



STATE
UNIVERSITY
SYSTEM
of FLORIDA
Board of Governors

AGENDA

**Legislative Affairs Committee
Grand Ballroom, UCF Fairwinds Alumni Center
University of Central Florida
4000 Central Florida Boulevard
Orlando, Florida, 32816
June 18, 2014
4:45 p.m. - 5:15 p.m.**

or

Upon Adjournment of Previous Meeting

**Chair: Mr. Dick Beard; Vice Chair: Mr. Tom Kuntz
Members: Cavallaro, Colson, Hosseini**

- | | | |
|-----------|---|----------------------------|
| 1. | Call to Order and Opening Remarks | Governor Dick Beard |
| 2. | Review of legislation passed and appropriations approved during the 2014 legislative session | Governor Beard |
| 3. | Concluding Remarks and Adjournment | Governor Beard |

STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS
Legislative Affairs Committee
June 19, 2014

SUBJECT: Review of Legislation Passed During 2014 Session

PROPOSED COMMITTEE ACTION

For Information Only

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution

BACKGROUND INFORMATION

An overview of bills passed, impact and appropriations for 2014/15 fiscal year will be reviewed and discussed.

Supporting Documentation Included: Final Legislative Update

Facilitators/Presenters: Governor Dick Beard

Board of Governors Committees and Meeting - Legislative Affairs Committee

2014 BILL TRACKING - FINAL

H / S	Bill	Sponsor	Bill Summary	SUS/BOG Issue Summary	BOG Follow-up	Status [Passed (P)/ Died (D)]
Residency & Tuition						
H	851	Nuñez (R), Diaz (R), Fitzenhagen (R)	<p><u>General</u> Postsecondary Education Tuition and Fees: Amending provisions relating to the determination of resident status for tuition purposes; revising certain residency requirements for a dependent child; prohibiting denial of classification as a resident for tuition purposes based on certain immigration status; classifying persons who receive certain tuition exemptions or waivers as residents for tuition purposes; revising provisions relating to the tuition waiver for a recipient of a Purple Heart or another combat decoration superior in precedence, etc. Effective Date: July 1, 2014</p>	<ul style="list-style-type: none"> Imposes caps on tuition and fee contract payments from the Florida Prepaid College Board to state universities to all contracts purchased before July 1, 2024, prohibits the amount assessed for registration fees, the tuition differential fee, and local fees paid by the board to a state university on behalf of a qualified beneficiary of an advance payment contract from exceeding 100 percent of the amount charged by the state university for the aggregate sum of those fees, and the amount paid by the board to the state university may not exceed 100 percent of the amount charged by the university for the dormitory fee Eliminates CPI tuition increase Grants Florida's preeminent universities the ability to increase the tuition differential by up to 6% if the university meets the following criteria, each amounting to no more than a 2% increase: <ul style="list-style-type: none"> Increases the 6-year graduation rate for full-time, FTIC students; Increases the total annual research expenditures; and Increases the total patents awarded in a given period. Eliminates the ability for any university not designated as preeminent to increase the tuition differential fee from existing levels Requires a university to waive out-of-state fees for students, including those who are undocumented for federal immigration purposes who attended a secondary school in Florida for three consecutive years immediately before a Florida high school graduation, enrolled in an institution of higher education within 24 months of high school graduation, and submitted an official Florida high school transcript as documentary evidence of attendance and graduation <ul style="list-style-type: none"> Students granted an out-of-state fee waiver under this subsection are considered nonresident students when calculating systemwide enrollment as limited by BOG regulation and are prohibited from state financial aid eligibility Requires a university to prioritize within nonresident student enrollment a veteran student pursuant to the Congressman C.W. Bill Young Tuition Waiver Act and requires the BOG to annually report systemwide enrollment of resident and nonresident students Prohibits a dependent child who is a US citizen from being denied classification as a resident for tuition purposes based solely upon the immigration status of their parent and significantly broadens the definition of parent Clarifies that a student who physically resides in this state may be classified as a resident for tuition purposes if marrying an eligible person 	<ul style="list-style-type: none"> Annually report nonresident and resident systemwide enrollment numbers by October 1 of each year 	<p>03/19/14 H Engrossed Text (E1) Filed 03/20/14 H Read Third Time; Amendment Adopted (816197); Passed (Vote: 81 Yeas / 33 Nays) H Engrossed Text (E2) Filed 05/01/14 S Read Third Time; Amendments Adopted (922448, 729500); Amendment Withdrawn (688084); Passed (Vote: 26 Yeas / 13 Nays) 05/02/14 H Received from Messages; Amendments Failed (584059, 611665); Concurred with Amendment (795968); Passed as Amended (Vote: 84 Yeas / 32 Nays) H Ordered engrossed, then enrolled H Engrossed Text (E3) Filed H Enrolled Text (ER) Filed</p>
H	7015	Veteran & Military Affairs Subcommittee; Smith (R)	<p><u>General</u> Military and Veteran Support: Revises & creates provisions to benefit veterans & servicemembers with regard to Educational Dollars for Duty program; Florida Veterans' Walk of Honor & Florida Veterans' Memorial Garden; governmental & private employment preference; employment & training services; waiver of fees by DPBR & DOH; residency in Florida State Veterans' Domiciliary Home & admittance to state veterans' nursing home; drivers license & learner's permit exemptions & extensions; physician certificate for practice in areas of critical need; establishing certain charter schools; & waiver of certain state university, Florida College System institution, & career center fees; establishes Florida Is For Veterans, Inc. & Veterans Employment & Training Services Program in DVA; assigns various duties to Florida Is For Veterans, Inc., and VISIT Florida for marketing; provides appropriations. Effective Date: July 1, 2014</p>	<ul style="list-style-type: none"> Requires a university to waive out-of-state fees for veteran students who physically reside in Florida Creates the Veterans Employmen and Training Services Program that allows for the allocation of grant funds to state universities assisting veterans in meeting the workforce-skill needs of businesses 		<p>03/04/14 H Read Second Time; Read Third Time; Passed (Vote: 116 Yeas / 0 Nays); Immediately Certified 03/11/14 S Withdrawn from Military and Veterans Affairs, Space, and Domestic Security; Appropriations; Placed on Calendar, on 2nd reading; Substituted for SB 0860; Read Second Time; Read Third Time; Passed (Vote: 38 Yeas / 0 Nays); Immediately certified H Ordered enrolled H Enrolled Text (ER) Filed 03/26/14 Signed by Officers and presented to Governor 03/31/14 Approved by Governor; Chapter No. 2014-1</p>
Academic Affairs						
H	511	Coley (R)	<p><u>General</u> Cancer Control and Research: Revises membership of Florida Cancer Control & Research Advisory Council; requires statewide research plan; deletes council, Board of Governors, & State Surgeon General duties relating to awarding of grants & contracts for cancer-related programs; deletes council duties relating to development of written summaries of treatment alternatives; deletes financial aid provisions & Florida Cancer Control and Research Fund. Effective Date: July 1, 2014</p>	<ul style="list-style-type: none"> Eliminates BOG duties relating to the awarding of grants and contracts for cancer-related programs 		<p>04/29/14 S Read Third Time; Passed (Vote: 38 Yeas / 0 Nays) H Ordered enrolled H Enrolled Text (ER) Filed</p>

Board of Governors Committees and Meeting - Legislative Affairs Committee

2014 BILL TRACKING - FINAL

H / S	Bill	Sponsor	Bill Summary	SUS/BOG Issue Summary	BOG Follow-up	Status [Passed (P)/ Died (D)]
Budget & Facilities						
H	5101	Ed Approps; Fresen (R)	General Education Funding: Establishes FIRN according to specified requirements; revises provisions relating to compliance with maximum class size requirements; provides for masters in science program at New College of Florida; authorizes DOE to collect fees for instructional materials approval process & pay stipend to reviewers; revises provisions relating to dual enrollment articulation agreements, participating postsecondary institutions, student eligibility, costs, payments, & funding; revises certain postsecondary student fees; revises provisions relating to advance payment contracts; revises provisions relating to John M. McKay Scholarship amounts; creates technology supplemental allocation. Effective Date: July 1, 2014	<ul style="list-style-type: none"> Prohibits the SBOE from approving FCS institution baccalaureate degree program proposals from March 31, 2014 through May 31, 2015 Allows NCF to establish a 2-year master's degree program in data science and analytics upon BOG approval Establishes the Florida Center for Cybersecurity within USF Establishes the Florida Academic Library Services Cooperative and the Complete Florida Plus Program within UWF Transfers Florida Virtual Campus resources and administrative contracts to UWF by December 31, 2014 and requires the BOG to submit a budget amendment that includes a transition plan for the transfer to the Legislative Budget Commission Modifies Complete Florida Plus Program, 1006.735. This includes the development and management of a statewide Internet-based catalog of distance learning courses, degree programs, and resources offered by public postsecondary institutions. Requires each district school superintendent and each public postsecondary institution president to develop a comprehensive dual enrollment articulation agreement Creates the Florida National Merit Scholar Incentive Program Requires all revenues collected from gross receipts taxes to be deposited into the PECO and Debt Service Trust Fund Expands the Articulation Coordinating Committee's responsibility to include making recommendations regarding the cost and requirements to develop and implement an online system for collecting and analyzing data regarding requests for transfer of credit by postsecondary education students. 	<ul style="list-style-type: none"> Approve or deny NCF master's degree program proposal Submit a budget amendment that includes a transition plan for the transfer of Florida Virtual Campus resources and administrative contracts, including contracts with UF, to the Florida Academic Library Services Cooperative and UWF 	<p>04/02/14 H Engrossed Text (E1) Filed</p> <p>04/03/14 H Read Third Time; Passed (Vote: 112 Yeas / 5 Nays); Immediately certified; Requests that the Senate pass the bill as passed by the House or agree to include the bill in the Budget Conference</p> <p>S Substituted for SB 0852; Read Second Time; Amendment Adopted (324342); Read Third Time; Passed (Vote: 35 Yeas / 0 Nays)</p> <p>05/02/14 H Conference Report Received; Conference Committee Report Adopted (583651); Passed (Vote: 107 Yeas / 8 Nays)</p> <p>S Conference Committee Report Received; Conference Committee Report Adopted (583651); Passed (Vote: 39 Yeas / 1 Nay)</p> <p>H Ordered engrossed, then enrolled</p>
H	5601	Finance & Tax Subcommittee; Workman (R)	General Economic Development: Revises provisions related to prepaid calling arrangements; imposes additional rate on gross receipts for electrical power or energy; reduces sales tax rate for charges for electrical power or energy; extends expiration date applicable to granting of community contribution tax credits; revises & provides exemptions from sales & use tax; requires DOR to distribute funds to State Transportation Trust Fund for certain transportation projects; increases amount of income exempt from corporate income tax; increases amount of income exempt from franchise tax imposed on banks & savings associations; provides for creation of Qualified Television Loan Fund; revises limits on tax credits that may be approved under New Markets Development Program; provides for Energy Star & WaterSense product sales tax holiday, physical fitness admissions tax suspension, school sales tax holiday, & hurricane preparedness sales tax holiday; provides appropriations. Effective Date: July 1, 2014	<ul style="list-style-type: none"> Transfers energy tax revenues to help the PECO fund Exempts prepaid meal plans purchased from a university from taxation 		<p>04/03/14 H Read Third Time; Passed (Vote: 106 Yeas / 11 Nays); Immediately certified; Requests that the Senate pass the bill as passed by the House or agree to include the bill in the Budget Conference</p> <p>05/02/14 S Read Third Time; Amendments Adopted (526842, 703124, 247110, 835090, 766042); Amendments Failed (524472, 867858); Amendments Withdrawn (653654, 358258, 671712); Passed (Vote: 37 Yeas / 0 Nays)</p> <p>H Received from Messages; Concurred with Amendment (600438); Passed (Vote: 114 Yeas / 0 Nays)</p> <p>H Ordered engrossed, then enrolled</p>
Miscellaneous						
H	115	Pigman (R)	General Public Meetings/University Direct Support Organization: Provides exemption from public meeting requirements for portion of meeting of board of directors of university DSO, or of executive committee or other committees of board, at which identity of donor or prospective donor, proposal seeking research funding from organization, or plan or program for initiating or supporting research is discussed; provides for review & repeal of exemption; provides statement of public necessity. Effective Date: October 1, 2014	<ul style="list-style-type: none"> Exempts any portion of a meeting of a board of directors of an organization concerning research funding from s. 286.011 and s. 24(b), Art. I of the State Constitution 		<p>03/27/14 H Read Third Time; Passed (Vote: 83 Yeas / 33 Nays)</p> <p>04/25/14 S Read Third Time; Passed (Vote: 36 Yeas / 2 Nays)</p> <p>S Immediately certified</p> <p>H Ordered enrolled</p> <p>H Enrolled Text (ER) Filed</p>
H	993	Cummings (R); Higher Ed & Workforce	General Pub. Rec./Animal Researchers at Public Research Facilities: Provides exemption from public records requirements for personal identifying information of animal researchers at public research facilities, including state universities; provides for retroactive applicability of exemption; provides for future legislative review & repeal of exemption; provides statement of public necessity. Effective Date: July 1, 2014	<ul style="list-style-type: none"> Exempts personally identifying information of a person working for a public research facility from s. 119.07(1) and s. 24(a), Article I of the State Constitution 		<p>04/23/14 H Read Third Time; Passed (Vote: 115 Yeas / 1 Nay)</p> <p>04/25/14 S Substituted for SB 0414; Read Second Time; Read Third Time; Passed (Vote: 35 Yeas / 0 Nays)</p> <p>S Immediately certified</p> <p>H Ordered enrolled</p> <p>H Enrolled Text (ER) Filed</p>

Board of Governors Committees and Meeting - Legislative Affairs Committee

2014 BILL TRACKING - FINAL

H / S	Bill	Sponsor	Bill Summary	SUS/BOG Issue Summary	BOG Follow-up	Status [Passed (P)/ Died (D)]
S	850	Legg (R)	<p><u>General Education</u>; Requiring a school that includes certain grades to include information, data, and instructional strategies in its school improvement plan; revising the kind of lab schools that receive a proportional share of the sparsity supplement; requiring a district school board, in consultation with the district school superintendent, to make CAPE Digital Tool certificates and CAPE industry certifications available to students, including students with disabilities, in prekindergarten through grade 12, to enable students to attain digital skills; authorizing district school boards to execute a contract with a state university or certain independent colleges and universities to establish the collegiate high school program, etc. Effective Date: 7/1/2014</p>	<ul style="list-style-type: none"> Requires each FCS institution to establish a collegiate high school program in a public school or public charter school to allow participating students to earn CAPE industry certifications and allows a district school board to execute a contract with a state university CAPE Innovation: Up to five courses annually approved by the Commissioner shall articulate for college credit (begins line 360) CAPE Acceleration - Industry certifications, annually approved by the commissioner, that articulate for 15 or more college credit hours (begins line 373) Establishes a Florida personal learning scholarship account that may ultimately be used by qualified students with disabilities (with: autism; cerebral palsy; Down syndrome; intellectual disability; Prader-Willi syndrome; or Spina bifida) for, among other things, enrollment in or tuition and fees in postsecondary education. (begins page 41 Line 1144) 		<p>04/11/14 S Engrossed Text (E1) Filed 04/25/14 S Read Third Time; Passed (Vote: 33 Yeas / 0 Nays) 04/30/14 H Read Third Time; Amendment Failed (086369); Passed (Vote: 115 Yeas / 1 Nay) 05/02/14 S Amendment Adopted (796932); Concurred with Amendment as Amended (937491); Passed (Vote: 29 Yeas / 11 Nays) H Amendments Withdrawn (914203, 345137, 006327, 023493, 301825, 833993, 558027, 648547, 160149, 796932); Concurred with Amendment (796932); Concurred with Amendment as Amended (937491); Passed as Amended (Vote: 70 Yeas / 44 Nays) S Ordered engrossed, then enrolled</p>
Proviso						
	24	Fixed Capital Outlay	<u>\$31,123,760 - Capital Improvement Fee</u>	Funds in Specific Appropriation 24 shall be allocated by the Board of Governors to the universities on a pro rata distribution basis in accordance with the Board of Governors Legislative Budget Request for funding from the Capital Improvements Fee Trust Fund, as approved September 12, 2013. Each board of trustees shall report to the Board of Governors the funding it allocates to each specific project.		
	28	Fixed Capital Outlay	<u>\$20,000,000 Critical Deferred Maintenance</u>	Funds provided for Critical Deferred Maintenance to the State University System shall be distributed to each university in a pro rata amount consistent with amounts submitted in the November 8th, 2013 update of the Board of Governor's Fixed Capital Outlay Legislative Budget Request.		
	143	Operating	<u>\$200,000,000 Performance Funding</u>	<p>From the \$200,000,000, which includes \$100,000,000 new funding and \$100,000,000 redistributed from the base, for State University Performance Based Incentives in Specific Appropriation 143 from the General Revenue Fund, the Board of Governors shall allocate all of such appropriated funds pursuant to the performance funding model approved by the board on January 16, 2014, subject to the following modification:</p> <p>(1) all universities eligible for new funding shall have their base funding, including the performance funds allocated by the Board during 2013-2014, to be restored as provided in the Board of Governors' model; and (2) all universities that failed to meet the board's benchmarks for new funding shall submit a plan to the Board of Governors that specifies how their base funding, including the performance funds allocated by the Board during 2013-2014, will be expended to improve upon the metrics that disqualified the universities from receiving new funding. The Board of Governors shall review the plans, and if approved, shall monitor the universities' progress on implementing the measures specified in the plans. The universities shall submit monitoring reports to the board no later than December 31, 2014 and May 31, 2015.</p> <p>A university that is determined by the Board of Governors to be making satisfactory progress on implementing the plan shall receive a pro rata share of its base funding held by the board under the board's performance funding model. The Chancellor of the State University System shall withhold disbursement of the funds until such time as the monitoring report for each university is approved by the Board of Governors. Universities that fail to make satisfactory progress shall not have their full base funding restored, and any funds remaining shall be distributed to the three universities that demonstrate the most improvement on the metrics based upon those universities' proportional share of the new funding allocated under the board's performance funding model.</p>		
	143	Operating	<u>\$1,000,000 UCF Anit-Hazing</u>	From the funds provided in Specific Appropriation 143 for the University of Central Florida, the university shall procure access to an online, expertly developed and evidence based, anti-hazing course on behalf of the state university system for all state university system students. The course shall be procured and made available in advance of the 2014 Fall semester.		

Board of Governors Committees and Meeting - Legislative Affairs Committee

2014 BILL TRACKING - FINAL

H / S	Bill	Sponsor	Bill Summary	SUS/BOG Issue Summary	BOG Follow-up	Status [Passed (P)/ Died (D)]
	156	Operating	Florida Virtual Campus	<p>From the funds provided in Specific Appropriation 154 for the Florida Virtual Campus, administrative costs shall not exceed five percent.</p> <p>From the funds provided in Specific Appropriation 154, \$1,267,808 shall be released at the beginning of the first quarter and \$2,158,700 shall be released at the beginning of the second quarter in addition to the normal quarterly releases. The additional release is provided to maximize cost savings through centralized purchases of subscription-based electronic resources. Contingent upon House Bill 5101 or similar legislation becoming law, the Board of Governors, in collaboration with the Department of Education, shall prepare a budget amendment to transfer the funds appropriated in Specific Appropriation 154 to the University of West Florida.</p>		
	159	Board Office	\$500,000 - FAMU/FSU Study	<p>From the funds in Specific Appropriations 159, \$500,000 is provided to the Board of Governors for the procurement, no later than July 1, 2014, of an academic feasibility analysis by an independent, non-Florida-based organization of options relating to separation of the FAMU-FSU College of Engineering with the goal of achieving world class engineering education opportunities for students in both universities.</p> <p>The study shall examine the pros and cons of:</p> <ol style="list-style-type: none"> 1. Maintaining the status quo collaboration between the two universities, including an examination of the original mission. 2. Developing differentiated engineering programs at each university. The study shall include a cost-benefit analysis of each option analyzed in the context of Title VI of the Civil Rights Act of 1964, and U.S. v. Fordice, 505 U.S. 717 (1992) and other United States Supreme Court opinions interpreting those provisions. The study shall be completed no later than January 1, 2015, and the Board of Governors shall make its decision based on the study no later than March 1, 2015. If, based on the analysis, the Board of Governors decides that a non-status quo option should be implemented, the Board of Governors shall submit its funding request to the Legislature. 		

STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS

June 19, 2014

SUBJECT: Appointment of University Trustee: University of Florida Board of Trustees

PROPOSED BOARD ACTION

Appointment of University Trustee: University of Florida Board of Trustees.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution; Board of Governors Trustee Selection and Reappointment Process.

BACKGROUND INFORMATION

The Nomination and Governance Committee will recommend a candidate for appointment to the University of Florida Board of Trustees for a seat with a term expiring on January 6, 2015. The vacancy was created when Marshall M. Criser III resigned. The vacancy was posted for the public on the Board's website, and the deadline for applications was May 16, 2014, at 5:00 p.m., EDT.

Similar to the manner in which the Committee handled vacancies in the past, Nomination and Governance Committee Chair Hosseini assigned Committee members to a sub-committee to review applications. Each sub-committee member independently reviewed the applications, advised the Corporate Secretary of the applicants advanced to a short list, and conducted interviews. The Board office conducted FDLE background screenings for applicants advanced to the short list. The sub-committee will recommend a candidate for review and consideration by the full Committee.

The Committee will recommend a candidate for review and consideration by the full Board.

Supporting Documentation Included: Information provided in the Nomination and Governance Committee material