



STATE  
UNIVERSITY  
SYSTEM  
*of* FLORIDA  
Board of Governors

AGENDA

Legislative Affairs Committee  
Conference Call  
Dial-in Number: 888-808-6959  
Conference Code: 8502450  
September 12, 2011  
4:00 p.m. - 5:00 p.m.

Chair: Dean Colson; Vice Chair: Norm Tripp  
Members: Beard, Duncan, Long, Hosseini

1. Call to Order Governor Dean Colson
2. Discussion, Substantive Legislative Issues for the 2012 Legislative Session Mr. Colson  
Mr. Rick Maxey,  
*Executive Director,  
Government Relations*
3. Concluding Remarks and Adjournment Mr. Colson

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**STATE UNIVERSITY SYSTEM OF FLORIDA  
BOARD OF GOVERNORS  
Legislative Affairs Committee  
September 12, 2011**

**SUBJECT:** Discussion of Substantive Legislative Issues for the 2012 Legislative Session

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**PROPOSED COMMITTEE ACTION**

The Committee will consider potential issues to be voted on by the full Board of Governors for the 2012 Legislative session. In addition to substantive issues, the Committee will consider a range of recommended actions intended to demonstrate the commitment of the Board and the State University System to STEM education and commercialization of university research innovations.

**AUTHORITY FOR BOARD OF GOVERNORS ACTION**

Not applicable

**BACKGROUND INFORMATION**

Chair Colson will facilitate a discussion of possible legislative issues affecting the State University System for the 2012 Session.

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**Supporting Documentation Included:** Substantive Issues and STEM Plan

**Facilitators/Presenters:** Governor Dean Colson, Rick Maxey

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## **Substantive Legislative Issues**

**Concurrency – Repeal The Law Requiring Concurrency Payments** - During the 2011 Legislative session, an effort was made to obtain an exemption for universities with regard to paying local governments for off-campus infrastructure improvements made necessary by university construction. The positive economic benefit of universities on their host communities far outweighs the cost of any off-campus infrastructure improvements (e.g. sidewalks, turning lanes, traffic signals). Funds for these payments were previously provided by a surcharge on local option fuel taxes that were deposited into a University Concurrency Trust Fund specifically for that purpose. Both the surcharge and the trust fund have been discontinued by the Legislature.

House Bill 7207, dealing with growth management, became law on June 2, 2011 and made payment for infrastructure improvements optional. The law eliminated a provision that local government comprehensive plans include an “element” that required them to recognize campus master plans. It also encouraged and allowed local governments to “exempt” organizations from concurrency requirements if those organizations were important to economic development. However, because the exemption is optional, the likelihood of receiving it is low.

Therefore, the option left available for addressing the issue of concurrency is for the Legislature to provide an exemption for universities from having to pay for the improvement. The repeal of section 1013.30, Florida Statutes would accomplish the exemption.

**Maintenance and Construction of SUS Facilities** – The Board of Governors Facilities Committee will have a detailed discussion at its September meeting. The meeting will consider recommendations outlined in a Florida Senate report intended to serve as a foundation for addressing the facilities needs of the state’s education systems. That report was not complete in time to be included here.

**Capital Improvement Trust Fund** – There is no sufficient source of revenue for the maintenance and construction of student life facilities, such as student unions. These facilities are usually funded from two student paid fees deposited into the Capital Improvement Trust Fund. The Building fee (\$2.32 per student credit hour) and the Capital Improvement Fee (\$2.44 per student credit hour) were established at their current levels in 1988 and have not changed even though inflation and student headcounts have increased dramatically. In 1988, there were just under 154,000 students in the system while in the fall of 2010 there were over 321,000 (an increase of over 167,000). By law, Public Education Capital Outlay (PECO) funds cannot be used to construct such facilities, and the relatively small amount collected through the building fee and capital improvement fee are inadequate to meet the system's current student facilities needs.

In order to quantify the need for student life facilities, the 2010 Legislature directed, in proviso in the 2010 General Appropriations Act, that a survey be conducted to determine the need for student facilities. The university survey showed total needs of over \$2 billion with the majority of the projects (\$1.4 billion for financing of parking and housing) able to be funded from bonds that are completely paid for from service fees and would require no statutory or regulatory changes. However, a method for financing the remaining \$600 million of projects that were identified by the universities as being needed over the next 5 years is not currently available.

Because of this situation and the demand for student life facilities by the students themselves, the Florida Student Association voted to ask the Legislature to allow the Board of Governors to approve requests for increases from university boards of trustees. Each of the public

universities stands ready to support the students in their efforts. In previous years, the request for changing the fees was such that increases could not be more than one dollar per year and the total of the capital improvement fee and the building fee could not exceed 10 percent of tuition for resident students or 10 percent of the sum of tuition and out-of-state fees for nonresident students.

**Major Gifts Matching and Courtelis Matching Programs** – Donations to universities for the construction of facilities and operation of programs represents a significant source of funding. An attractive component of the programs is the matching funds appropriated by the Legislature, which allows donors to realize greater benefit to the universities they support. Because of budget shortfalls in the last five years, the Legislature has been unable to provide matching funds, and, during the 2011 session, suspended both programs until \$200 million of the current backlog of eligible donations is matched. In addition, no additional donations will be eligible for the matching funds until the programs are reinstated. There is real concern that suspension of the programs and the multi-year drought of providing no matching funds will cause donors to put future money toward other efforts. There is also a real risk that donors who have already made eligible donations will request that those donations be returned to them because of the delay in matching funds.

It is very important to state universities that funds be appropriated in the 2012 Legislative session to match at least some of the existing backlog of eligible donations. In a very real sense, the State of Florida is missing an opportunity to double its investment by not funding these programs, in addition to the jobs created very shortly after the funds become available.

**Open Records Exemption for Researchers (faculty and staff) Dealing With Animals** – An exemption from public records laws is needed for university researchers in order to protect their safety by keeping their home addresses private. Medical research and research needed to determine the efficacy of various innovations in science frequently require the use of animal trials. Researchers adhere to strict codes for the treatment of all animals used in such trials in order to minimize discomfort to the animals. Even so, there are people who strongly object to the use of any animals in any type of research trials and who have demonstrated a willingness to go to great lengths to stop the practice.

Certain protesters are known to have sent hate mail and inflict other forms of harassment on researchers- even firebombing their homes. A quote from an FBI agent in a 2008 article in USA Today serves to highlight the danger that protesters can pose to researchers: *"We consider this to be a serious problem, especially when people's lives are being disrupted," said (FBI) agent David Strange, who oversees a domestic counterterrorism squad at the FBI's Oakland office. "We call it terrorism because it is a violent act violating federal criminal laws that has a political or social motivation to it." In that same article, the spokesman for one of the organizations that arranges protests was quoted: "Accompanying the attacks is increasingly tough talk from activists such as Dr. Jerry Vlasak, a spokesman for the Animal Liberation Front press office. In an interview with The Associated Press, he said he is not encouraging anyone to commit murder, but "if you had to hurt somebody or intimidate them or kill them, it would be morally justifiable."*

# BUILDING A “NEW FLORIDA” ECONOMY

Leveraging State Universities to Strengthen Florida's Economy

The world economy is now firmly entrenched in the next phase of its development built on technology driven by knowledge and innovation. Technology now serves as the foundation for virtually all forms of human endeavor from agriculture to the study and habitation of space. For Florida to be an international economic leader the state must have a world class state university system. Florida's public universities have accomplished much and in many ways are considered among the best in America. However, the world is changing, and, along with that change come questions about how best to maximize the benefit that accrues from the investment being made in our state universities. Institutions of higher learning will always be expected to help expand the minds of students who study within them. In addition, there is a growing belief that these institutions must also prepare students to be successful in a world of work that is vastly more complicated than just a couple of decades ago.

In order to increase the ability of universities to drive the knowledge and innovation economy, several improvements are proposed which are designed to have a greater impact on STEM areas in both education and research. The focus on improvement in the STEM areas does not ignore the critical role that education in the non-STEM areas play in the success of students and ultimately the state of Florida.

## 1. Create More Private Sector Jobs

### A. Research

1. Increase the total research expenditures in all categories

*Total Research Expenditures*

	2005-06	2009-10
Total Research Expenditures (\$ in Billions)	\$1.42	\$1.69

2. Increase the ability of faculty to compete for research grants

*2008-09 Total Research Expenditures (\$ in Billions)*

RANK	STATE	PUBLIC UNIVERSITIES	PRIVATE UNIVERSITIES	TOTAL
1	California	\$5.52	\$2.14	\$7.66
2	New York	\$1.25	\$3.10	\$4.35
3	Texas	\$3.57	\$0.58	\$4.15
4	Maryland	\$1.18	\$1.87	\$3.05
5	Pennsylvania	\$1.51	\$1.29	\$2.80
6	Massachusetts	\$0.49	\$2.12	\$2.61
7	Illinois	\$1.11	\$1.12	\$2.23
8	North Carolina	\$1.18	\$1.02	\$2.20
9	Ohio	\$1.43	\$0.52	\$1.95
10	Florida	\$1.62	\$0.28	\$1.90

*Source: National Science Foundation*

- i. Host a National Science Foundation Day
  - ii. Host webinars with the National Institutes of Health, Department of Energy, Department of Defense, Department of Agriculture, etc.
3. Organize the university research agenda.
  - i. Identify research strengths of each university
  - ii. Establish research consortia to address specific areas of research related to the expansion of Florida's knowledge and innovation economy (e.g. Space)
  - iii. Establish university research consortia in North Florida and along the southeast coast of Florida that is similar to the Florida High Tech Corridor
  - iv. Discuss annually the projected research focus with university vice presidents for research
  - v. Strengthen research collaboration with Florida's military organizations

#### **B. Innovation**

1. Increase innovation by providing incentives to faculty and students (financial and otherwise)
2. Create a clearinghouse regarding all research innovations

#### **C. Commercialization**

1. Create a more industry friendly environment for commercialization of university research products by reducing bureaucracy and increasing incentives
2. Hold bi-annual meetings with private investors and universities to identify ways of increasing the commercialization of university research.
3. Establish an office of technology transfer and commercialization under the Board of Governors
4. Increase the number of start-up companies established annually. *(104 start-up companies created in the SUS between 2004-05 through 2008-09)*
5. Pursue, more aggressively, ventures that bring out-of-state companies to Florida to partner with public universities (e.g. UF small satellites project)
6. Establish more business incubators



UCF Business Incubation Program	
Total companies assisted	160
Jobs created	>1600
Average salary	\$60,000
Investment raised	\$190M
Generated revenue	>\$500M
Patents held by UCFBIP clients	>286
<p>Every 50 jobs created by an incubator client generate approximately 25 more jobs in the same community. (<i>Source-National Business Incubation Association</i>)</p> <p>NBIA members have reported that 84 percent of incubator graduates stay in their communities and continue to provide a return to their investors (<i>Source-National Business Incubation Association</i>)</p>	

7. Establish more regional partnerships (*e.g. High Tech Corridor*)
8. Establish more industry clusters (*e.g. Lake Nona Biomedical Complex*)

## 2. Increase the Development of Talent For The New Florida Economy

### A. Increase utilization of facilities and expand use of distance learning

*Distance Learning*  
 2009-2010 State University System Distance Learning Student Headcount by Level

	Undergraduate	Graduate	Non-Degree	System Total
Student Headcount	134,594	29,390	8,016	172,000

- Source: State University Database System
- Note 1. Students included in this count were enrolled in at least one course using technology as the primary mode of instruction.
- Note 2. Of this total number of students, 20,573 appear to be degree seeking and taking only distance learning courses.

## B. Graduate more students in STEM fields

System Comparison of STEM Degree Production (2008-09)

Name of System Governing Board	# Univ	UNDERGRADUATE			GRADUATE		
		% STEM	STEM Bachelor's degree	TOTAL Bachelor's degree	% STEM	STEM Grad Degrees	TOTAL GRAD Degrees
University of California	9	27.4%	11,678	42,664	31.4%	4,448	14,161
The Pennsylvania State University	15	24.8%	3,096	12,475	32.1%	835	2,599
Texas A&M University System	11	20.7%	3,531	17,017	21.9%	1,561	7,142
The University of Texas System	14	18.1%	5,088	28,155	21.9%	2,882	13,153
University System of Maryland	11	17.6%	3,382	19,217	15.8%	1,543	9,781
University System of Georgia	21	17.5%	5,057	28,960	20.4%	2,414	11,827
University of North Carolina	16	17.1%	5,298	31,055	17.3%	2,117	12,256
University of Wisconsin System	13	16.6%	4,075	24,515	15.7%	1,105	7,052
State University of New York System	23	14.5%	4,628	31,815	14.8%	1,739	11,711
<b>State University System of Florida</b>	<b>11</b>	<b>13.8%</b>	<b>7,078</b>	<b>51,443</b>	<b>15.5%</b>	<b>2,936</b>	<b>18,896</b>
<b>Top Peer Averages</b>		<b>19.4%</b>	<b>5,291</b>	<b>28,732</b>	<b>20.8%</b>	<b>2,158</b>	<b>10,858</b>

Source: IPEDS, Completions Survey.

Note: IPEDS defines STEM differently than Board of Governors, so the Annual Report has higher values.

## C. Increase the number of students participating in undergraduate research

## D. Improve retention and graduation rates at all levels, especially in STEM fields

Graduation and Retention data is not available by discipline.

FTIC (6 Year for System)	2000-06	2004-10
Graduation Rate	62.3%	63.3%
Retention Rate	71.6%	73.0%
AA Transfer (4 Year for System)	2002-06	2006-10
Graduation Rate	69.0%	69.5%
Retention Rate	79.0%	80.2%
Other Transfer (5 Year for System)	2001-06	2005-10
Graduation Rate	60.2%	61.4%
Retention Rate	67.1%	68.1%

Note: Retention rate includes graduates.

1. Reorder courses so that students take some engineering courses in the first two years
  2. Provide more extensive academic support in the first two years to increase retention.
  3. Partner with employers to ensure that curricula align with industry need
  4. Develop student experiences (on and off campus) related to issues addressed by the STEM disciplines
- E. **Partner with K-12 institutions to help encourage students to enter STEM disciplines.**

1. SUS faculty will train K-12 teachers in STEM instruction and experiments to make STEM courses more engaging for young students
2. SUS faculty and students will develop and help deliver programs intended to show K-12 students the appeal of studying in various STEM areas

- F. Provide tuition incentives to entice students to study in STEM fields**
- G. Collaborate more with school districts to improve the college readiness of high school students**
- H. Improve the critical thinking skills of students at all levels**

### 3. Quality Universities

- A. Have more faculty admitted to National Academies**

*2009 National Academy Members by University Sector for Select States*

	<b>Public</b>	<b>Private</b>	<b>Total</b>
California	660	458	1,118
Massachusetts	15	622	637
New York	14	262	276
Texas	148	14	162
Pennsylvania	51	95	146
Illinois	59	55	114
Florida	38	8	46

*Source: Top American Research Universities (TARU) 2010 Report*

- B. Increase the number of prestige award recipients (Nobel Awards, Pulitzer Prizes, MacArthur Fellowships, etc.)**
- C. Increase the recruitment and retention of elite students**

*2008 National Merit Scholars*

	<b>Public</b>	<b>Private</b>	<b>Total</b>
California	143	453	596
Texas	516	80	596
Massachusetts	1	589	590
New York	4	399	403
Florida	310	39	349
Illinois	98	240	338
Pennsylvania	53	148	201

*Source: Top American Research Universities (TARU) 2010 Report*

- D. Improve the success of students overall**
- E. Develop more world class programs**
- F. Increase licensure exam pass rates**
- G. Improve national academic rankings of public universities**

*2011 US News National Rankings*

- UF is ranked 53<sup>rd</sup> overall and 17<sup>th</sup> among public universities.
- FSU is ranked 104<sup>th</sup> overall, and 47<sup>th</sup> among public universities.
- UCF is ranked 179<sup>th</sup> overall.
- USF is ranked 183<sup>rd</sup> overall.

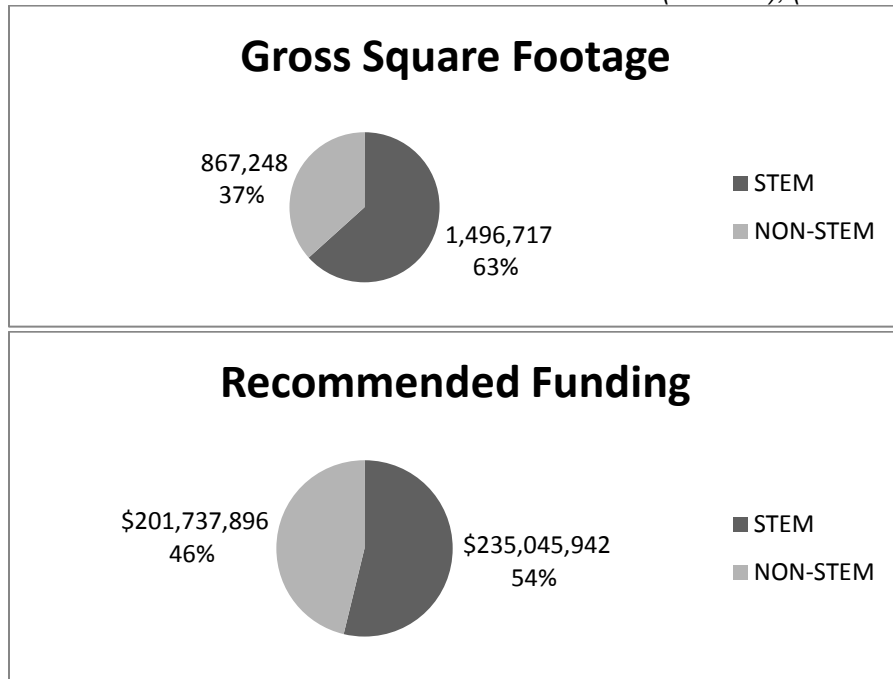
- H. Increase the number of programs with specialized or discipline accreditation**

### 4. Facilities to Support Quality Universities

- A. **Ensure the availability of needed facilities at public universities**
  - 1. Fund the maintenance of existing facilities to maximize previous capital investments
  - 2. Provide a stable and reliable source of funding for the construction of university facilities
- B. **Exempt State University System construction from concurrency requirements.**
  - 1. Repeal section 1013.30, Florida Statutes which would lead to construction of facilities that support job creation
  - 2. Revise the State University System campus master planning regulations to streamline the process.
- C. **Provide matching funds for the Courtelis Facility Matching Program and the Major Gifts programs**
- D. **Fully match all eligible gifts on the current Courtelis list within a three year period.**
- E. **Fully match all eligible gifts on the current Major Gifts list within a three year period.**

*State University System*

*STEM v. Non-STEM facilities Three Year PECO List (2012-13), (2013-14), (2014-15)*



## **RESEARCH STRENGTHS OF FLORIDA'S PUBLIC UNIVERSITIES**

Each institution in the State University System of Florida has developed areas of distinctive strength in research. These areas arise from faculty, whose interests and expertise, result in cutting-edge and high-priority research. Some research strengths may be unique to an institution while others, such as energy, nanotechnology, security, bioscience, engineering and health are shared by multiple institutions. In addition, each university is engaged in a host of research in other areas and each is looking to develop research expertise in emerging areas of scientific endeavor.

### **FLORIDA A&M UNIVERSITY**

- Remote Sensing - GIS Lab
- Bioconversion of plant residues (biomass) to bioproducts
- Clean Energy (specifically, biofuels and agroforestry)
- New Pharmaceutical Drugs
- Biotechnology

### **FLORIDA ATLANTIC UNIVERSITY**

- Brain Function, Damage and Repair
- Climate Change: Research, Engineering, and Adaption
- Healthy Aging
- Ocean Energy
- Marine and Coastal Environments

### **FLORIDA GULF COAST UNIVERSITY**

- Whitaker Center for Science, Technology, Engineering, and Mathematics Education
- Developing Workforce and Infrastructure in Software Engineering
- The Impacts of Variable Freshwater Inflow on Estuarine Process In Southwest Florida
- Oyster Habitat Monitoring as an Indicator of Ecosystem Health
- Developing decontamination and detection technologies for bio-defense, biomedical, and environmental uses

### **FLORIDA INTERNATIONAL UNIVERSITY**

- Environmental Sustainability (water resources, coastal environments and global climate)
- HIV/AIDS and cellular mechanisms underlying HIV co-morbidities
- Substance Abuse
- Forensic Chemistry
- Disaster/Extreme Events/Hurricane Wind Engineering
- Nanotechnology, including development of nanoscale biosensors
- Attention Deficit & Hyperactivity Disorder (ADHD)

### **FLORIDA STATE UNIVERSITY**

- New superconducting materials for use in power grids, NMR magnets and naval ships.
- Materials science broadly defined with respect to very high field magnet development.
- Interface of neuroscience with clinical, cognitive and social psychology
- Analytical and materials chemistry with emphasis on petroleomics and new materials
- Superconducting accelerator development along with nuclear detector development
- Cell and molecular development biology
- Noise reduction in flight through active controls

## **NEW COLLEGE OF FLORIDA**

Biological Psychology, including Animal Behavior studies (particularly in marine biology and sciences including marine mammals - biological processes and psychology)  
Nanotechnology (optical spectroscopy and nano-material research)  
Bioinformatics / Computational Biology  
Physical Chemistry  
Environmental Science (including environmental policy research)

## **UNIVERSITY OF CENTRAL FLORIDA**

Optics and Photonics (CREOL)  
Simulation and Training  
Biomedical Sciences  
Florida Solar Energy Center (FSEC)  
Engineering and Computer Science

## **UNIVERSITY OF FLORIDA**

Science of Climate Variability  
Modeling the Spread of Infectious Diseases  
Genetics and Epigenetics  
Physics, Chemistry and Engineering of Novel Materials  
Science and Technology of Remote Imaging and Signal Processing  
Innovations in Medical Treatment through Drug Discovery and Translational Science  
Biology of Aging and Neurodegeneration  
Computational Science and Engineering  
Regenerative Medicine  
Biofuels

## **UNIVERSITY OF NORTH FLORIDA**

Fuel Cell research  
Sensor science and technology  
Coastal Biology and Engineering  
Transportation Engineering  
Solid State Physics and Chemistry

## **UNIVERSITY OF SOUTH FLORIDA**

Advanced materials  
Bioengineering – especially biomedical engineering  
Neuroscience  
Sustainability-Environment – Climate Change- water  
Renewable energy

## **UNIVERSITY OF WEST FLORIDA**

Center for Environmental Diagnostics and Bioremediation  
3-D Visualization of Complex Data Sets  
Control and Communication for Unmanned Systems  
Archaeological Exploration and Preservation of Cultural Artifacts  
Preparation of STEM educators and curriculum design in the STEM fields

## Meetings With Legislators

Board Member	Legislator	Position	Chamber	Party	District Home
Parker/Brogan	Dean Cannon	House Speaker	House	R	Winter Park
Parker/Brogan	Mike Haridopolos	Senate President	Senate	R	Melbourne
Parker/Brogan	Rick Scott	Governor	Governor	R	Tallahassee
Ava Parker	JD Alexander	(S) Budget Chair	Senate	R	Lake Wales
Dean Colson	Don Gaetz	Expected President Designate 2012-14	Senate	R	Destin
Dean Colson	Steve Oelrich	(S) Education Chair	Senate	R	Gainesville
Dean Colson	Nan Rich	(S) Democratic Leader	Senate	D	Sun Rise
Norm Tripp	John Thrasher	(S) Higher Ed Approps Vice Chair	Senate	R	Jacksonville
Norm Tripp	Bill Proctor	(H) Education Chair	House	R	St. Augustine
Norm Tripp	Joe Negron	(S) Budget Vice Chair	Senate	R	Palm City
Mori Hosseini	Evelyn Lynn	(S) Higher Ed Approps Chair	Senate	R	Daytona Beach
Mori Hosseini	Chris Dorworth	(H) Budget Vice Chair	House	R	Heathrow
Dick Beard	Denise Grimsley	(H) Budget Chair	House	R	Sebring
Dick Beard	Ron Saunders	(H) Democratic Leader	House	D	Tavernier
Ann Duncan	Marlene O'Toole	(H) House Higher Ed Approps	House	R	The Villages
Ann Duncan	Will Weatherford	Expected Speaker Designate 2012-14	House	R	Wesley Chapel
Brogan	Gary Siplin	(S) Higher Ed Vice Chair	Senate	D	Orlando
Brogan	Janet Adkins	(H) Education Vice Chair	House	R	Fernandina Beach
Brogan	Kelli Stargel	(H) K-20 Innovation Chair	House	R	Lakeland
Brogan	Erik Fresen	(H) K-20 Competitiveness	House	R	Miami
Brogan	Maria Sachs	(S) Higher Ed	Senate	D	Delray Beach
Brogan	Thad Altman	(S) Higher Ed Approps	Senate	R	Melbourne
Brogan	Oscar Braynon	(S) Higher Ed Approps	Senate	D	Miami Gardens

<b>Board Member</b>	<b>Legislator</b>	<b>Position</b>	<b>Chamber</b>	<b>Party</b>	<b>District Home</b>
Brogan	Nancy Detert	(S) Higher Ed Approps	Senate	R	Venice
Brogan	Alan Hays	(S) Higher Ed Approps	Senate	R	Umatilla
Brogan	Arthenia Joyner	(S) Higher Ed Approps	Senate	D	Tampa
Brogan	Bill Montford	(S) Higher Ed Approps	Senate	D	Tallahassee
Brogan	David Simmons	(S) Higher Ed Approps	Senate	R	Altamonte Springs
Brogan	Stephen Wise	(S) Higher Ed Approps	Senate	R	Jacksonville
Brogan	Michael Bileca	(H) Education	House	R	West Miami
Brogan	Jeffrey Brandes	(H) Education	House	R	St. Petersburg
Brogan	Dwight Bullard	(H) Education	House	D	Town of Cutler Bay
Brogan	Gwyndolen Clarke-Reed	(H) Education	House	D	Pompano Beach
Brogan	Marti Coley	(H) Education	House	R	Chipola College
Brogan	Daniel Davis	(H) Education	House	R	Jacksonville
Brogan	Luis Garcia, Jr.	(H) Education	House	D	Miami
Brogan	Martin Kiar	(H) Education	House	D	Parkland
Brogan	Jose Oliva	(H) Education	House	R	Hialeah
Brogan	Betty Reed	(H) Education	House	D	Tampa
Brogan	Jimmie Smith	(H) Education	House	R	Lecanto
Brogan	Cynthia Stafford	(H) Education	House	D	Miami
Brogan	John Tobia	(H) Education	House	R	Melbourne