

# SPC St. Petersburg College

## 2018 Legislative Session

### New Law Summary



#### Session Highlights Impacting the Florida College System

The 2018 Florida Legislature adjourned sine die on Sunday evening, March 11, 2018 following a contentious budget process that resulted in the extension of the legislative session by two days and the requisite 72-hour "cooling-off" period. In the end, the Legislature approved the General Appropriations Act (GAA), Ch. 2018-119, L.O.F., (HB 5001), appropriating an overall budget of \$88.7 billion which takes effect July 1, 2018. The Governor vetoed 88 items totaling \$64 million. A total of 3,250 bills were filed this session, with only 196 passing both Chambers, resulting in one of the lowest number of bills passed in nearly two decades and 49 less than during the 2017 session.

The Florida College System Program Fund will receive a slight increase of about **\$6.7 million**, restoring a little less than 25% of last year's program reduction of \$30.2 million. Lottery funds will provide \$272,175,155 for the colleges and \$945,332,666 will come from General Revenue, including \$60 million for performance funding, half for state incentives and half for institutional investment. \$10 million has also been allocated for industry certifications.

Due to significant funding being allocated for school safety (\$400 million) and health care initiatives (\$300 million), funding for construction projects was minimal. The Florida College System will get \$27.2 million for the entire system with three colleges (including St. Petersburg College) receiving additional assistance with planned projects. **Section 99 of General**

**Appropriations Act (HB 5001, [2018-9](#)) provides non-recurring funding contingent upon the Division of Emergency Management receiving and depositing into the General Revenue Fund at least \$50 million of reimbursement funds from FEMA, of which St. Petersburg College will receive \$3.5 million for its planned Student Success Center- Gibbs Campus.**

In the final days of session, several education bills directly tied to budget negotiations were passed. **House Bill 7055** (Ch. 2018-6, LOF), a massive K-12 bill that promotes charter schools, and was championed by the House, narrowly passed the Senate.

**Senate Bill 4** (CS/SB 4 [Ch 2018-4.](#)), known as “The Florida Excellence in Higher Education Act of 2018”, successfully navigated both Chambers and was signed into law by the Governor on March 11, 2018. This bill expands financial aid provisions and incentivizes postsecondary institutions to emphasize “on-time” graduation as well as funding state universities to recruit and retain exemplary faculty. Significantly, the bill allows Bright Futures awards to be used to cover technology fees and for awards to be used for summer terms. The Bright Futures Academic Scholars programs was returned to 100% of tuition and fees, plus \$300 for textbooks. The Medallion Scholars Program was returned to 75% of tuition and fees with no provisions for textbooks. The First Generation Matching Grant program was amended to authorize a \$2 match in state money for every \$1 raised privately. The final bill version also included language prohibiting a public institution of higher education from designating any area of campus as a “free-speech” zone or otherwise creating policies restricting expressive activities to a particular outdoor area of campus. The consolidation of University of South Florida branch campus with the main campus was also included in this bill.

**Senate Bill 7026** (SB 7026 [Ch 2018-3.](#)) reflects the Legislature’s response to the tragic February 2018 shootings at Marjory Stoneman Douglas High School. The bill includes changes to background checks, prohibiting people under 21 from buying a firearm, outlawing bump-fire stocks and attempting to keep firearms from those with mental illness. The most controversial measure is the creation of a voluntary program, the “Aaron Feis Guardian Program,” that would allow some school personnel to carry firearms. Attempts to ban the sale of assault weapons, however, failed.

Significant opposition by the Florida College System presidents, the Association for Florida Colleges and business and industry leaders to **Senate Bill 540**, “The Community College Competitiveness Act,” resulted in its demise. The bill, which was never taken up by the House, would have made significant changes to system governance, performance standards, Direct Support Organization (DSO) personnel funding and baccalaureate degree approval and growth. **At the same time the Session was going on the Constitution Revision Commission (CRC) took up consideration of Proposal 6002, a proposed amendment to the Florida Constitution which will create Section 8 of Article IX of the State Constitution to specify the purposes of the State College System. The amendment specifies that the local board of trustees is the governing body for each college. In a 30-7 vote on Monday, April 16, 2018, the Florida Constitution Revision Commission backed the proposal which will appear as Amendment 7 on the November 6, 2018, general election ballot.**

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## 2018-2019 General Appropriations Act (GAA) Statewide Funding (HB 5001) 2018-9

### Florida College System 2017-18 and 2018-19 Funding

Issue	Funding 2017-18	Funding 2018-19
Florida College System Program Fund (FCSPF) - Lottery	\$231,751,579	\$272,175,155
Florida College System Program Fund (FCSPF) – GR	\$972,573,301 (includes \$60m performance) (\$7,280,154 was vetoed leaving a net appropriation of \$965,293,147) (HB 1A appropriated \$2,540,288 additional funds creating a new net total program appropriation of \$967,833,435)	\$945,332,666 (includes \$60m performance, \$30 m from state funds and \$30 m from the systems individual colleges base) (\$500,000 was vetoed leaving a net appropriation of \$944,832,666)
<b>TOTAL COMBINED</b>	\$1,199,585,014 (Reflects \$30.2m developmental education reduction and Governor’s veto of \$7.3m at 9 colleges and \$2.5m increase in HB 1A)	\$1,217,007,821 (Reflects a \$4.7m pass through of FRS contribution funds, \$6.8m actual increase in the program fund, \$8.1m in special projects, and \$.5m reduction from the Governor’s veto)
Above includes:		
• Performance Funding - GR	\$30m state / \$30m base	\$30m state / \$30m base
• Operating Cost New Facilities, Combined	0	0
• FRS Contribution Adjustment	\$4,942,768	\$4,761,000
• “Operational Support”	0 (No system-wide dollars were provided for operational support, however individual colleges did receive specific appropriations.)	0 (No system-wide dollars were provided for operational support, however individual colleges did receive specific appropriations.)
• Special Projects/Operational Support Funding	\$15,342,950 (\$7,270,154 was vetoed, leaving a net appropriation of \$8,072,796) (\$2,540,288 was added in HB 1A creating a new net total of \$10,613,084)	\$8,050,000 (\$500,000 was vetoed, leaving a net appropriation of \$7,550,000 in special projects)
• Distinguished Colleges	0	0
<b>ADDITIONAL FUNDING</b>		
Performance Incentives/Industry Certifications	\$10,000,000	\$10,000,000

Issue	Funding 2017-18	Funding 2018-19
PECO, Sum-of-Digits (Maintenance)	\$38,066,518	\$35,448,853
Fixed Capital Outlay (PECO and GR and other sections of the bill)	\$83,512,835 (\$14,494,530 was vetoed leaving a net appropriation of \$69,018,305) (HB 1A in Special Session 2017A appropriated \$4,572,518 additional funds creating a new net total of \$73,590,823)	\$43,086,872 (\$12,150,000** was appropriated in section 99 contingent upon receipt of federal hurricane reimbursement funds and \$812,000 for fire equipment.  <b>**ST. PETERSBURG COLLEGE to receive \$3.5 million for capital outlay project (Student Success Center- St. Petersburg Gibbs Campus)</b>
Displaced Homemakers	0	0
College Reach Out Program	\$ 1,000,000	\$1,000,000
First Generation Matching Florida College System Share	\$2,654,332	\$ 2,654,332
<b>NON FUNDED ITEMS</b>		
Adults with Disabilities	\$6,924,676	\$6,924,676
Student Tuition/Fees	0 % increase	0 % increase
Phillip Benjamin Matching	0	0
Facilities Matching	0	0

## Florida Financial Aid Summary 2017-18 and 2018-19 Funding

Issue	Funding 2017-18	Funding 2018-19
Florida's Bright Futures Scholarship Program (Lottery)	\$397,282,030	\$397,282,030 (An additional \$91.6 million is provided in SB 4.)
<p>Academic Scholars</p> <ul style="list-style-type: none"> <li>• 4-year Institutions</li> <li>• 2- Year Institutions</li> <li>• Upper-division Programs at Florida Colleges</li> <li>• Career-technical Centers</li> </ul>	<p>Per Credit Hour</p> <p>Awards are to cover 100% of the cost of tuition and applicable fees plus \$300 for each fall and spring semester for textbooks and expenses.</p> <p>\$39.5 million was earmarked for summer 2018 awards</p>	<p>Per Credit Hour</p> <p>Awards are to cover 100% of the cost of tuition and applicable fees plus \$300 for each fall and spring semester for textbooks and expenses.</p> <p>\$39.5 million (an additional \$1.7 million in SB 4 is earmarked for summer 2019 awards.) (\$28.4 million in SB 4 is earmarked for summer 2019 awards)</p>
Medallion Scholars (Projected amount for 2018-19)	77	159
	63	80
<ul style="list-style-type: none"> <li>• 4-year Institutions</li> <li>• 2- Year Institutions</li> <li>• Upper-division Programs at Florida Colleges</li> <li>• Career-technical Centers</li> </ul>	53	92
	39	62
Gold Seal Vocational Scholars	39	39
<ul style="list-style-type: none"> <li>• Career Certificate Program</li> <li>• Applied Technology Diploma Program</li> <li>• Technical Degree Education Program</li> </ul>	39	39
	48	48
Additional Stipend for Top Scholars	44	44
Gold Seal CAPE Vocational Scholars		
<ul style="list-style-type: none"> <li>• Bachelor of Science Program with Statewide Articulation Agreement</li> <li>• Florida College System Bachelor of Applied Science Program</li> </ul>	48	48
	48	48
Florida Student Assistance Grants (Lottery)	59,401,461	59,401,461
(General Revenue)	218,979,271	218,979,271
(Trust Funds)	97,099	97,099
<ul style="list-style-type: none"> <li>• Florida Student Assistance Grant – Public Full and Part-time</li> </ul>	(208,002,403)	(208,002,403)
	(33,472,777)	(33,472,777)

Issue	Funding 2017-18	Funding 2018-19
<ul style="list-style-type: none"> <li>• FSAG – Private</li> <li>• FSAG – Postsecondary</li> <li>• FSAG – Career Education</li> </ul>	(23,381,592) (4,539,240) (2,610)/award	(23,381,592)  (2,610)/award
Maximum Award for FSAG	( 5,755,150)	(1,569,922)
<ul style="list-style-type: none"> <li>• Deceased/Disabled Veterans</li> <li>• Florida Work Experience</li> <li>• Rosewood Family Scholarships</li> <li>• Honorably Discharged Graduate Assistance Program</li> <li>• Florida Farmworker Scholarship Program</li> </ul>	(1,569,922) (256,747)  (1,000,000) (500,000)	(256,747) (1,000,000)  (1,000,000) \$500,000 (appropriated in SB 4)
First Generation in College Matching Grant Program	10,617,326	10,617,326
<ul style="list-style-type: none"> <li>• (In 2017-18 the match was \$1 state dollar for \$1 private dollar)</li> <li>• (In 2018-19 the match will be \$2 state dollars for each \$1 private dollar)</li> </ul>		
Amount Reserved for FCS in 2017-18	\$2,654,332	\$2,654,332
<ul style="list-style-type: none"> <li>• ABLE Grants (Private for-profit college students)</li> </ul>	\$6,338,500 (est. \$3,500 /student)	\$6,832,500 (est. \$2,500 /student)
<ul style="list-style-type: none"> <li>• Florida Resident Access Grants (Private not-for-profit college students)</li> </ul>	\$136,815,000 (est. \$3,500/student)	\$125,449,500 (est. \$3,300/student)
<ul style="list-style-type: none"> <li>• Florida National Merit Scholars Incentive Program (renamed as Benacquisto Scholarship Program by Legislature in 2016)</li> </ul>	\$14,282,138	\$14,282,138 (An additional \$1.2 million is provided in SB 4)
<ul style="list-style-type: none"> <li>• Prepaid Tuition Scholarship</li> </ul>	\$7,000,000	\$7,000,000
<ul style="list-style-type: none"> <li>• Florida ABLE, Incorporated</li> </ul>	\$2,166,000	\$2,166,000
<ul style="list-style-type: none"> <li>• Minority Teacher Scholarship Program</li> </ul>	\$917,798	\$917,798
<ul style="list-style-type: none"> <li>• Nursing Student Loan Reimbursement/ Scholarships</li> </ul>	\$1,233,006	\$ 1,233,006
Mary McLeod Bethune Scholarship (General Revenue)	\$160,500	\$160,500
(Trust Funds)	\$160,500	\$160,500
Jose Marti Scholarship Challenge Grant (General Revenue)	\$50,000	\$50,000
(Trust Funds)	\$74,000	\$74,000

## Appropriations Proviso and Implementing Bill Issues

The Legislature has three methods to reflect funding decisions made in the General Appropriations Act (GAA) process. “Proviso” is language in the General Appropriations Act attached to a specific appropriation which directs or authorizes how the funds can be expended. An implementing bill is a substantive bill which provides instructions to enact specific provisions for a GAA appropriation or proviso by changing the law (Florida Statutes) temporarily for one year. This is necessary because the courts have ruled the GAA cannot contradict current law; however, there may be a need to temporarily suspend some provision of law. A conforming bill is a substantive bill which may “travel” with the GAA. It differs from the implementing bill in that it makes permanent changes to Florida Statutes. Individual bills which become law permanently change the law. For 2018-19, there was no language affecting the FCS in the implementing bill. There was no general conforming bill as such but individual bills did impact appropriations.

While the Governor may veto the entire appropriations act or exercise his veto by “line item,” he does not have “line item” veto in an implementing or conforming bill, but must act on the entire bill. If a specific appropriation or proviso language relating to a specific appropriation is vetoed, then language in an implementing bill pertaining to that item is void.

Bills which are passed by the Legislature are sent to the Governor. If the Legislature is not in Session, the Florida Constitution allows the Governor fifteen days after receiving a bill to veto, sign, or let a bill become law without his signature. If the Legislature is in Session, the Governor has seven days.

### FCS Performance Funding/Industry Certifications

An appropriation of \$10 million for industry certification performance included proviso language that identified the programs eligible for funding for 2018-19 to be: public safety, health sciences, automotive service technology, auto collision repair and refinishing, cyber security, cloud virtualization, network support services, computer programming, advanced manufacturing, electrician, welding, Federal Aviation Administration airframe mechanics, power plant mechanics, pharmacy technicians, and heating, ventilation and air conditioning technicians. These are the same programs as in 2017-18.

### FCS Performance Funding

The General Appropriations Act included \$60 million in performance funding for the Florida College System, with \$30 million in state funds, and \$30 million deducted from the Colleges’ base funding. Base funding could potentially be redistributed among other colleges based on individual college performance. There are no changes to performance metrics for the FCS for 2018-19.



## BILLS THAT PASSED

### Senate Bill 4 (CS/SB 4) The Florida Excellence in Higher Education Act of 2018

**Senate Bill 4, (CS/SB 4)**, known as the “*The Florida Excellence in Higher Education Act of 2018*”, was signed into law by the Governor on March 11, 2018. This bill expands financial aid provisions and incentivizes postsecondary institutions to emphasize “on-time” graduation as well as funding state universities to recruit and retain exemplary faculty (The State University Professional and Graduate Degree Excellence Program). It also requires universities to use a four-year rather than six-year graduation rate in its performance funding formula, but did **not** address time-to-degree specifically for students of the Florida College System.

**The bill allows Bright Futures awards to be used to cover technology fees and for the first time, allows awards to be used for summer terms. The Bright Futures Academic Scholars programs was returned to 100% of tuition and fees, plus \$300 for textbooks. The Medallion Scholars Program was returned to 75% of tuition and fees with no provisions for textbooks. The First Generation Matching Grant program was extended to the FCS, authorizing a \$2 match in state money for every \$1 raised privately.**

The bill also creates the "**Campus Free Expression Act**" (**Act**), which addresses the issue of free speech on the campuses of public postsecondary institutions.

Specifically, the bill:

- Defines the following terms: commercial speech; free speech zone; outdoor areas of campus; public institution of higher education; and material and substantial disruption.
- Provides examples of protected expressive activities, which does not include commercial speech.
- Authorizes a person to engage in an expressive activity in an outdoor area of campus freely, spontaneously, and contemporaneously as long as the person’s conduct is lawful and does not materially and substantially disrupt the functioning of the public institution or infringe upon the rights of other individuals or organizations to engage in expressive activities.
- Specifies that the outdoor areas of campus are traditional public forums and authorizes a public institution to create and enforce restrictions that are reasonable and content-neutral on time, place, and manner of expression and that are narrowly tailored to a significant

institutional interest. Restrictions must be clear and published and must provide for ample alternative means of expression.

- Specifies that a public institution may not designate any area of campus as a free-speech zone or otherwise create policies restricting expressive activities to a particular outdoor area of campus, except as authorized.
- Specifies that students, faculty, or staff of a public institution may not materially disrupt previously scheduled or reserved activities on campus occurring at the same time.
- Authorizes a person whose expressive rights are violated by an action prohibited under law to bring an action against a public institution in a court of competent jurisdiction to obtain declaratory and injunctive relief, reasonable court costs, and attorney fees.

The consolidation of University of South Florida branch campus with the main campus was also included in this bill.

Approved by the Governor on March 11, 2018, [Ch 2018-4](#). Except as otherwise expressly provided in the act, this act shall take effect upon becoming a law.

## **House Bill 7055 (CS/HB 7055) Omnibus Education Bill**

**House Bill (CS/HB 7055) (Omnibus Education Bill)** appropriates the sum of \$13,750,000 in recurring funds from the General Revenue Fund and the sum of \$100,000 in nonrecurring funds from the General Revenue Fund to the Department of Education to implement these provisions:

- \$9,700,000 of recurring funds shall be used to fund reading scholarship accounts
- \$300,000 shall be used as an administrative fee
- \$2,000,000 shall be used to implement the provisions of 1002.40(8) FS (establishing the Hope Scholarship Fund)
- \$950,000 shall be used to implement additional oversight requirements of 1002.421 FS (Accountability of private schools participating in state school choice scholarship programs)
- \$250,000 for competitive grant awards 1002.395(9) (Florida Tax Credit Scholarship Program)
- \$550,000 used for instructional materials pursuant to 1007.271(13) FS (Dual Enrollment Programs)
- \$150,000 from 2017-18 is appropriated to the DOR to implement 212.099 FS

This bill further:

- Creates the Hope Scholarship Program for students who have been bullied to transfer to another public school or receive a scholarship to attend an eligible private school.

The Hope Scholarship Program will be funded by taxpayers who make a contribution limited to \$105 when a vehicle or registration is purchased. The contributor will receive a 100% credit of the contribution against the sales tax.

- Allows the Commissioner of Education to coordinate through the most appropriate means of communication with school districts, colleges, and satellite offices to assess the need for resources and assistance to enable each institution to reopen as soon as possible after considering the safety of students and others. (SB 436)
- Prohibits a college board of trustees (under a dual enrollment articulation agreement) from arbitrarily limiting the number of dual enrollment courses in which a student may enroll based solely upon enrollment by the student at an independent postsecondary institution.
- Provides home education dual enrolled students are no longer responsible for his or her own instructional materials. The home education articulation agreement must include a delineation of courses and programs, and any course or program limitations may not exceed the limitations for other dually enrolled students. A high school grade point average may not be required for home education students who meet the minimum score on a common placement test adopted by the State Board of Education which indicates that the student is ready for college-level coursework. Home education students' eligibility requirements for continued enrollment in dual enrollment courses must include the maintenance of the minimum postsecondary grade point average established by the postsecondary institution.
- In amending s. 1007.271, F.S., the bill removes from the list of specific provisions required to be included in an articulation agreement between a private school and postsecondary institution a provision stating whether the private school will compensate the postsecondary institution for the standard tuition rate per credit hour for each dual enrollment course taken by its students. Although it now is no longer a required provision, nothing in the amended law prohibits the continued inclusion of a provision stating whether the private school will compensate the postsecondary institution for the standard tuition rate per credit hour for each dual enrollment course taken by its students. In addition, the law as amended does not specify that the public postsecondary institution may not charge tuition and fees to the private school for the dual enrollment of its students.

Provisions related to school districts (K-12), including charter schools, include:

- School boards must adopt rules to require all schools to display, "In God We Trust" in a conspicuous place.
- School districts are encouraged to provide basic training in first aid including cardiopulmonary resuscitation and use of an automated external defibrillator, beginning in grade 6 and every 2 years thereafter.

- Provides CAPE bonuses may not be awarded to a teacher who fails to maintain the security of any CAPE industry certification examination or who otherwise violates the security or administration protocol of any assessment instrument.

Approved by the Governor on March 11, 2018. [Ch 2018 006](#). Effective date is July 1, 2018.

## VETERANS AND MILITARY FAMILIES

### **House Bill 29 (HB 29), Military and Veterans Affairs “Don Hahnfeldt Veteran and Military Family Opportunity Act”**

The Don Hahnfeldt Veteran and Military Family Opportunity Act eases professional licensing fees and requirements for certain military members, veterans, and their spouses, including, for the Department of Education (DOE) licensees, creating certain initial fee waivers, granting a temporary certificate in education, and establishing a pathway for veteran officers for certification as a school principal.

The bill also:

- Requires DOE to coordinate efforts to educate veterans about apprenticeship and career opportunities
- Allows Junior Reserve Officer Training instructors to participate in the Florida Teachers Classroom Supply Assistance Programs
- Designates March 25 every year as “Medal of Honor Day” and allows classroom instruction related to the values of the recipients of the Congressional Medal of Honor to meet certain instructional requirements on character development and the contributions of veterans to our country
- Gives students who are children of an active duty member who is not stationed in this state, but whose home of record or state of legal residence is Florida, priority for attendance in the Florida Virtual School, and
- Expands and clarifies the processes for obtaining veteran training grants and instituting veteran entrepreneurship programs through Veterans Florida in the Department of Veterans’ Affairs.

Approved by the Governor on March 13, 2018, [Ch 2018-7](#). Effective date is July 1, 2018.

**House Bill 75 (HB 75)**  
**Postsecondary Fee Waivers**

This bill authorizes Florida College System institutions to waive a portion of certain postsecondary fees for active duty members of U.S. Armed Forces using military tuition assistance. It further requires institutions to report to SBE number & value of such fee waivers granted annually.

Approved by the Governor on March 13, 2018, [Ch 2018-8.](#) Effective date is July 1, 2018.

**ACADEMIC PROGRAMMING AND TRAINING**

**Senate Bill 394 (SB 394)**  
**Fire Safety**

This legislation requires the Division of the State Fire Marshal to establish courses that provide training related to cancer and mental health. Specifically, this training must include cancer and mental health awareness, prevention, mitigation, and treatment as well as lifestyle, environmental, inherited, and occupational risks and must emphasize appropriate behavior, attitude, and cultural changes within the fire service. Such training must be a requirement for obtaining a Firefighter Certificate of Compliance, a Volunteer Firefighter Certificate of Completion, or a Special Certificate of Compliance. The bill also requires certified firefighters to have such training available to them.

Approved by the Governor on March 19, 2018 [Ch 2018-18.](#) Effective date is July 1, 2018.

**House Bill 333 (CS/HB 333)**  
**Minimum Officer Qualifications**

The bill exempts individuals who served in the special operations forces of the U.S. military from completing the basic recruit training program for law enforcement, correctional, or correctional probation officers. To qualify for the exemption, an applicant must have served in the special operations forces for a minimum of five years and must apply for the exemption within four years of separating from the special operations forces.

The bill defines “special operations forces” to include servicemembers of the Army Special Forces and Army 75th Ranger Regiment; the Navy SEALs and Special Warfare Combatant-Craft Crewmen; the Air Force Combat Control, Pararescue, and Tactical Air Control Party specialists; the Marine Corps Critical Skills Operators; and any other component of the U.S. Special Operations Command approved by the Criminal Justice Standards and Training Commission (Commission). An applicant who served in the special operations forces and is exempt from completing a basic recruit training program must also meet the minimum officer qualifications prescribed in s. 943.13, F.S., such as passing a physical examination and having good moral

character. Additionally, an exempt applicant must demonstrate proficiency in high-liability areas and pass the officer certification examination within 1 year of receiving the exemption, and complete any additional training required by the Commission, based on the applicant's prior training and experience.

The bill directs the Commission to adopt rules that establish the criteria and procedures to determine if an applicant is exempt from completing a basic recruit training program.

Approved by the Governor on March 21, 2018, [Ch 2018-46](#). Effective date is July 1, 2018.

**House Bill 565 (CS/HB 565)**  
**Excess Credit Hour Surcharges**

This bill requires state universities to return specified amount of assessed excess credit hour surcharges to first-time-in-college students who meet certain requirements.

Approved by the Governor on March 30, 2018 [Ch 2018-132](#). Effective date is July 1, 2018.

**K-12 Education Bills**

**House Bill 577 (HB 577)**  
**High School Graduation Requirements**

This legislation modifies the requirements for a standard high school diploma, and authorizes students to use credit earned upon completion of an apprenticeship or pre-apprenticeship program to satisfy specified high school graduation requirements. It requires the State Board of Education to approve and identify registered apprenticeship programs.

Approved by the Governor on April 6, 2018 [Ch 2018-154](#). Effective Date is July 1, 2018.

**Senate Bill 7026 (CS/SB 7026)**  
**The Marjory Stoneman Douglas High School Public Safety Act**

This bill provides law enforcement, the courts, and schools with the tools to enhance public safety by temporarily restricting firearm possession by a person who is undergoing a mental health crisis

and when there is evidence of a threat of violence. The bill also promotes school safety and enhanced coordination between education and law enforcement entities at the state and local level.

Key provisions in this bill related to K-12 (**including charter schools**) school safety include:

- Prohibits a person who has been adjudicated mentally defective or who has been committed to a mental institution from owning or possessing a firearm until a court orders otherwise.
- Requires a three-day waiting period for all firearms (not just handguns) or until the background check is complete, whichever is later.
- Prohibits a person under 21 years of age from purchasing a firearm.
- Prohibits a licensed firearm dealer, importer, or manufacturer, from making or facilitating the sale or transfer of a firearm to a person under the age of 21. This prohibition does not apply to the purchase of a rifle or shotgun by a law enforcement officer or a correctional officer or to a member of the military.
- Prohibits a bump-fire stock from being imported, transferred, distributed, transported, sold, keeping for sale, offering or exposing for sale, or given away within the state.
- Creates a process for a law enforcement officer or law enforcement agency to petition a court for a risk protection order to temporarily prevent persons who are at high risk of harming themselves or others from accessing firearms when a person poses a significant danger to himself or herself or others, including significant danger as a result of a mental health crisis or violent behavior.
- Provides a court can issue a risk protection order, ex parte in certain circumstances, and requires the surrender of all firearms and ammunition under said order.
- Establishes the Marjory Stoneman Douglas High School Public Safety Commission within the Florida Department of Law Enforcement (FDLE) to investigate system failures in the Parkland school shooting and prior mass violence incidents, and develop recommendations for system improvements.
- Codifies the Office of Safe Schools (office) within the Florida Department of Education (DOE) and specifies the purpose of the office is to serve as the state education agency's primary coordinating division for promoting and supporting safe-learning environments.
- Creates a Guardian Program within the DOE as a voluntary program to assist school districts and public schools in enhancing the safety and security of students, faculty, staff, and visitors to Florida's public schools and campuses.
- Codifies the Multiagency Service Network for Students with Severe Emotional Disturbance (SEDNET) as a function of the DOE in partnership with other state, regional, and local entities to facilitate collaboration and communication between the specified entities.
- Establishes the Public School Emergency Response Learning System Program to assist school personnel in preparing for and responding to active emergency situations and to implement local notification systems for all Florida public schools.
- Establishes the "FortifyFL" program and requires the FDLE to procure a mobile suspicious activity reporting tool that allows students and the community to report information anonymously about specified activities or the threat of such activities to appropriate public safety agencies and school officials.
- Requires each district school board and school district superintendent to cooperate with law enforcement agencies to assign one or more safe-school officers at each school facility.

- Requires each district school board to designate a district school safety specialist to serve as the district’s primary point of public contact for public school safety functions.
- Requires each school district to designate a threat assessment team at each school, and requires the team to operate under the district school safety specialist.
- Creates the mental health assistance allocation to provide supplemental funding to assist school districts and charter schools in establishing or expanding comprehensive mental health programs and to connect students and families with appropriate services.

Approved by the Governor on March 9, 2018, [Ch 2018-3](#). Except as otherwise expressly provided in this act, this act shall take effect upon becoming law.

## **House Bill 495 (CS/HB 495)**

### **K-12 Public Education**

The bill revises time limits for certain public employees who qualify to participate in the Deferred Retirement Option Program (DROP); modifies educator certification requirements and district school board duties relating to school safety; prohibits misconduct by authority figures against students; promotes opportunities for public middle and high school students to learn computer science taught by qualified teachers; and modifies end-of-course statewide assessment requirements for certain students.

Specifically:

#### ➤ **Deferred Retirement Option Program (DROP)**

The bill provides that effective July 1, 2018, instructional personnel who are authorized to extend Deferred Retirement Option Program (DROP) participation beyond the 60-month period must have a termination date that is the last day of the last calendar month of the school year within the DROP extension granted by the employee. Administrative personnel in grades K-12 who have a DROP termination date on or after July 1, 2018, may be authorized to extend DROP participation beyond the initial 60 calendar month period if the administrative personnel’s termination date is before the end of the school year.

#### ➤ **Educator Certification and Student Safety**

The bill modifies Florida law regarding educator certification requirements and district school board duties relating to school safety, and prohibits misconduct by authority figures against students. Specifically, the bill:

- Expands the applicability of certain employment disqualification criteria to include all positions that require direct contact with students.
- Grants the Department of Education (DOE) and the Education Practices Commission additional authority to enforce the educator certification requirements and impose penalties against persons who do not comply with certification requirements.



- Requires an educator who has been placed on probation to immediately notify the investigative office in the DOE upon separation from employment in any public or private position requiring a Florida educator’s certificate.
- Prohibits an authority figure from soliciting or engaging in sexual conduct, a relationship of a romantic nature, or lewd conduct with a student, and deems such offenses against students by authority figures as a second-degree felony.
- Adds a school bus to the definition of “school,” to apply to the provisions in law regarding trespass on school grounds or facilities.
- Revises standards of ethical conduct for instructional personnel and school administrators to require the training on alleged misconduct by instructional personnel and school administrators which affects student safety to include specified misconduct that would result in disqualification from educator certification or employment.
- Requires a (K-12) school district to file in writing with the DOE any legally sufficient complaint against an employee of the school district within a specified timeframe, regardless of the status of the complaint and regardless of whether the subject of the complaint is still a district employee, and immediately notify the DOE if the subject of a legally sufficient complaint of misconduct affecting the health, safety, or welfare of a student resigns or is terminated before the conclusion of the district’s investigation.

➤ **Computer Science Instruction**

The bill promotes opportunities for public middle and high school students to learn computer science taught by qualified teachers.

Specifically, the bill:

- defines “computer science” and expands access to computer science courses.
- Requires middle schools, high schools, and combination schools to offer computer science courses.
- Requires computer science courses to be identified in the Course Code Directory (CCD) and published on the DOE’s website by July 1, 2018. Additional computer science courses may be subsequently identified and posted on the DOE’s website.
- Requires the Florida Virtual School (FLVS) to offer computer science courses identified in the CCD. The bill requires a school district that does not offer a computer science course to provide students access to such course through the FVS or through other means.
- Creates opportunities for teachers to be certified and trained to teach computer science courses, and requires the DOE to award funding, subject to legislative appropriation, to a school district or a consortium of school districts to deliver or facilitate training for classroom teachers.

➤ **Statewide Assessments**

The bill specifies that a student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) course who

takes the respective AP, IB, or AICE assessments and earns the minimum score necessary to earn college credit does not have to take the required end-of-course assessment for the corresponding course.

The provisions in the bill related to computer science instruction take effect upon becoming law; the provisions related to offenses against students by an authority figure and trespass on school grounds or facilities take effect October 1, 2018. The remaining provisions take effect July 1, 2018.

Approved by the Governor on April 6, 2018 [Ch 2018-150](#).

## Public Employment and Business

### **House Bill 1013 (HB 1013) Daylight Saving Time**

This bill provides legislative approval for the State of Florida and its political subdivisions to observe daylight saving time year-round under certain conditions, and directs the Legislature to submit a request to the Secretary of the United States Department of Transportation to re-designate portions of the state in the Central Time Zone into the Eastern Time Zone.

Approved by the Governor on March 23, 2018, [Ch 2018-99](#). Effective Date is July 1, 2018.

### **Senate Bill 1940 (SB 1940) Public Records and Public Meetings/School Safety**

This bill creates three new public records exemptions. Each of these exemptions is related to legislation on school safety. The School Safety legislation provides for, among other things, enhancement of the School Safety Awareness Program (FortifyFL) through implementation of a new mobile suspicious activity reporting tool, the designation of school guardians and other safe-school officers, and the creation of the Marjory Stoneman Douglas High School Public Safety Commission.

First, the bill makes confidential and exempt from disclosure the identity of a reporting party received through the mobile suspicious activity reporting tool which is held by the Department of Law Enforcement, law enforcement agencies, or school officials. Without the exemption, a person may be fearful of reporting suspicious activity which could otherwise be used by law enforcement as a lead in preventing an incident of mass violence.

Another public records exemption is created to make exempt from disclosure information held by a law enforcement agency, school district, or **charter school** which would identify whether a particular individual has been appointed as a safe-school officer. The exemption is needed to maximize the effectiveness of safe-school officers, including adequately responding to an active assailant situation.

Finally, the bill makes exempt from disclosure a portion of a meeting of the Marjory Stoneman Douglas High School Public Safety Commission (commission) at which exempt or confidential and exempt information is discussed. In investigating failures in the Marjory Stoneman Douglas High School shooting and other mass violence incidents in the state, the commission will have for its review sensitive information that may already be protected from public records disclosure. Without the exemption provided in this bill, existing public records exemptions would be negated.

Each of these public records exemptions is subject to the Open Government Sunset Review and stands repealed October 2, 2023, unless the Legislature reviews the exemptions and saves them from repeal before that date.

Approved by the Governor on March 9, 2018 [Ch 2018-1](#). This act shall take effect on the same date as effective date of SB 7026 (March 9, 2018).

## KEY BILLS THAT FAILED TO PASS

### **HB 459: Public Records**

- This bill sought to remove the trade secret exemption from public records law, which would have persuaded bidders from submitting proposals, thus narrowing the procurement marketplace and diminishing competition.
- Died in Governmental Oversight & Accountability, 3/10/18.

### **SB 540/HB 831: Community College Competitiveness Act of 2018**

This legislation would have provided for a complete overhaul of the Florida College System:

- Created a 13-member State Board of Colleges (SBC) as the governing body (with rule-making responsibilities) for the System and transferred all powers and duties of State Board of Education (SBOE) to the SBC on Oct. 1, 2018;
  - SBC to be appointed by the Governor
  - Chancellor to be appointed by SBC by Nov. 1, 2018
- Revised the general duties and powers of the Commissioner of Education in regard to the Florida College System (FCS);
- Required cooperation between SBC and Board of Governors (BOG) on curriculum (including the state course numbering system) and transfer articulation matters, which was no substantive change;
- Defined primary mission of FCS, career centers and charter technical centers;

- Placed restrictions on Direct Support Organizations (DSO) in regard to use of state funds for personal services and DSO travel;
- Revised industry certification requirements for automotive service technology education programs;
- Prohibited FCS institutions from offering Bachelor of Arts degrees;
- Detailed the circumstances under which a baccalaureate degree program may be required to be terminated;
- Set total upper-level undergraduate FT equivalent (FTE) enrollment caps at each FCS institution (20%) and a baccalaureate enrollment cap for the FCS system-wide (10%);
- Specified conditions for planned and purposeful growth of baccalaureate degree programs;
- Established the “2+2” targeted pathway program to provide students guaranteed access to baccalaureate degree programs at state universities;
- Established “Supporting Students for Academic Success” program to fund the efforts of colleges in assisting students enrolled in an associate in arts (AA) degree program to complete college-credit courses, graduate with an AA degree, and transfer to a baccalaureate degree program;
- Revised performance funding metrics from the current 150% (3-year) and 200% (4-year) completion rates to 100% (2-year) completion for first-time-in-college, full-time students;
- Held FCS institutions accountable for the students who graduate from the FCS institution with their AA degrees and then those students must complete their upper-level undergraduate degrees at a university in 2 years; and
- Identified \$100 million in recurring performance and program funding for the FCS;
  - \$10 million in recurring funds for CAPE – Industry Certifications;
  - \$60 million in recurring funds for the Florida College Performance-Based Incentive (\$30 million state investment and \$30 million in institutional investment);
  - \$30 million in recurring funds for the Supporting Students for Academic Success Program, to be allocated to each college through the FCS Program Fund funding model.

Senate Bill 540 passed through each of its referenced committees but was never heard by the full Senate. House Bill 831 was never taken up for consideration and therefore, the policy died on calendar.

**SB 702: Criminal History Records in Applications for Public Employment and Admission to Public Postsecondary Educational Institutions**

- Would have prohibited a public employer from inquiring into or considering an applicant’s criminal history on an initial employment application unless required to do so by law; would have also prohibited public postsecondary educational institutions from inquiring into or considering the criminal history of an applicant seeking admission.
- Died in Governmental Oversight and Accountability, 3/10/18.

**HB 711: Pre-apprenticeship and Apprenticeship Programs**

- Would have created Earn & Learn Grant Program within DOE and provided requirements for pre-apprenticeship and apprenticeship programs receiving grant funds; and
- Would have established Task Force on Apprenticeship expansion within DEO with required report to Governor and Legislature by specified date.
- Died in PreK-12 Quality Subcommittee, 3/10/18.

**SB 722: Retirement**

- Would have specified the minimum amount of the factor used to calculate the cost-of-living adjustment of benefits for certain retirees and beneficiaries of the Florida Retirement System.
- Died in Appropriation Subcommittee, 3/10/18.

**HB 779: Education Facilities as Emergency Shelters**

- Would have required education facilities that have received public education capital outlay funding be made available to county and state emergency management offices during state of emergency for specified purposes.
- Died in Education Committee, 3/10/18.

**HB 977: Retirement of Instructional Personnel and Administrative Personnel**

- Would have revised limitations on maximum length of participation in DROP for certain instructional personnel and administrative personnel; and
- Would have required employer to notify Division of Retirement of DMS regarding any change in termination date and program participation for each affected member.
- Died in Messages, 3/10/18.

**SB 1440: Mental Illness Training for Law Enforcement Officers**

- Would have required the Department of Law Enforcement to establish a continued employment training component relating to mental illness.
- Died in Senate Appropriations, 3/10/18.

**HB 7003 and HB 7005: Local Government Ethics Reform & Trust Fund**

- Would have strengthened the financial disclosure requirements of local government officials;
- Would have expanded conflicting employment or contractual relationship obligations, ethics training obligations, voting conflicts;
- Would have required Commission on Ethics to create Local Government Lobbyist Registration System and required lobbyists to register with commission before lobbying specified governmental entities;
- **HB 7005** would have further created Local Government Lobbyist Trust Fund within Commission on Ethics.
- Both died in Senate Ethics and Elections, 3/10/18.

**HB 7009: Workers' Compensation**

- Would have required panel to annually adopt statewide workers' compensation schedules of maximum reimbursement allowances; extended timeframes in which employees received certain benefits and in which the carrier must notify treating doctor of certain requirements; and
- Would have revised provisions relating to retainer agreements and award of attorney fees.
- Died in Senate Banking and Insurance, 3/10/18.

**SB 1242: Carrying of Weapons and Firearms**

- Would have provided that specified provisions relating to the carrying of weapons and firearms do not apply to persons engaged in, traveling to, or returning from certain outdoor activities or traveling to or returning from certain motor vehicles, residences, shelters and other places.
- Died in Senate Judiciary, 3/10/18.

**SB 1048: Firearms**

- Would have authorized a church, a synagogue or other religious institution to allow a concealed weapons or concealed firearm licensee to carry a concealed handgun in certain established physical places of worship under certain circumstances.
- Died 3/10/18.

**SB 1006 : Disaster Response and Preparedness**

- Would have modified requirements for the state comprehensive emergency management plan and statewide public awareness programs administered by the Division of Emergency Management;
- Would have required DMS to establish and maintain a registry with homeless shelters and services providers for specified purposes;
- Would have required that, upon the request of the director of a local emergency management agency, FCS institutions and state universities participate in emergency management activities through the provision of facilities and personnel, etc.
- Died in Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development, 3/10/18.

**HB 1249: Search of the Content, Information and Communications of Cell Phones, Portable Electronic Communication Devices and Microphone-Enabled Household Devices**

- Would have prohibited unlawful access to communications stored in specified devices and required law enforcement to obtain a warrant to acquire certain location information; provided procedures for such warrants; provided limited exceptions in certain circumstances.
- Died on second reading, 3/10/18.

**HB 7073: Government Integrity**

- Would have created the Florida Accountability Office and provided duties and responsibilities of Florida Accountability Officer for ensuring accountability and reducing waste in state and local governments;

- Provided investigative duties to Chief Inspector General and agency inspectors general and required report to the CFO within specified timeframe;
- Provided liability; authorized CFO to commence investigation on complaint from state employee; required certain records be sent to Florida Accountability Officer; required agency inspectors general to make certain reports; authorized and provided requirements for whistle-blower awards; required specific documentation for certain legal claims;
- Provided requirements for certain contracts and prohibited certain employees from negotiating and awarding state contracts;
- Revised list of contractual services and commodities not subject to competitive-solicitation requirements; and
- Prohibited certain funds be paid to state contractor or subcontractor; provided school board member shall receive certain documents upon request; required certain school districts employ internal auditor; provided duties of such auditor; authorized Office of the Auditor General to use carry-forward funds to fund Florida Accountability Office.
- Died in Senate Messages, 3/10/18.

**SB 88: High School Graduation**

- Would have revised the requirements for the Next Generation Sunshine State Standards to include financial literacy and the required credits for a standard high school diploma to include one-half credit of instruction in personal financial literacy and money management and seven and one-half, rather than eight credits in electives.
- Withdrawn from consideration by House and died in Messages, 3/10/18.

## **FLORIDA CONSTITUTION REVISION COMMISSION (CRC) Constitutional Amendment Proposal P6002**

The Constitution Revision Commission is one of several ways that Floridians can amend the state constitution. The Florida Constitution dictates the creation of a Constitution Revision Commission (CRC) every 20 years for the purpose of reviewing the state constitution and proposing changes for voter consideration. Beginning in 1977, a Commission has convened three times, most recently in 2017. On April 16, 2018, the Constitution Revision Commission (CRC) approved eight proposed revisions to be placed on the 2018 General Election ballot (November 6, 2018) for voter consideration. Pursuant to Article XI, Section 2 of the Florida Constitution, these proposals must secure at least 60 percent voter approval to become law.

Constitutional revision provisions are bundled, so that each proposal must be approved. In the case of P6002 (<http://flcrc.gov/Proposals/Commissioner/2017/6002>), the proposal would create Section 8 of Article IX of the State Constitution to specify the purposes of the state college system, establish the governance structure of the system, and provide that each state college system institution be governed by a local board of trustees. (It would also amend Section 7 of Article IX of the State Constitution to establish minimum vote thresholds for university boards of trustees and the board of governors to impose or authorize a new fee or increase an existing fee, as authorized by law, and create a new section in Article X of the State Constitution to establish the right of survivors of specified first responders and military members to death benefits.)

Specifically, the provisions of Section 8 of Article IX related to the state college system would be as follows:

**SECTION 8. State College System.—**

(a) **PURPOSES.** In order to achieve excellence and to provide access to undergraduate education to the students of this state; to originate articulated pathways to a baccalaureate degree; to ensure superior commitment to teaching and learning; and to respond quickly and efficiently to meet the demand of communities by aligning certificate and degree programs with local and regional workforce needs, the people hereby establish a system of governance for the state college system of Florida.

(b) **STATE COLLEGE SYSTEM.** There shall be a single state college system comprised of all public community and state colleges. A local board of trustees shall govern each state college system institution and the state board of education shall supervise the state college system.

(c) **LOCAL BOARDS OF TRUSTEES.** Each state college system institution shall be governed by a local board of trustees dedicated to the purposes of the state college system. A member of a board of trustees must be a resident of the service delivery area of the college. The powers and duties of the boards of trustees shall be provided by law. Each member shall be appointed by the governor to staggered 4-year terms, subject to confirmation by the senate.

(d) **ROLE OF THE STATE BOARD OF EDUCATION.** The state board of education shall supervise the state college system as provided by law.



## GLOSSARY OF ABBREVIATIONS/DEFINITIONS

<b>ACC</b>	Articulation Coordinating Council
<b>BOG</b>	Board of Governors for the State University System
<b>BOT</b>	Board of Trustees
<b>CAPE</b>	Career and Professional Education
<b>CIE</b>	Council for Independent Education
<b>COP</b>	Council of Presidents
<b>CS</b>	Committee Substitute
<b>DBPR</b>	Department of Business and Professional Regulation
<b>DCF</b>	Department of Children and Families
<b>DMS</b>	Department of Management Services
<b>DOE</b>	Department of Education
<b>EOC</b>	End of Course (exam)
<b>FCS</b>	Florida College System
<b>FCSPF</b>	Florida College System Program Fund
<b>FCO</b>	Fixed Capital Outlay
<b>FAFSA</b>	Free Application for Federal Student Assistance
<b>FERPA</b>	Family Educational Rights and Privacy Act
<b>FS</b>	Florida Statute
<b>GAA</b>	General Appropriations Act, also referred to as the budget
<b>HB</b>	House Bill
<b>HECC</b>	Higher Education Coordinating Council
<b>ICUF</b>	Independent Colleges and Universities of Florida
<b>Line Item</b>	The number attached to an appropriation or proviso in the GAA
<b>PECO</b>	Public Education Capital Outlay
<b>PECO Sum of Digits</b>	Funds provided to the colleges for maintenance that is based upon square feet of facility space at the institution
<b>Proviso</b>	Language that directs specific instructions regarding an appropriation in the GAA
<b>SACS</b>	Southern Association of Colleges and Schools (accreditation body)
<b>SB</b>	Senate Bill
<b>SBE</b>	State Board of Education
<b>SCCSORP</b>	State Community College System Optional Retirement Program
<b>SMSOAP</b>	Senior Management Service Optional Annuity Program
<b>SPC</b>	St. Petersburg College
<b>VTC</b>	Vocational Technical Center



\*Prepared by the Office of the General Counsel, St. Petersburg College, with excerpts taken from the 2018 Legislation Session Report, prepared by the Florida College System Institutional Lobbyists, Association of Florida Colleges staff and lobbyists, and with appreciation of the Florida Department of Education.