



Post-Secondary Education Subcommittee

Wednesday, March 13, 2017

1:00 PM

306 HOB

Action Packet

**Richard Corcoran
Speaker**

**Elizabeth Porter
Chair**

COMMITTEE MEETING REPORT
Post-Secondary Education Subcommittee

3/13/2017 1:00PM

Location: Mashburn Hall (306 HOB)

Summary:

Post-Secondary Education Subcommittee

Monday March 13, 2017 01:00 pm

HB 351	Favorable	Yeas: 11	Nays: 3
HB 501	Favorable With Committee Substitute Amendment 777463 Adopted Without Objection	Yeas: 14	Nays: 0
HB 859	Favorable With Committee Substitute Amendment 034823 Adopted Without Objection	Yeas: 14	Nays: 0
HB 1079	Favorable	Yeas: 14	Nays: 0

Committee meeting was reported out: Monday, March 13, 2017 3:30PM

COMMITTEE MEETING REPORT
Post-Secondary Education Subcommittee

3/13/2017 1:00PM

Location: Mashburn Hall (306 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Elizabeth Porter (Chair)	X		
Larry Ahern	X		
Ramon Alexander	X		
Robert Asencio	X		
Bryan Avila	X		
Charles Clemons, Sr.	X		
Robert Cortes	X		
Thomas Leek	X		
MaryLynn Magar	X		
Amber Mariano	X		
Mel Ponder	X		
David Silvers	X		
Carlos Smith	X		
Richard Stark	X		
Jay Trumbull	X		
Totals:	15	0	0

Committee meeting was reported out: Monday, March 13, 2017 3:30PM

COMMITTEE MEETING REPORT
Post-Secondary Education Subcommittee

3/13/2017 1:00PM

Location: Mashburn Hall (306 HOB)

HB 351 : Pub. Rec. and Meetings/Postsecondary Education Executive Search

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Ramon Alexander	X				
Robert Asencio		X			
Bryan Avila	X				
Charles Clemons, Sr.			X		
Robert Cortes	X				
Thomas Leek	X				
MaryLynn Magar	X				
Amber Mariano	X				
Mel Ponder	X				
David Silvers	X				
Carlos Smith		X			
Richard Stark		X			
Jay Trumbull	X				
Elizabeth Porter (Chair)	X				
Total Yeas: 11		Total Nays: 3			

Appearances:

Proffitt, Jennifer (State Employee) - Opponent
 President, United Faculty of Florida
 115 N Calhoun Street Suite 6
 Tallahassee FL 32301
 Phone: 850-224-8220

Holliday, Matthew (Lobbyist) - Proponent
 Florida SouthWestern State College
 Director, Governmental Relations
 8099 College Pkwy Office of the President
 Fort Myers FL 33919
 Phone: (239) 826-7864

Alvarez, JoAnne (General Public) - Waive In Opposition
 FOPE
 16659 SW 6 Street
 Pembroke Pines FL 33027
 Phone: 954-629-9970

Carroll, Albert (General Public) - Waive In Opposition
 4945 37 Avenue N
 St. Petersburg FL 32310
 Phone: 727-742-1640

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COMMITTEE MEETING REPORT
Post-Secondary Education Subcommittee

3/13/2017 1:00PM

Location: Mashburn Hall (306 HOB)

HB 351 : Pub. Rec. and Meetings/Postsecondary Education Executive Search (continued)

Appearances: (continued)

Templin, Rich (Lobbyist) - Opponent

Florida AFL-CIO
135 S. Monroe
Tallahassee FL 32301
Phone: 850-224-6926

Mattox, William (General Public) - Waive In Support

James Madison Institute
100 N Duval Street
Tallahassee FL
Phone: 850-386-3131

Elliott, Orville (General Public) - Waive In Opposition

101-78th Ave NE
St. Pete FL 33702
Phone: 727-608-6027

Kelly, Delores (General Public) - Waive In Opposition

Retiree
P.O. Box 1677
Bushwell FL 33513
Phone: 352-603-1149

Linton, Glynda (General Public) - Waive In Opposition

4670 NW 5 Street
Plantation FL 33317
Phone: 954-648-5571

Schroeder, Stephen (Lobbyist) (General Public) - Waive In Support

Pasco-Hernando State College
10230 Ridge Rd
New Port Richey FL 34654-51
Phone: (727) 207-0313

Jones, Richard (General Public) - Waive In Opposition

Public Employee
125 Roselle CT
Port Charlotte FL 33952
Phone: 941-628-0813

Hamilton, Paul (State Employee) - Waive In Opposition

Public Elementary School Teacher
176 SE 27th Way
Boynton Beach FL 33435
Phone: 561-236-1534

Ginsberg, Martin (State Employee) - Waive In Opposition

Public Education High School Teacher
10 Faulkland Circle
Boynton Beach FL 33426
Phone: 561-307-8604

Committee meeting was reported out: Monday, March 13, 2017 3:30PM

COMMITTEE MEETING REPORT
Post-Secondary Education Subcommittee

3/13/2017 1:00PM

Location: Mashburn Hall (306 HOB)

HB 501 : Pub. Rec. and Meetings/Information Technology/Postsecondary Education Institutions

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Ramon Alexander	X				
Robert Asencio	X				
Bryan Avila	X				
Charles Clemons, Sr.			X		
Robert Cortes	X				
Thomas Leek	X				
MaryLynn Magar	X				
Amber Mariano	X				
Mel Ponder	X				
David Silvers	X				
Carlos Smith	X				
Richard Stark	X				
Jay Trumbull	X				
Elizabeth Porter (Chair)	X				
Total Yeas: 14		Total Nays: 0			

HB 501 Amendments

Amendment 777463

Adopted Without Objection

Appearances:

Logan, Brian (Lobbyist) - Waive In Support
 State University System of Florida, Board of Governors
 Legislative Affairs Director
 325 W Gaines St Suite 1614
 Tallahassee FL 32399-65
 Phone: (850) 245-9717

Schroeder, Stephen (Lobbyist) (General Public) - Waive In Support
 Pasco-Hernando State College
 10230 Ridge Rd
 New Port Richey FL 34654-51
 Phone: (727) 207-0313

Holliday, Matthew (Lobbyist) - Proponent
 Florida SouthWestern State College
 8099 College Pkwy Office of the President
 Fort Myers FL 33919
 Phone: (239) 826-7864

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 501 (2017)

Amendment No. 1

Adopted
without
objection
3/13/17

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(<input checked="" type="radio"/> Y)/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Post-Secondary Education
 2 Subcommittee

3 Representative Leek offered the following:
 4

Amendment

6 Remove lines 89-91 and insert:

7 available to the Auditor General and the Cybercrime Office of
 8 the Department of Law Enforcement; for a state university, the
 9 Board of Governors; and, for a Florida College System
 10 institution, the State Board of Education. Such records and
 11 portions of meetings,

COMMITTEE MEETING REPORT
Post-Secondary Education Subcommittee

3/13/2017 1:00PM

Location: Mashburn Hall (306 HOB)

HB 859 : Postsecondary Distance Education

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Ramon Alexander	X				
Robert Asencio	X				
Bryan Avila	X				
Charles Clemons, Sr.			X		
Robert Cortes	X				
Thomas Leek	X				
MaryLynn Magar	X				
Amber Mariano	X				
Mel Ponder	X				
David Silvers	X				
Carlos Smith	X				
Richard Stark	X				
Jay Trumbull	X				
Elizabeth Porter (Chair)	X				
Total Yeas: 14		Total Nays: 0			

HB 859 Amendments

Amendment 034823

Adopted Without Objection

Appearances:

Logan, Brian (Lobbyist) - Waive In Support
 State University System of Florida, Board of Governors
 325 W Gaines St Suite 1614
 Tallahassee FL 32399-65
 Phone: (850) 245-9717

Moore, Dr. Ed (Lobbyist) (At Request Of Chair) - Proponent
 Independent Colleges
 President
 542 E Park Ave
 Tallahassee FL 32301
 Phone: 850-681-3188

Mortham, Allen (Lobbyist) - Waive In Support
 Florida Association of Postsecondary Schools and Colleges
 6675 Weeping Willow Way
 Tallahassee FL 32311
 Phone: (850) 566-3760

Committee meeting was reported out: Monday, March 13, 2017 3:30PM

COMMITTEE MEETING REPORT
Post-Secondary Education Subcommittee

3/13/2017 1:00PM

Location: Mashburn Hall (306 HOB)

HB 859 : Postsecondary Distance Education (continued)

Appearances: (continued)

Harris, Bob (Lobbyist) - Proponent

DeVry Education Group, Inc
2618 Centennial Place
Tallahassee FL 32308
Phone: (850) 222-0720

Bevis, Brewster (Lobbyist) - Waive In Support

Associated Industries of Florida
Senior Vice President
516 W Adams Street
Tallahassee FL 32301
Phone: (850) 224-7173

Schroeder, Stephen (Lobbyist) (General Public) - Waive In Support

Pasco-Hernando State College
10230 Ridge Rd
New Port Richey FL 34654-51
Phone: (727) 207-0313

Holliday, Matthew (Lobbyist) - Waive In Support

Florida SouthWestern State College
8099 College Pkwy Office of the President
Fort Myers FL 33919
Phone: (239) 826-7864

Committee meeting was reported out: Monday, March 13, 2017 3:30PM



Amendment No. 1

Adopted
without
objection
3/13/17

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(<u>Y</u> /N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Post-Secondary Education
 2 Subcommittee

3 Representative Mariano offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 1000.35, Florida Statutes, is created
 8 to read:

9 1000.35 State Authorization Reciprocity Agreement.-

10 (1) The purpose of this section is to authorize this
 11 state's participation in the State Authorization Reciprocity
 12 Agreement (SARA) as established by the Southern Regional
 13 Education Board (SREB) and the National Council for State
 14 Authorization Reciprocity Agreements (NC-SARA) relative to
 15 postsecondary distance education as defined in the SARA. All
 16 parties to the SARA must be willing to accept each other's



Amendment No. 1

17 authorization of accredited institutions to operate in their
18 state to offer distance educational services beyond state
19 boundaries.

20 (2) For purposes of this section, the term:

21 (a) "Commission" means the Commission for Independent
22 Education.

23 (b) "Complaint" means a formal assertion in writing that a
24 person, institution, state, agency, or other entity operating
25 under the SARA has violated the terms of the SARA or the laws,
26 standards, or regulations incorporated therein.

27 (c) "Council" means the Postsecondary Reciprocal Distance
28 Education Coordinating Council, which serves as the single
29 portal entity designated by the state to administer the SARA and
30 serves as the interstate point of contact for SARA-related
31 questions, complaints, and other matters related to the SARA.

32 (d) "Department" means the Department of Education.

33 (e) "Florida SARA institution" means a postsecondary
34 institution in this state approved by the council to participate
35 in the SARA.

36 (f) "Institution" means a public or private postsecondary
37 degree-granting college or university that is accredited by a
38 federally recognized accrediting body and that awards, at a
39 minimum, associate-level degrees requiring at least 2 years of
40 full-time equivalent college work.



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41 (g) "Member state" means a state, territory, or district
42 within the United States that has been approved to participate
43 in the SARA.

44 (h) "Non-Florida SARA institution" means an institution
45 approved by a member state other than this state to participate
46 in the SARA.

47 (i) "SREB" means the Southern Regional Education Board.

48 (j) "State Authorization Reciprocity Agreement" or "SARA"
49 means the agreement that establishes reciprocity between member
50 states that accept other member states' authorization of
51 accredited institutions to operate in their states to offer
52 distance educational services beyond state boundaries pursuant
53 to the terms and conditions set forth in the agreement.

54 (k) "State board" means the State Board of Education.

55 (3) The council is created within the department for the
56 purpose of administering the SARA. The council shall consist of
57 the Chancellor of the State University System, the Chancellor of
58 the Florida College System, the Chancellor of the Division of
59 Career and Adult Education, the executive director of the
60 commission, and the president of the Independent Colleges and
61 Universities of Florida. The commission shall provide
62 administrative support for the council. The council shall:

63 (a) Within 60 days after the effective date of this act,
64 apply for this state to participate as a member of the SARA
65 pursuant to the procedures established by the SREB;



Amendment No. 1

66 (b) Serve as the single portal entity for administration
67 of the SARA;

68 (c) Review and approve applications from institutions in
69 this state to participate in the SARA and establish an appeals
70 process for institutions that are not approved to participate in
71 the SARA;

72 (d) Ensure compliance by Florida SARA institutions with
73 the terms and provisions of the SARA, including, but not limited
74 to, accreditation and institutional quality, consumer
75 information and protection, disclosure and reporting
76 requirements, complaint mechanisms, and financial
77 responsibility;

78 (e) Comply with the terms and provisions of the SARA
79 relating to any member state, Florida SARA institution, or non-
80 Florida SARA institution;

81 (f) Comply with the reporting requirements in the SARA and
82 post all such reports on the council's website;

83 (g) Consistent with the complaint resolution processes in
84 the SARA, develop and administer a complaint resolution process
85 to resolve SARA-related complaints after all complaint processes
86 in place at a Florida SARA institution have been exhausted by
87 the complainant;

88 (h) Delegate any responsibilities, obligations, or
89 authorities necessary for the administration of this state's
90 participation in the SARA to the commission's staff; and

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91 (i) Recommend rules necessary to administer this section
92 for adoption by the state board.

93 (4) The council shall propose an annual fee schedule and
94 collect fees from each Florida SARA institution. The fees shall
95 be commensurate with the costs incurred by the council and
96 commission to administer the SARA and shall be based on a
97 graduated scale of institutional enrollment. The council shall
98 propose an annual fee schedule to generate the amount of revenue
99 necessary for its operations. The proposed fee schedule shall be
100 submitted to the state board for approval. The department shall
101 include the approved fee schedule in its legislative budget
102 request which takes effect unless revised by the Legislature in
103 the General Appropriations Act. All fees collected pursuant to
104 this subsection shall be submitted through the department to the
105 Chief Financial Officer for deposit into a separate account
106 within the Institutional Assessment Trust Fund. Any fee
107 authorized by the council is nonrefundable unless paid in error.

108 (5) The council may revoke a Florida SARA institution's
109 approval to participate in the SARA if the council determines
110 such institution is not in compliance with the terms and
111 provisions of the SARA.

112 (6) A Florida SARA institution may withdraw from
113 participation as a Florida SARA institution by submitting notice
114 of its intent to withdraw to the council, which shall become



Amendment No. 1

115 effective at the beginning of the next academic term after
116 receipt of such notice.

117 (7) Decisions of the council are not subject to chapter
118 120.

119 (8) This section does not supersede the requirements in
120 chapter 1005 relating to postsecondary educational institutions
121 under the jurisdiction of the commission.

122 (9) The state board shall adopt rules to implement this
123 section.

124 Section 2. Paragraph (h) is added to subsection (1) of
125 section 1005.06, Florida Statutes, to read:

126 1005.06 Institutions not under the jurisdiction or purview
127 of the commission.—

128 (1) Except as otherwise provided in law, the following
129 institutions are not under the jurisdiction or purview of the
130 commission and are not required to obtain licensure:

131 (h) Any non-Florida institution that has been approved by
132 a member state to participate in the State Authorization
133 Reciprocity Agreement (SARA), as those terms are defined in s.
134 1000.35(2), if the degree programs that may be offered and the
135 activities that may be conducted by such institution in this
136 state are limited to the distance education degree programs and
137 activities provided in and consistent with the terms and
138 provisions of the SARA.



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139 Section 3. Subsection (11) of section 1005.31, Florida
140 Statutes, is amended to read:

141 1005.31 Licensure of institutions.—

142 (11) The commission shall establish minimum standards for
143 the approval of agents. The commission may adopt rules to ensure
144 that licensed agents meet these standards and uphold the intent
145 of this chapter. An agent may not solicit prospective students
146 in this state for enrollment in any independent postsecondary
147 educational institution under the commission's purview or in any
148 out-of-state independent postsecondary educational institution
149 unless the agent has received a license as prescribed by the
150 commission or solicits for a postsecondary educational
151 institution that is not under the jurisdiction of the commission
152 pursuant to s. 1005.06(1)(h).

153 Section 4. The Division of Law Revision and Information is
154 directed to replace the phrase "the effective date of this act"
155 wherever it occurs in this act with the date this act becomes a
156 law.

157 Section 5. This act shall take effect upon becoming a law.

158

159

160

T I T L E A M E N D M E N T

161

Remove everything before the enacting clause and insert:

162

A bill to be entitled



Amendment No. 1

163 An act relating to postsecondary distance education; creating s.
164 1000.35, F.S.; authorizing this state to participate in the
165 State Authorization Reciprocity Agreement (SARA) for delivery of
166 postsecondary distance education; providing definitions;
167 establishing the Postsecondary Reciprocal Distance Education
168 Coordinating Council within the Department of Education;
169 requiring the Commission for Independent Education to provide
170 administrative support for the council; providing membership and
171 duties of the council; requiring the council to propose an
172 annual fee schedule and collect fees from Florida SARA
173 institutions; requiring the State Board of Education to approve
174 the fee schedule; providing for deposit of such fees into a
175 specified trust fund; authorizing the council to revoke a
176 Florida SARA institution's participation for noncompliance;
177 authorizing such institution to withdraw from participation in
178 the SARA after providing notice; exempting council decisions
179 from the Administrative Procedure Act; providing that provisions
180 relating to the jurisdiction of the commission are not
181 superseded; requiring the state board to adopt rules; amending
182 s. 1005.06, F.S.; providing that the commission does not have
183 jurisdiction over certain non-Florida institutions participating
184 in the SARA; amending s. 1005.31, F.S.; authorizing the
185 solicitation of prospective students for enrollment in certain
186 postsecondary educational institutions; providing a directive to

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187 | the Division of Law Revision and Information; providing an
188 | effective date.

COMMITTEE MEETING REPORT
Post-Secondary Education Subcommittee

3/13/2017 1:00PM

Location: Mashburn Hall (306 HOB)

HB 1079 : Pub. Rec. and Meetings/Comprehensive Emergency Management Plan for Public Postsecondary Institutions

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Ramon Alexander	X				
Robert Asencio	X				
Bryan Avila	X				
Charles Clemons, Sr.			X		
Robert Cortes	X				
Thomas Leek	X				
MaryLynn Magar	X				
Amber Mariano	X				
Mel Ponder	X				
David Silvers	X				
Carlos Smith	X				
Richard Stark	X				
Jay Trumbull	X				
Elizabeth Porter (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

Holliday, Matthew (Lobbyist) - Proponent
 Florida SouthWestern State College
 8099 College Pkwy Office of the President
 Fort Myers FL 33919
 Phone: (239) 826-7864

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