



Florida College System Legislative Updates

Finance/Business Affairs

Wednesday, July 28, 2021

1:00 p.m. – 2:15 p.m. EDT



FLORIDA DEPARTMENT OF
EDUCATION
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Webinar Logistics

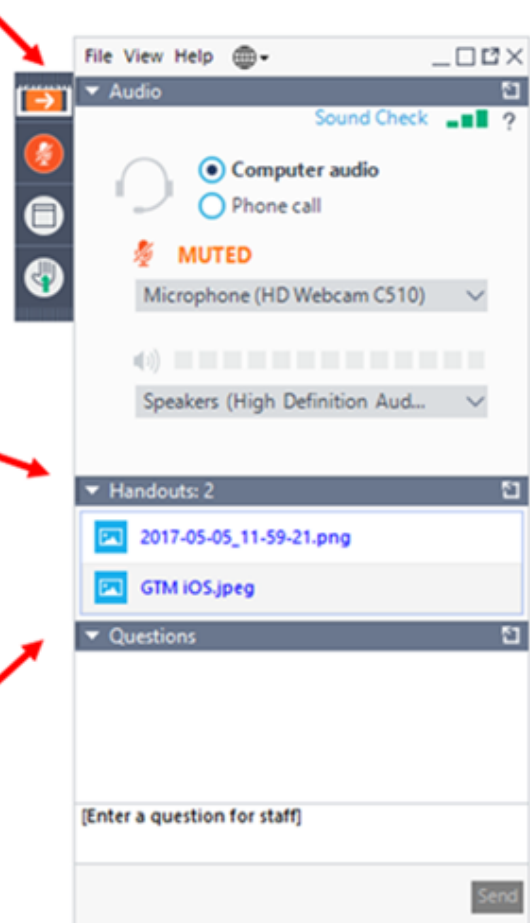
Participants will be on mute for the duration of the webinar.

Material from today's webinar:

In the handouts area you will find a copy of today's presentation.

How to submit questions:

To submit questions during the webinar, please utilize the Questions function. During the Q&A portion of the webinar, questions will be addressed.



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Florida Postsecondary Academic Library Network

- House Bill (HB) 847 amends section (s.) 1006.73, Florida Statutes (F.S.), by directing the Board of Governors and the State Board of Education to oversee the chosen host entity that will deliver the services of the postsecondary library network, statewide internet-based catalog of distance learning courses and online student advising services.
- The Chancellors of the State University System and Florida College System (FCS) will provide an annual report on the performance of the host entity to the Governor, President of the Senate, Speaker of the House, Board of Governors and State Board of Education (SBOE).
- By June 1, 2022, the Commissioner of Education and Chancellor of the Board of Governors will provide a recommendation on a process for career centers to access these services which would include an analysis of resources to expand access.
- Effective Date: July 1, 2021.

Workers' Compensation

- Senate Bill (SB) 366 creates s. 446.54, F.S., to reimburse employers, including school districts and FCS institutions, the workers' compensation premium for students in work-based learning opportunities. The bill specifies that the institution is considered an employer when the student is 18 years or younger and providing unpaid services under a work-based learning opportunity provided by the institution.
- The Department is developing an allocation plan for employer institutions based on the \$2 million appropriation.

Foreign Gifts and Contracts

- HB 7017 creates s. 286.101, F.S., to require institutions that receive a \$50,000 gift or grant from a foreign source to report the gift or grant to the Department of Financial Services (DFS). Institutions that fail to report these gifts or grants may receive financial penalties and a referral to remove the responsible officer for the noncompliance.
- DFS will open rule development to implement the new requirements by December 31, 2021. The link to the DFS form is <https://www.myfloridacfo.com/transparency>

Foreign Gift and Contract Reporting

- HB 7017 creates s. 1010.25, F.S., to require institutions to provide a semiannual report (January 31 and July 31) of any gift, grant or contract from a foreign source with a value of \$50,000 or more. The bill prescribes reporting requirements and specific contract disclosures.
- Beginning July 1, 2022, the Inspectors General of the Board of Governors and Department of Education will randomly test for compliance. Institutions who fail to report or willfully fail to disclose may be sanctioned and fined by the Department.
- Effective Date: July 1, 2021.

International Cultural Agreements

- HB 7017 creates s. 288.860, F.S., to prohibit institutions from participating in certain agreements with the following foreign countries of concern:
 - China
 - Russia
 - Iran
 - North Korea
 - Cuba
 - Venezuela
 - Syria
 - Also, any entity that is controlled by these foreign countries.

Immunity for Actions Related to COVID-19

- HB 1261 creates s. 768.39, F.S., to provide liability protection against lawsuits seeking tuition or fee reimbursements resulting from the campus wide changes during the pandemic.
- The bill requires the institutions to have taken reasonably necessary actions to diminish the impact of COVID-19.
- Effective Date: July 1, 2021.

Duties Relating to Financial Aid

- HB 1261 creates s. 1009.46, F.S., to require institutions that receive state financial aid to perform the following:
 - Submit the completed application for state financial aid to the Department.
 - Maintain accurate student records documenting the administration of the state financial aid.
 - Verify eligibility of enrolled students.
 - Report each student's program of study to the Department.
 - Disburse state financial aid to eligible students.
 - Notify students annually regarding the renewal requirements.
 - Return all legislatively required reports.
 - Retain required records for 5 years or until such records are audited and exceptions are resolved.
 - Refund any undisbursed advances to the Department within 60 days after the end of the regular registration period for fall and spring terms, 30 days after end of summer term or within 60 days after the date of student's ineligibility.

Duties Relating to Financial Aid Continued

- Institutions that fail to follow these requirements will be placed on probation, placed on a reimbursement basis or have their participation in the program suspended or revoked.
- Effective Date: July 1, 2021.

Benacquisto Scholarship Program

- HB 1261 amends s. 1009.893, F.S., to cap the initial eligibility for nonresident students to qualify for the Benacquisto Scholarship Program in the 2021-2022 academic year.
- Effective Date: July 1, 2021.

Dual Enrollment Scholarship Program

- SB 52 creates s. 1009.30, F.S., to reimburse postsecondary institutions for tuition and related instructional materials for dual enrolled students beginning in fall 2021.
- The appropriation provides \$15.5 million to public postsecondary institutions for private and home education students in the fall or spring terms and all students during the summer term.
- The bill also requires biannual reporting by the institutions for FDOE to reimburse by the bill's deadline.
- FDOE will open the rule for development and continue to provide technical assistance in the implementation of this section.
- Effective Date: July 1, 2021.

Open Door Grant Program

- HB 1507 creates s. 1009.895, F.S., to establish the Open Door Grant Program (Open Door), which will provide funds to support student completion of short-term, high-demand credit and non-credit career and technical education (CTE) programs at:
 - School district postsecondary technical career centers under s. 1001.44, F.S.
 - Charter technical career centers under s. 1002.34, F.S.
 - Florida College System (FCS) institutions s. 1000.21(3), F.S.
- To support implementation of Open Door, the Florida Legislature appropriated:
 - \$15,000,000 for school district career centers.
 - \$20,000,000 for FCS institutions.

Open Door Grant Program Continued

The Open Door Grant Program was established for the purpose of:

- Creating and sustaining a demand-driven supply of credentialed workers for high-demand occupations by addressing and closing the gap between the skills needed by workers in the state and the skills of the available workforce in the state.
- Expanding the affordability of workforce training and credentialing.
- Increasing the interest of current and future workers in short-term, high-demand career and technical education credentialing and certificate programs.

Open Door Grant Program Continued

- Awards to institutions are available on a first-come, first-serve basis.
- No more than one-quarter of the appropriated funds may be disbursed annually to any one institution.
- At least one-quarter of the funds are prioritized for rural institutions.
- Also prioritized is funding for integrated education and training programs in which institutions establish partnerships with local workforce development boards to provide basic skills instruction, contextually and concurrently, with workforce training that results in the award of credentials under s. 445.004(4), F.S.
- Students must complete the Free Application for Federal Student Aid (FAFSA) to be eligible for the program.

Open Door Grant Program Continued

- Subject to the availability of funds, if an eligible student enrolled in an eligible program is:
 - In receipt of state or federal aid, grant funds are awarded to cover the unmet need after all eligible aid is applied to the student's account. ("Last Dollar")
 - Not in receipt of state or federal aid at the time of enrollment, the student is responsible for paying one-third of the cost of the program up front. The institution is then eligible to receive the remaining program costs once the student completes the certificate or degree and associated industry certification. ("Student Investment")
- The award amount may not exceed \$3,000 per student per eligible program.
- The State Board of Education is required to adopt rules to implement this program.

Open Door Grant Program Continued

- FDOE held a rule workshop on July 16, 2021. This rule is being considered by the SBOE at its August 2021 meeting.
- The rule includes sections on:
 - Definitions
 - Student eligibility criteria
 - Student investment grants
 - Last dollar grants
 - Application process
 - Institutional requirements
 - Required reporting

Money Back Guarantee Program

- HB 1507 creates s. 1011.803, F.S., to require each FCS institution to create a money-back guarantee program that will refund tuition to students who are unable to find employment in their field of study within six months of completion of certain workforce education programs.
- The Labor Market Estimating Conference (LMEC) created in s. 216.136, F.S., will identify a statewide needs list that includes programs leading to in-demand and middle-level to high-level wage occupations. FCS institutions will need to create money-back guarantee program for:
 - A minimum of three workforce education programs on the LMEC statewide needs list, or at least 50 percent of workforce education programs if the institution offers six or fewer programs.
 - All workforce education programs that are not on the LMEC statewide needs list but are established to meet a critical local economic industry need.

Money Back Guarantee Program Continued

- FCS institutions will need to review their program offerings against the statewide needs list to determine the programs that will be offered with a money-back guarantee. Additionally, FCS institutions must establish student eligibility requirements, including student attendance, career service attendance, participation in internships or work-study, job search documentation and development of a student career plan.
- The money-back guarantee program begins in the 2022-2023 academic year. By July 1, 2022, each institution must notify the SBOE of the money-back guarantee programs they offer and include information about these programs on their respective website(s). Annually, colleges will be required to report performance results to FDOE. FDOE will provide institutions with additional information regarding the LMEC's list and reporting requirements as soon as available.

Other Topics of Interest

- HB 233 amends various sections of Florida Statutes to add a requirement for institutions to conduct an annual assessment of intellectual freedom and viewpoint diversity created or selected by the SBOE; to prohibit FCS institutions from shielding students', faculty members' and staff members' access to, or observation of, ideas and opinions they may find uncomfortable or unwelcome; and to provide the conditions under which a student may record video or audio of class lectures.
- HB 1028 creates s. 1006.205, F.S., to maintain fairness for women as it relates to participation in interscholastic, intercollegiate, intramural or club athletic teams or sports.
- HB 1507 creates s. 1006.75, F.S., to require each FCS institution ensure their respective student career centers provide certain career planning services.

FCS Institution Actions Following 2021 Legislative Session

Bill Number	Section	Topic	Florida Statutes	May require review of local policy and/or procedure	May require data or information to be submitted to the state
HB 847	4	Florida Postsecondary Academic Library Network	s. 1006.73	Not anticipated	Not anticipated
SB 366	2	Workers' Compensation	s. 446.54	Yes	Yes
HB 7017	1	Foreign Gifts and Contracts	s. 286.101	Yes	Yes
HB 7017	2	International Cultural Agreements	s. 288.860	Yes	Yes
HB 7017	3	Foreign Gift Reporting	s. 1010.25	Yes	Yes
HB 1261	1	Immunity for Actions Related to COVID-19	s. 768.39	Not anticipated	Not anticipated
HB 1261	6	Duties Relating to Financial Aid	s. 1009.46	Yes	Yes
HB 1261	11	Benacquisto Scholarship Program	s. 1009.893	Yes	Yes
SB 52	4	Dual Enrollment Scholarship Program	s. 1009.30	Yes	Yes
HB 1507	34	Open-Door Grant Program	s. 1009.895	Yes	Yes
HB 1507	38	Money Back Guarantee Program	s. 1011.803	Yes	Yes

The Florida College System – Summary Budget Side-by-Side June 2, 2021 – After Vetoes

	2020-21	
Funding Category	Current Year Budget	Senate Bill 2500 Conference Report After Vetoes June 2, 2021
Program Fund	1,232,409,534	1,293,398,723
Non-Program Fund Appropriations	30,550,000	54,076,322
Performance-Based Incentives	14,000,000	14,000,000
Commission on Community Service	983,182	983,182
Total State Funds	1,277,942,716	1,362,458,227
\$ Increase Over Prior Year		84,515,511
% Increase Over Prior Year		6.61%
Tuition Increase	0%	0%

Florida College System Funding

Florida College System – Total Funds of \$1.36 billion

- Recurring funds to the colleges:
 - \$1.2 billion in Program Funds
 - Includes \$30 million for Student Success Incentive Funds Realignment
- Nonrecurring funds to the colleges:
 - \$25 million for Student Success Incentive Funds
 - \$20 million for Open Door Grant Program
 - \$14 million for Performance-Based Incentive funds for Industry Certifications
- Other funding for the system
 - \$9.1 million for Postsecondary Academic Library Network which will go directly to the host entity.

Florida College System Funding

Fixed Capital Outlay Appropriations

- Florida College System received appropriations for 20 projects at 18 institutions
 - PECO (4 projects) \$15,421,126
 - General Revenue (GR) (1 project) \$10,628,108
 - Contingent GR GAA Sec. 152 (15 projects) \$97,355,738*
- Total projects \$123,404,972

*Note: Contingent GR project amounts have been prorated to \$79,578,938.

Florida College System Funding

General Appropriations Act Section 152 also appropriated \$350 million for a Deferred Building Maintenance Program for state, college, and university facilities. The amount has since been prorated to \$286 million. Proposed college projects have been submitted to DOE for review. DOE will submit a consolidated college project list to the governor's office by August 2nd for determination of funding.



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Q&A

Resources

State Board Rules Under Review

<https://web02.fldoe.org/Rules/Default.aspx>

2021 FCS Legislative Webinar Recordings

<https://www.gotostage.com/channel/160535c1bdb84db88c27a16d288cc212>

FCS Statewide Communications

<https://www.fldoe.org/schools/higher-ed/fl-college-system/communications.shtml>

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