

2018 Florida Legislative Update:

A month in, legislators debate major changes to state colleges and universities



Introduction

As the 2018 Florida Legislative Session approaches its mid-point, the pace around Tallahassee is quickening. The time for committees to hear and act on bills will be winding down soon, and at this point, it will be difficult for proposals that have yet to be heard by a committee to pass. In the coming weeks, debate among the House and Senate will intensify as they move toward agreeing on an approximately \$87 billion budget, as well as any legislative policies they hope to pass and send to the Governor's desk for final approval.

Below are updates on the two most notable legislative proposals impacting college students in Florida, Senate Bills 4 and 540, including updates on other relevant bills.

Excellence in Higher Education Act of 2018 (SB 4)

Bill Sponsor: Senator Bill Galvano (R-Bradenton)

Companion Bill: HB 423 by Representative Ray Rodriguez (R-Ft. Myers)

In the first week of session, the top priority for President Joe Negron passed the Senate with unanimous support. According to the sponsor, the increased funding to scholarship programs along with additional policy and funding resources included in the bill will elevate the prominence and national competitiveness of the state universities while preserving access and increasing affordability for students.

Senate Bill 4 (SB 4) provides an additional \$124 million in funding to expand scholarships including **Florida Bright Futures Scholarship Program**, **Benaquisto Scholarship Program**, and the **First Generation Matching Grant Program**. Similar to last year, **Florida Bright Futures Scholarship Program Academic Scholars** awards will cover 100% of tuition and fees and \$300 a semester for textbooks. Students will also be allowed to use the award during the summer. The bill expands the **Medallion Scholars** award to 75% of tuition and fees, which is approximately a \$2,000

increase for students at 4-year institutions and a \$300 increase for students at 2-year institutions. The bill establishes the **Florida Farmworker Student Scholarship Program** that will provide 50 full (tuition and fees) scholarships for farmworkers and their children. Beginning fall 2019, each state university board of trustees would be required to adopt a **block tuition** option for full-time, first-time-in-college students.

The bill also modifies the university performance funding metrics to increase the focus on on-time completion and reward universities serving large populations of low-income students. Through the establishment of the **World Class Faculty Scholar** and **University Professional and Graduate Excellence** programs, the bill provides additional policy flexibility and funding to the universities to recruit and retain exemplary faculty and enhance the quality of professional graduate programs in law, medicine and business.

Perspectives on the bill

While the bill passed with unanimous support, some legislators raised concerns about a provision that bars undocumented immigrants from receiving the Florida Farmworker Student Scholarship. Legislators also expressed concerns that the bill does not address increased Bright Futures eligibility requirements, enacted in 2011, that disproportionately impacted low-income and minority students. Last year, SB 374, which contained many of the same policy issues in SB 4, was vetoed by Governor Rick Scott.

What is the anticipated cost?

The bill includes \$124 million for state scholarship programs, including \$121.8 million for the expansion of Bright Futures, \$1.2 million for the Benaquisto Scholarship Program, and \$317,000 for the Florida Farmworker Student Scholarship Program. Additional funding for the **World Class Faculty Scholar** and **University Professional and Graduate Excellence** programs will be determined in the final budget.

Companion Bill Highlights (HB 423)

This bill, the House companion to SB 4, passed its first committee the second week of session. Similar to SB 4, the bill expands financial assistance in Florida through the Bright Futures Scholarship and the Benaquisto Scholarship programs, creates the Florida Farmworker Student Scholarship program and increases the state match for the First Generation Matching Grant program. The bill also includes the World Class Faculty Scholar and University Professional and Graduate Excellence programs.

However, there are some significant additions in HB 423 that are not in the Senate version, including substantial revisions to the state university performance funding metrics that reflect progress and outcomes of all students including first-time in college, transfer and low-income students. The bill also requires the Board of Governors to develop and implement performance agreements with each university and develop a plan to transition to a complete outcomes-based funding model. The bill authorizes the use of the Postsecondary Education Readiness Test (PERT) exam as a diagnostic tool, and provides for reverse transfer of students who transfer from the FCS to the SUS prior to completing their associates degree. The bill also requires the University of South Florida (USF) to develop and implement a plan for phasing out the separate accreditation of the USF St. Petersburg and USF Manatee/Sarasota campuses.

Community College Competitiveness Act of 2018 (SB 540)

Bill Sponsor: Senator Dorothy Hukill (R-Port Orange)

Companion bill: HB 831 by Representative Joe Gruters (R-Sarasota)

Senate Bill 540, also known as the “Community College Competitiveness Act of 2018,” includes a number of reforms aimed at strengthening state leadership and accountability for the state’s 28 Florida College System institutions. Proposed changes include establishing a new governance structure for the **Florida College System** (FCS), including a new **State Board of Colleges** (SBC) that would take on responsibilities currently assigned to the State Board of Education. Other changes in the bill provide additional oversight and expectations of bachelor’s degree programs offered by state and community colleges, including a **20 percent cap on upper-level, undergraduate enrollment** at each FCS institution and a **10 percent cap for the system as a whole**. The bill would also require each FCS institution to implement at least one **“2+2” targeted pathway articulation agreement** with at least one state university to help their associate’s degree earners transfer and complete a bachelor’s degree. Also proposed are modifications for the state college’s performance-based funding metrics.

How much will the bill cost?

According to Senate staff analysis, the Florida Department of Education estimates a fiscal impact of approximately \$2 million to fund positions needed to implement changes to the governance provisions of the bill.

Perspectives on the bill

In 1999, the legislature authorized FCS institutions to offer approved baccalaureate degrees to address workforce needs in areas underserved by public universities. St. Petersburg College was the first to offer a 4-year degree in 2001. Since then, 27 of the state's 28 FCS institutions offer a total of 179 bachelor's degree programs, with 5 percent of students (full-time equivalent or FTE) enrolled in upper-division programs. The authors of the proposed bill have expressed concern about this expansion and potential deviation from focus on the delivery of lower-level coursework and workforce development through the promotion of subbaccalaureate credentials. Opponents of the bill, including college presidents and senators, counter that a bachelor's degree enrollment cap could limit access to programs that lead to jobs that have a demonstrated market demand. According to workforce outcome data, students who graduate with a bachelor's degree from a Florida College System institution make \$41,620 the year after completion. This provision, and others in this bill, were included in Senate Bill 374 passed in the 2017 session that was vetoed by Gov. Rick Scott, who in a press release objected to a cap on four-year degrees awarded by the colleges and "unnecessarily increasing red tape" in the system.

Senate Bill 540 proposes to revise the Florida College System's performance-based funding metrics, including retention and graduation rates, the rate of program completers working or continuing their education, a success measure for students in associate in arts (AA) programs who graduate with a 4-year degree, and a new college affordability metric. Authors of the bill acknowledge that while the state's public colleges have received national recognition and awards, improvements can be made on the proportion of associate's degree students who earn a 4-year degree within six years. Opponents of this provision express concern that continuous changes to the performance metrics make it difficult for institutions to target interventions, and that the transfer metric is problematic because FCS institutions have no control over student performance after students leave their institutions.

There has been some discussion related to the new governance structure proposed in the bill. The bill sponsor asserts that a statewide board is necessary to supervise and advocate for the system. Opponents, however, state that the current governance structure, with strong local boards of trustees, allows FCS institutions to be nimble and responsive to regional workforce needs.

Companion Bill Highlights

House Bill 831, unlike Senate Bill 540, has not yet moved forward in the vetting process. Given that SB 540 passed through the Senate and is a priority of the Chair of the Senate Education

Committee, developments related to HB 831 will be monitored closely by members of both chambers in the coming weeks.

Updates on other relevant bills:

Senate Bill 88, which adds a half-credit financial literacy course as a Florida High School graduation requirement, passed the Senate with unanimous support. The bill is now in the House, where the companion (HB 323) has not yet been heard. **House Bill 577**, which allows students to use credit earned from DOE-registered apprenticeship or pre-apprenticeship programs to satisfy certain high school elective credit requirements, passed its two House committee stops with unanimous support and is heading to the floor for a vote of the full Chamber. The Senate companion, SB 856, passed its first committee stop. **House Bill 75** allows FCS institutions the flexibility to waive additional tuition or fees for active duty U.S. Armed Service members receiving military assistance. The bill passed all three of its committee stops with unanimous support and is set to be voted on by the full Chamber. The Senate companion, SB 460, has passed its first two committee stops with unanimous support. The bills would effectively prevent these students from incurring any out-of-pocket costs for tuition and fees.

Among new proposed legislation introduced after session began includes **House Bills 859 and 861**, which request \$2 million to establish a matching grant program to fund scholarships at Florida's four Historically Black Colleges and Universities (HBCUs): Bethune-Cookman University, Edward Waters College, Florida Agricultural and Mechanical University, and Florida Memorial University. Also introduced was **House Bill 1035**, which expands the Competency-based Education Pilot program (created in 2016) to any district that applies and is approved by the state. **House Bill 711** requests \$6.85 million to create the Earn and Learn Grant (apprenticeship) Program within the Florida Department of Education, and would establish a Task Force on Apprenticeship Expansion within Department of Economic Opportunity. **House Bill 909**, the "Campus Free Expression Act," would prevent colleges and universities from restricting expressive activities to certain zones on campus. House Bill 1064 would expand dual enrollment to private school students. Lastly, **House Bill 1213** would require the Florida Department of Education to establish a phase-in schedule for school districts so that by 2020-21, at least 10 percent of a school district's total middle schools, high schools, and combination schools with grades 6-12 offer a computer science course.



Florida College Access Network (FCAN) is Florida's first collaborative network committed to ensuring all Floridians have the opportunity to achieve an education beyond high school and prosper in Florida's dynamic economy. Our mission is to create and sustain a statewide network that catalyzes and supports communities to increase college and career preparation, access, and completion for all Florida students. Our vision for Florida is Goal 2025: For 60% of working-age Floridians to hold a high-quality postsecondary degree or credential by the year 2025.

As a nonpartisan organization, FCAN strives to expand knowledge of research, data, policies and practices that impact postsecondary access and attainment in Florida. This legislative overview is intended as an educational resource and does not constitute an endorsement or opposition to any of the legislative proposals described herein.