



# Florida College System Legislative Updates

## Academic Affairs

Tuesday, July 27, 2021

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



FLORIDA DEPARTMENT OF  
**EDUCATION**  
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# Webinar Logistics

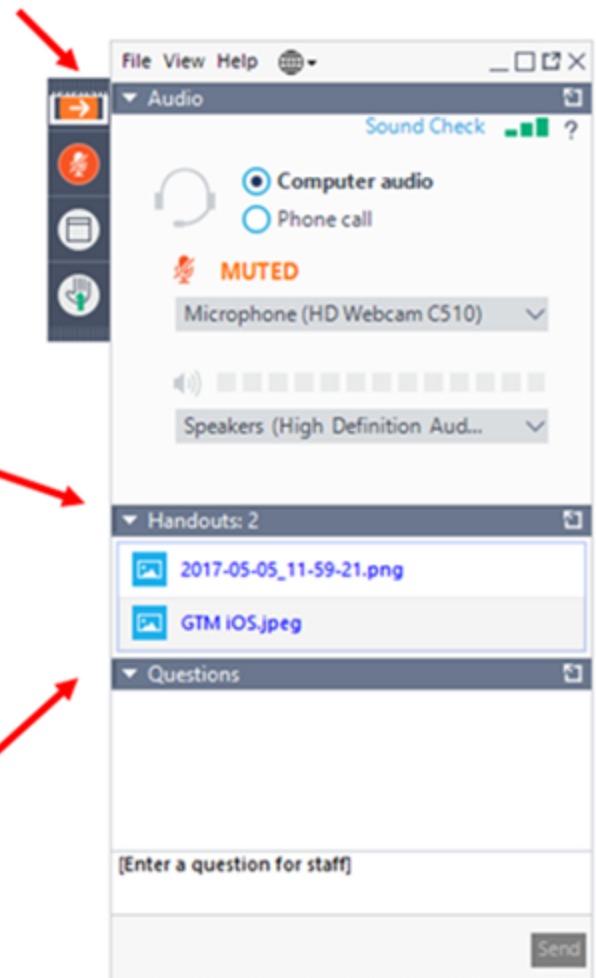
Participants will be on mute for the duration of the webinar.

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.



## Division of Florida Colleges Presenters

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# Intellectual Freedom and Viewpoint Diversity Survey

- House Bill (HB) 233 amends sections (ss.) 1001.03 and 1001.706, Florida Statutes (F.S.), to define the terms “intellectual freedom and viewpoint diversity” and “shield.”
- The bill also adds a requirement for Florida College System (FCS) and State University System (SUS) institutions to conduct an annual assessment of intellectual freedom and viewpoint diversity.
- The annual survey is required to be objective, nonpartisan and statistically valid.
- The instrument should assess the extent to which students, faculty and staff feel free to express their beliefs and viewpoints and that competing ideas are presented on campus and in the classroom.

# Intellectual Freedom and Viewpoint Diversity Survey Continued

- The State Board of Education (SBOE) will select or create an assessment and create a plan for the survey to be administered at FCS institutions during the 2021-22 academic year.
- FCS institutions will receive additional guidance and reporting deadlines.
- Florida Department of Education (FDOE) will compile and report the results annually, with the first report of the survey results published by September 1, 2022.

## Right to Free Speech Activities

- HB 233 also amends s. 1004.097, F.S., 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, disagreeable or offensive.
- The bill adds the following to the list of protected expressive activities: faculty research, lectures, writings and commentary, whether published or unpublished.
- It also specifies that defamatory speech is not protected.

## Right to Free Speech Activities Continued

- Additionally, HB 233 provides the conditions under which a student may record video or audio of class lectures. In accordance with federal and state privacy laws and regulations (including the Family Educational Rights and 130 Privacy Act of 1974, 20 U.S.C., s. 1232g and ss. 1002.22 and 1002.225, F.S.), students may record class lectures:
  - for their own personal educational use;
  - in connection with a complaint to the public institution of higher education where the recording was made; or
  - as evidence in, or in preparation for, a criminal or civil proceeding.
- The lecturer must consent to recorded lectures being published. HB 233 also provides a cause of action for declaratory and injunctive relief, damages, and reasonable attorney fees and court costs for those harmed by a violation of the bill's provisions.
- Effective Date: July 1, 2021.

## Mathematics Pathways

- Senate Bill (SB) 366 modifies s. 1007.23, F.S., to require the Statewide Articulation Agreement to establish three mathematics pathways for students by aligning mathematics courses to programs, meta-majors and careers.
- The bill stipulates a representative committee composed of SUS, FCS, and career center faculty shall collaborate to identify the three pathways and the mathematics course sequence within each pathway.
- The Florida Student Success Center (center) will facilitate implementation of this provision on behalf of the Office of Articulation, building on the work of the Florida Mathematics Re-Design Initiative.



## Mathematics Pathways Continued

Activity	Expected Timeline
1. FDOE/Board of Governors (BOG) team establishes and convenes the representative committee	Summer/Fall 2021
2. Committee finalizes mathematics pathways and course sequences	December 2021
3. Articulation Coordinating Committee (ACC) considers proposed mathematics pathways and course sequences	February 2022
4. FDOE initiates rule development process to add the mathematics pathways to Rule 6A-10.024 and Rule 6A-14.065	March-July 2022
5. State Board of Education considers mathematics pathways rule revisions	August 2022
6. FDOE notifies institutions and provides technical assistance	August 2022
7. Mathematics pathways effective for entering students in associate and baccalaureate degree programs	2023-24 academic year

## Mathematics Pathways Continued

- The committee will be composed of eight members representing the SUS, eight members representing the FCS, two members representing the career centers, and a non-voting member who serves on the ACC.
- On July 20, 2021, Chancellor Hebda issued a memo soliciting nominations for FCS faculty and administrators who represent mathematics and those who have experience with common transfer majors: business, education, psychology and criminal justice.
  - The center will provide a \$500 stipend for service on the committee and reimburse travel if travel is required up to \$250.
- Please complete the form found at this link to submit your nominations: <https://www.research.net/r/mathnominations>
- Note that faculty from other disciplines will be engaged in the process, and we will provide updates to institutions as the work progresses.

# Alternative Methods to Assess College-Level Computation and Communication

- SB 366 also amends multiple Florida statutes to expand the mechanisms institutions may use to assess readiness for college-level work. In addition to identifying approved common placement tests, SB 366 requires the SBOE to adopt rules to develop and implement alternative methods for assessing communication and computation skills.
- *College Credit Admissions Counseling*: SB 366 amends s. 1007.263, F.S., to add alternative methods for measuring achievement in college-level computation and communication for admissions counseling in college credit programs. The bill specifies that career education program advising must measure achievement in basic skills pursuant to s. 1004.91, F.S.

# Alternative Methods to Assess College-Level Computation and Communication Continued

- *College Credit Dual Enrollment Eligibility*: SB 366 amends s. 1007.271, F.S., revising eligibility requirements to specify that students must demonstrate achievement in college-level communication and computation as provided in s. 1008.30, F.S. In effect, this revision allows approved alternative methods to be used in eligibility determinations. The usage of alternative methods includes public, private and home education students.
- *Developmental Education and Meta-Majors*: SB 366 amends s. 1008.30, F.S., authorizing FCS institutions to use alternative methods to assess student readiness as it relates to meta-majors and developmental education placement. Also related to developmental education, SB 366 eliminates annual developmental education accountability reporting requirements.

# Healthcare and Nursing Education Study

- HB 1507 modifies s. 1004.015, F.S., to require the Florida Talent Development Council (TDC) to coordinate, facilitate and communicate statewide efforts to meet supply and demand needs for the state's healthcare workforce.
- To support these efforts, the bill requires the BOG and SBOE to conduct biennial gap analyses of supply and demand of healthcare workers and to develop a survey to collect 10-year trend data related to nursing education programs including, but not limited to, admissions information, program outcomes, graduate employment and student demographic information.
- The FDOE is working in partnership with BOG and the Department of Economic Opportunity, the entity that houses the TDC, to develop a timeline, methodology and data collection and analysis. The FDOE may reach out to FCS institutions to provide data required for this study that are not readily available through state reporting. The TDC will report on implementation by December 1, 2021.

## 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 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.

## Associate in Science General Education

- HB 1507 modifies s. 1007.25, F.S., to amend the general education degree requirements for students completing a technical degree, which is defined in s. 1004.02(13), F.S., as a course of study that leads to an Associate in Science/Associate in Applied Science (AS/AAS) degree.
- Beginning in the 2022-2023 academic year and thereafter, students entering an AS/AAS program must complete at least one identified core course in each subject area as part of the general education course requirements before a degree is awarded.
- FDOE plans to initiate rule development for Rule 6A-14.0303, Florida Administrative Code, General Education Core Course Options. The rule workshop will be held on **August 3, 2021, from 1:00 PM – 3:00 PM** EDT via webinar. You may register for the workshop at <https://attendee.gotowebinar.com/register/5798680704157860877>.



## Career Readiness Digital Credential

- 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 general education core courses that demonstrate career readiness, beginning with students who initially enter an FCS institution in the 2022-2023 academic year.
- The FDOE, in partnership with the Board of Governors, will develop guidance and an implementation plan, and will communicate with colleges once information is available. Once in effect, FCS institutions will be required to update institutional catalogs to reflect which general education core courses are linked to earning a digital credential.
- HB 1507 took effect on July 1, 2021; however, the provisions in this amendment will take effect for students initially entering an FCS institution in the 2022-2023 academic year.

## Civic Literacy

- 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.
- Rule 6A-10.02413, F.A.C., currently identifies approved courses and assessments:
  - Currently Approved Courses
    - POSX041 American Government
    - AMHX020 Introductory Survey Since 1877
  - Currently Approved Assessments and Passing Scores
    - AP Government and Politics: United States 3
    - AP United States History 4
    - CLEP: American Government 50

## Civic Literacy Continued

- The bill specifies credits earned through authorized acceleration mechanisms in s. 1007.27, F.S., will count toward the civic literacy requirement.
- In other words, credit received for courses in Rule 6A-10.02413, F.A.C., (AMHX020 and POSX041) via [credit-by-exam](#) will count toward the course requirement.
  - If the exam used as the basis of awarding of credit is in Rule 6A-10.02413, F.A.C., (e.g., AP and CLEP) the student would be considered as having met both the course and the assessment civic literacy competency.
  - If the exam used as the basis of awarding of credit is not in rule (e.g., AICE and IB), the student would be considered as having met only the course requirement. These students would need to be assessed using an approved assessment in rule.

## Civic Literacy Continued

- SB 1108 added a requirement that high school students in U.S. Government take a civic literacy assessment.
- The bill specified that high school students who pass the civic literacy assessment will be exempt from the civic literacy competency assessment requirement when they matriculate to postsecondary.
- FCS institutions may need to update current policies and/or create new ones related to the civic literacy requirements to comply with the provisions outlined in SB 1108. In fall 2021, FDOE will begin rule development to align the current rule with the new provisions.
- Effective Date: July 1, 2021.

## Charter School Sponsorship

- SB 1028 modifies s. 1002.33(5), F.S., to authorize FCS institutions to solicit applications and sponsor a charter school, upon approval from FDOE.
- If approved, an FCS institution may sponsor a charter school within its service district with the purpose of meeting workforce demands and may offer postsecondary programs leading to industry certifications. FCS institutions may not enter into a sponsorship with an existing charter school until the school's current charter with the local school district has expired.
- FDOE will work with charter school sponsors and operators to develop a sponsor evaluation framework that must address: the sponsor's strategic vision, policies and practices, and the academic and financial performance. Additional information regarding the process for institutions to sponsor charter schools will be forthcoming.
- Effective Date: July 1, 2021.

# Charter School Sponsorship Contact

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Charter Schools Director

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# School Community Professional Development Act

- SB 52 modifies s. 1012.98(6), F.S., to expand the organizations included in the School Community Professional Development Act.
- Public or private colleges or universities with a teacher preparation program approved pursuant to s. 1004.04, F.S., are now permitted to develop a professional development system, subject to SBOE and Commissioner of Education approval.
- Effective Date: July 1, 2021.

# Collegiate High School/Early College Programs

- SB 52 modifies s. 1007.273, F.S., to amend the name, requirements and agreements of collegiate high school programs.
- The bill changes the term “collegiate high school program” to “early college program.”
- The bill requires the prioritization of courses applicable to general education core courses for an associate degree or baccalaureate degree.
- The bill also eliminates the requirement that early college programs provide the option for enrolled students to earn career and professional education (CAPE) industry certifications as well as the successful completion of 30 credit hours.



## Collegiate High School/Early College Programs Continued

- Lastly, the bill allows charter schools to execute a contract directly with an FCS institution to establish an early college program.
- FDOE will be providing additional information on this bill.

# 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.

## Educator Preparation

- HB 1159 modifies s. 1004.04, F.S., to remove the requirement that an applicant for a teacher preparation program pass the general knowledge test (GKT). Under the new provision, participants in teacher preparation programs must now complete the GKT requirement prior to graduation from the program. Accordingly, the bill removes the authority for teacher preparation programs to waive admission requirements.
- The bill also specifies core curricula of teacher preparation programs and Educator Preparation Institute (EPI) competency-based certification programs and adds a new area of instruction that an EPI may provide, namely, instruction and professional development for non-degreed teachers of career programs.
- Effective Date: July 1, 2021.

## Other Topics of Interest

- HB 233 amends s. 1006.60, F.S., to require FCS institutions to adopt codes of conduct and appropriate penalties for violations of codes for students and student organizations.
- 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.
- 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, is recognized as equivalent by SBOE rule and is based on an assessment recognized by the U.S. Department of Education.
- HB 1507 creates s. 1006.75, F.S., to require each FCS institution ensure their respective student career centers offer use certain career planning services.
- HB 1507 creates s. 1009.895, F.S., to establish the Open Door Grant Program which will provide funds to support student completion of short-term, high-demand credit and non-credit CTE programs at FCS institutions and school district career centers
- HB 847 amends 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 Institution Actions Following 2021 Legislation

Bill Number	Bill 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>	1	Intellectual Freedom and Viewpoint Diversity Survey	s. 1001.03	Not anticipated	Yes
<a href="#">HB 233</a>	3	Right to Free Speech Activities	s. 1004.097	Yes	Not anticipated
<a href="#">SB 366</a>	3	Mathematics Pathways	s. 1007.23	Yes	Possibly
<a href="#">SB 366</a>	4	Alternative Methods	s. 1007.263	Yes	Yes
<a href="#">HB 1507</a>	26	Healthcare and Nursing Education Study	s. 1004.015	Not anticipated	Yes
<a href="#">HB 1507</a>	38	Money Back Guarantee Program	s. 1011.803	Yes	Yes
<a href="#">HB 1507</a>	29	Associate in Science General Education	s. 1007.25	Yes	Not anticipated
<a href="#">HB 1507</a>	29	Career Readiness Digital Credential	s. 1007.25	Yes	Yes
<a href="#">SB 1108</a>	7	Civic Literacy	s.1007.25	Yes	Not anticipated
<a href="#">SB 1028</a>	4	Charter School Sponsorship	s. 1002.33	If applicable	If applicable
<a href="#">SB 52</a>	8	School Community Professional Development Act	s. 1012.98	If applicable	If applicable
<a href="#">SB 52</a>	2	Collegiate High School/Early College Programs	s. 1007.273	Possibly	Possibly
<a href="#">SB 52</a>	4	Dual Enrollment Scholarship Program	s. 1009.30	Yes	Yes
<a href="#">HB 1159</a>	3	Educator Preparation	s. 1004.04	Yes	Possibly



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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	Recording will be available at <a href="https://www.gotostage.com/channel/160535c1bdb84db88c27a16d288cc212">https://www.gotostage.com/channel/160535c1bdb84db88c27a16d288cc212</a>
Workforce Education	Tuesday, July 27, 2021, from 1:00 – 3:00 p.m. EDT	<a href="https://attendee.gotowebinar.com/register/5831473639210699535">https://attendee.gotowebinar.com/register/5831473639210699535</a>
Student Affairs	Wednesday, July 28, 2021, from 9:00 – 10:15 a.m. EDT	<a href="https://attendee.gotowebinar.com/register/1775767769993121293">https://attendee.gotowebinar.com/register/1775767769993121293</a>
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>



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