



# Florida College System Legislative Updates

## Student Affairs

Wednesday, July 28, 2021

9:00 a.m. - 10:15 a.m. EDT



FLORIDA DEPARTMENT OF  
**EDUCATION**  
fldoe.org

# Webinar Logistics

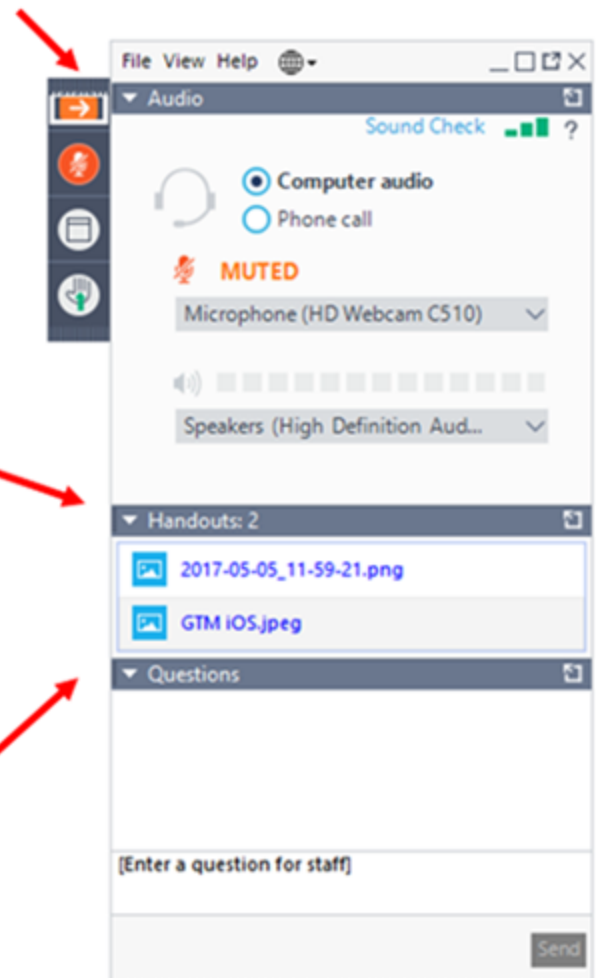
Participants will be on mute for the duration of the webinar.

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.



# Division of Florida Colleges Presenters

**Dr. Carrie Henderson**

Executive Vice Chancellor

[carrie.henderson@fldoe.org](mailto:carrie.henderson@fldoe.org)

**Dr. Shanna Autry**

Director, Student Affairs

[shanna.autry@fldoe.org](mailto:shanna.autry@fldoe.org)

**Dr. Mike Sfiropoulos**

Director, Academic Affairs

[mike.sfiropoulos@fldoe.org](mailto:mike.sfiropoulos@fldoe.org)

## Student Codes of Conduct

- House Bill (HB) 233 amends section (s.) 1006.60, Florida Statutes (F.S.), to require FCS institutions to adopt codes of conduct and appropriate penalties for violations of codes for students and student organizations.
- Currently, the statute allows institutions to adopt codes and penalties, but does not require them to do so.
- HB 233 requires institutions to post their codes on their websites.
- Additionally, the bill specifies the due process protections for students and student organizations

## Student Codes of Conduct Continued

- Specifically, students and student organizations have the right:
  - to timely notice;
  - of a presumption that no violation occurred;
  - to an impartial hearing officer;
  - against self-incrimination and to remain silent;
  - to present relevant information and question witnesses;
  - to have an advisor or advocate who is not serving in any other role;
  - to have an advisor, advocate or legal representation present at formal and informal proceedings;
  - to appeal final decision; and
  - to receive copies of accurate and complete records of relevant disciplinary proceedings; and
  - to be notified through the code of conduct of the institution's time limit for charging them with violations, and the circumstances under which the time limit may be extended or waived.

## Student Codes of Conduct Continued

- Institutions should review existing codes of conduct and procedures to determine if they meet the criteria established by HB 233.
- If the current student code of conduct and procedures do not meet the criteria, institutions should modify existing policies and procedures to comply.
- Effective Date: July 1, 2021.

## Fairness in Women's Sports

- Senate Bill (SB) 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. Public secondary and postsecondary institutions must expressly designate teams or sports based on the biological sex at birth, as:
  1. Males, men or boys. These may be open to students of the female sex.
  2. Females, women or girls. These may not be open to students of the male sex.
  3. Coed or mixed, including both males and females.
- Official birth certificates filed at or near the student's birth are considered to correctly reflect their biological sex.

## Fairness in Women's Sports Continued

- SB 1028 also provides a private cause of action for injunctive relief, damages and any other relief available under law for students, schools and public postsecondary institutions harmed by a violation of the bill's provisions. Civil actions must be brought within two years after the alleged harm occurred.
- Effective Date: July 1, 2021.



## High School Equivalency Diploma

- SB 366 amends s. 1007.263, F.S., revising the requirements for admission to associate degree programs.
- The amendment allows for acceptance of a high school equivalency diploma that is:
  - issued by another state;
  - recognized as equivalent by State Board of Education (SBOE) rule; and
  - based on an assessment recognized by the U.S. Department of Education.
- FDOE held a rule workshop on July 7, 2021. This rule is being considered by the SBOE at its August 2021 meeting.
- Once the rule is effective, FCS institutions should update current policies and/or create new ones to comply with the provisions outlined in SB 366.

# High School Equivalency Diploma Continued

## 6A-10.0240 Minimum Standards for Out-of-state High School Equivalency Diplomas.

This rule establishes the following minimum standards for a high school equivalency diploma issued by a state other than Florida for the purpose of admission to an associate degree program at Florida College System institution:

- (1) The diploma was issued based on a student achieving a passing score on the High School Equivalency Test (HiSET), the Test Assessing Secondary Completion (TASC), or the California High School Proficiency Exam; or
- (2) The diploma was issued based on a student achieving a combination of passing scores on HiSET, TASC or GED® subtests.

Rulemaking Authority 1007.263(2)(a), and 1001.02(1), F.S. Law Implemented 1007.263, F.S. History–New

# High School Equivalency Diploma Continued

## Data Element 1008

### High School Graduation Code

#### Characteristics

|                       |                      |
|-----------------------|----------------------|
| Length:               | 1                    |
| Data Type:            | Alphanumeric         |
| Physical Description: | X (1)                |
| Record Type(s):       | 1                    |
| Last Modified:        | 07/02/2021 6/15/2021 |

#### Data Element is used in the Following Reports:

- Exceptions
- FETPIP (Enrollments)

#### Description:

Indicates the student's high school graduation status.

#### TABLE VALUES

- A Standard high school diploma was awarded (W06, W6A, W6B, W43, W52, W54, W55, W58, W59, W61, W62, W63, WFA, WFB, WFT, WFW, WRW, WWE, WWT, WWW, WXL, WXT, WXW, WCO, W60)
- B High school GED® was attained (W10, W45, WGA, WGD)
- C Home Education Program Affidavit
- D Certificate of Completion – Met all requirements except for FCAT (W08, W8A, W8C, W53, W56)
- K Standard High School Diploma (Deferred Receipt) (WD1)
- O Other Diploma or Certificate of Completion (W07, W8B, W09, W27, W57, WPR)
- S State-recognized high school equivalency diploma awarded by a state other than Florida to a student who earned a passing score on the High School Equivalency Test (HISET®), the Test Assessing Secondary Completion (TASC™), the California High School Proficiency Exam, or a combination of GED®, HISET®, and/or TASC™.
- X Unknown, not reported, or not applicable (e.g., student is still in secondary school, dropout)

#### NOTES:

1. Diploma types for Florida high school graduates are defined and described, with corresponding Florida statutes or administrative code, at <http://www.fldoe.org/accountability/data-sys/database-manuals-updates/>.
2. Certificate of Completion is described in section 1003.433(2)(b), Florida Statutes.

## Student Career Services

- HB 1507 creates s. 1006.75, F.S., to require each FCS institution ensure their respective student career centers prepare students for employment. Career service centers must, to the extent possible, use state career planning resources to assist students with:
  - Career exploration and identification
  - Distinguishing in-demand jobs and the expected earnings
  - Understanding specific job skills and credentials
  - Discovering on-the-job experience opportunities
  - Creating digital resumes
- FCS institutions should review the new requirements to ensure their current student career services centers offer the mandatory services, and to the extent state resources can assist. The bill took effect on July 1, 2021.

# Fee Exemptions – Students Experiencing Homelessness

- SB 366 amends s. 1009.25, F.S., to grant SBOE the authority to adopt rules regarding documentation and procedures to implement the fee exemption for students experiencing homelessness.
- In fall 2021, FDOE will solicit input from college stakeholders including registrars and homeless liaisons to inform rule development.
- Once SBOE adopts the rule, FDOE will offer technical assistance and guidance to assist FCS institutions in implementing the new provisions.

## Safety of Religious Institutions

- HB 259 amends s. 790.06, F.S., to authorize a licensed person to carry a concealed weapon or firearm on property that is owned, rented, leased or borrowed by a religious institution. The bill takes effect upon signature of the Governor.

## 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

## Other Topics of Interest

- HB 1261 creates s. 1009.46, F.S., specifying requirements for institutions who receive state financial aid.
- HB 1261 amends s. 1009.893, F.S., to cap the initial eligibility for nonresident students to qualify for the Benacquisto Scholarship Program in 2021-2022 academic year.
- HB 7017 creates s. 288.860, F.S., to prohibit institutions from participating in certain agreements with a foreign country of concern.
- HB 233 amends s. 1004.097, F.S., 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, unwelcome; and to provide the conditions under which a student may record video or audio of class lectures.
- SB 366 modifies s. 1007.23, F.S., to require the Statewide Articulation Agreement to establish three mathematics pathways for students.

## Other Topics of Interest

- SB 366 amends multiple Florida Statutes to expand the mechanisms institutions may use to assess readiness for college-level work for college credit admissions, dual enrollment eligibility and meta-major and developmental education placement.
- 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.
- HB 1507 modifies s. 1007.25, F.S., to require students entering an AS/AAS program complete at least one identified core course in each general education subject area.
- HB 1507 modifies s. 1007.25, F.S., to require all public postsecondary institutions to award students a nationally recognized digital credential upon completion of identified general education core courses.
- SB 1108 amends s. 1007.25, F.S., to require students initially entering an FCS institution in 2021-22 and thereafter to complete a course and pass an assessment to demonstrate competency in civic literacy.

## Other Topics of Interest

- SB 52 creates s. 1009.30, F.S., to establish the Dual Enrollment Scholarship Program. Beginning in fall 2021, postsecondary institutions may be reimbursed for tuition and related instructional materials for private school and home education dual enrolled students for fall and spring. Beginning in summer 2022, postsecondary institutions may be reimbursed for tuition and related instructional materials for all dually enrolled students.
- HB 847 amended s. 1006.73, F.S., by directing the Board of Governors and SBOE to oversee the chosen host entity who will deliver the services of the postsecondary library network, statewide internet-based catalog of distance learning courses and online student advising services.

# FCS Institutions Actions Following 2021 Legislative Session

## Appendix A: 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 |
|-------------------------|---------|---|------------------|---|--|
| <a href="#">HB 233</a>  | 5       | Student Codes of Conduct                            | s. 1006.60       | Yes   | Yes  |
| <a href="#">SB 1028</a> | 12      | Fairness in Women's Sports                          | s. 1006.205      | Yes   | Not anticipated  |
| <a href="#">SB 366</a>  | 4       | High School Equivalency Diploma                     | s. 1007.263      | Yes   | Yes  |
| <a href="#">HB 1507</a> | 28      | Student Career Services                             | s. 1006.75       | Yes   | Not anticipated  |
| <a href="#">SB 366</a>  | 7       | Fee Exemptions - Students Experiencing Homelessness | s. 1009.25       | Yes   | Yes, through current reporting mechanisms                    |
| <a href="#">HB 259</a>  | 1       | Safety of Religious Institutions                    | s. 790.06        | If applicable                                       | Not anticipated  |
| <a href="#">HB 1507</a> | 34      | Open-Door Grant Program                             | s. 1009.895      | Yes   | Yes  |



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# Q&A



## Additional Webinar Opportunities

| Topic               | Webinar Details                                      | Registration Link   |
|---------------------|--|---|
| Academic Affairs    | Tuesday, July 27, 2021, from 9:00 – 10:15 a.m. EDT   |   |
| Workforce Education | Tuesday, July 27, 2021, from 1:00 – 3:00 p.m. EDT    | Recordings will be available at <a href="https://www.gotostage.com/channel/160535c1bdb84db88c27a16d288cc212">https://www.gotostage.com/channel/160535c1bdb84db88c27a16d288cc212</a> |
| Student Affairs     | Wednesday, July 28, 2021, from 9:00 – 10:15 a.m. EDT |   |
| Business Affairs    | Wednesday, July 28, 2021, from 1:00 – 2:15 p.m. EDT  | <a href="https://attendee.gotowebinar.com/register/1592722173715646991">https://attendee.gotowebinar.com/register/1592722173715646991</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.stml>

# Division of Florida Colleges Contacts

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