect highway signs to community colleges and state universities offering the baccalaureate degree or higher; and would have required these colleges or universities to pay for the construction, erection, and maintenance of such signs.

**HB 837 Student /Faculty Academic Freedom** - A

highly controversial bill for community colleges and state universities, the bill would have codified certain principles of academic freedom applicable to faculty and students in a manner that would have shifted the responsibility to balance academic freedom and professional conduct, and to determine violations of standards, from faculty professional self-governance to institutional or judicial governance.

**HB 891 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.

**SB 778 Per Diem and Travel Expenses** - This bill

proposed to increase the per diem and subsistence ranges for travel expenses of public employees (including community college employees).

**HB 1155 Procurement Contracting** - This bill

would have removed language specifically exempting community colleges from the state purchasing statute, and would have resulted in a substantial loss of local authority.



*Senate Chamber*

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**HOW CAN YOU GET COPIES OF FINAL, “ENROLLED” BILLS?**

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

Additionally, you can access the 2005-2006 General Appropriations Act, *the Conference Committee Report on Senate Bill 2600*, (a.k.a., “the budget”) at:

[http://www.flsenate.gov/session/index.cfm?BI\\_Mode=ViewBillInfo&Mode=Bills&SubMenu=1  
&Year=2005&billnum=2600](http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2005&billnum=2600)

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

**VALENCIA**  
**A BETTER PLACE TO START.**