



*Families of Faith
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Hillsborough Community College
District Administrative Office
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This communication is in response to your letter dated July 11, 2013 in reference to revising our articulation agreement for the 2013-2014 academic year.

Families of Faith Christian Academy International and our students have enjoyed a long and beneficial relationship with HCC. We are committed to working with you, our state senators and our representatives to insure that HCC receives adequate funding for all qualified dual enrollment students, including private school students, home educated students, and public school students. The funding of public school students was addressed in the last legislative session and referenced in your letter, but adequate funding for home school students and private school students was not.

While it is understandable that HCC would like to apply the funding requirement that has been placed on districts to private schools, we do not believe that is consistent with the statute. In fact, we believe that passing funds to the college from money paid by the families on behalf of the student would in fact be a violation of the statute.

[Florida Statute 1007.271](#)

While there were changes in the dual enrollment statute, those changes were directed to school districts, not to private schools, or county registered homeschoolers.

F.S. 1007.271 (21)(n) "*A funding provision that delineates costs incurred by each entity. **School districts should share funding to cover instructional and support costs incurred by the postsecondary institution.***"

There is no provision in the statute that indicates the legislature had intended for those costs to be passed on to private schools. In fact, the *opposite* is indicated with the clear statement in section (2) "*Any student enrolled as a dual enrollment student is exempt from the payment of registration, tuition, and laboratory fees.*" This statement is repeated three additional times in the statute.

Section (2) of the statute includes details for the districts on how to count the student's hours of attendance in dual enrollment for use in their calculations for payment through the Florida Education Finance Program. (FEFP) Clearly, the change the legislature intended is for the districts to pay for the

dual enrollment tuition from the FEFP funds, and the Florida Department of Education agrees. In the FLDOE [Dual Enrollment FAQ June 2013 Publication](#), question 37 makes the connection clear.

37. How are the dual enrollment costs shared between the school district and the Florida College System institution?

For dual enrollment courses offered on a Florida College System institution campus, the school district pays the standard tuition rate per credit hour from the Florida Education Finance Program (FEFP).

This connection is re-enforced in that during the summer months when the districts do not receive any funding from the FEFP they are exempt from paying the standard tuition rate. As question 44 from the same Dual Enrollment FAQ June 2013 makes clear.

44. Does the school district have to pay the Florida College System institution tuition for dual enrollment taken during the summer?

No. The law states that the tuition payments are from funds provided in the Florida Education Finance Program (FEFP). School districts do not receive funds under the FEFP for the summer.

We would note that if Families of Faith Christian Academy International had any students who were recipients of the John McKay Scholarship, which is funded directly by the state, or even students receiving the Corporate Tax Scholarship (Step up for Students), which uses donated funds that have received a tax credit from Florida, we would be in agreement that the state standard tuition for those students would be appropriate for the private school to pass on to the college. Even though the statute does not require it at this time, it would be consistent with the model applied to public school students, who are funded by the FEFP, while not violating the exemption of payment from the student/parents. This is one of the areas we believe the legislature should address in the next term.

We know that dual enrollment students are an added expense for the colleges beyond the cost of a regularly enrolled student. While Florida students who attend a state college after graduation pay a reduced tuition rate (based on the investment from the taxpayers of Florida), they do pay registration, tuition and lab fees. Dual enrollment students are exempt by the statute from paying for dual enrollment classes, so the college receives less funding than for regular students attending the same class. That is why it was appropriate for the legislature to require the district to transfer an appropriate amount of the funding from the FEFP to the college.

A few of the FCS institutions have taken the position that entering into an articulation agreement with private schools is completely at their discretion, and have made it clear to private schools that, if they do not agree to pay the standard tuition, the college will simply not renew the articulation agreement. We appreciate the tone of the communication from HCC in that it indicated a willingness to work with private schools to address the proposed changes. While section (24) of the statute is brief, we believe the intent of the legislature was to express that it was in keeping with the other provisions of the statute for FCS institutions to enter into articulation agreements. The outcome being that the rights of qualified private school students to have the same access to dual enrollment courses as the other classes of students detailed in the statute would be protected. We do not believe the intent was to give FCS intuitions the power to demand additional requirements of private schools than those specifically

addressed in the statute, or to discriminate against some students by not entering into articulation agreements with private schools that meet the conditions listed in section (2).

F. S. 1007.271 (24) Postsecondary institutions may enter into dual enrollment agreements with private secondary schools pursuant to section (2).

Since the description of an eligible student in section (2) includes "*a student enrolled in Florida public secondary school or in a Florida private secondary school which is in compliance with s. 1002.42(2) and provides a secondary curriculum pursuant to s 1003.428, s. 1003.429, or s. 1003.43*", the clear intent of section (24) is that it is in keeping with the statute for an FCS institution to enter into dual enrollment agreements with private secondary schools. The word "negotiate" is not in the statute. The statute clearly intended for qualified private school students to have the same equal access to dual enrollment courses as public school and home educated students.

Some FCS institutions find this to be an open door to add additional non-statutory requirements for private schools, and, thereby, the private school student as in an opinion expressed by the Florida Department of Education in the Dual Enrollment FAQ June 2013 Publication, question 40.

40. Does the law require that the Florida College System institution receive tuition payments for the dual enrollment of students at eligible private secondary schools?

No. However, a Florida College System institution may enter into a Dual Enrollment Articulation Agreement with a private secondary school and may negotiate for payment from the private secondary school for students eligible to participate in dual enrollment.

The Dual Enrollment FAQ June 2013, question 8 summarizes the standard procedures followed by most institutions, but acknowledges (in the opinion of the FLDOE) that entering into an articulation agreement is optional for the FCS institutions. We believe that the opinion of the FLDOE as expressed in question 40 above is not in keeping with the intent of the legislation. We have been in contact with our state legislators, many of whom have indicated a willingness to re-visit the statute during the upcoming session in an effort to protect the rights of all qualified students to have equal access to dual enrollment.

Even if passing funds that the family has paid to FOFCAI to the college was not a violation of the statute, from a practical budget standpoint we simply do not collect enough tuition to pay the state standard tuition for dual enrollment students. The new Florida budget increases the per student budget to \$6779 per student that attends a public school. (Plus \$480 million set aside to increase teacher salaries.) Students that receive the Corporate Tax Scholarship (by comparison) receive only \$4880 per year. FOFCAI is a hybrid school that uses virtual classes, and a variety of individual on-site classes. The base tuition of \$300 that FOFCAI charges is designed to cover administrative costs only. Students who take a class through FLVS or dual enrollment are not billed any additional tuition fees. If the family chooses a campus class, they pay specifically for that class.

If FOFCAI agreed to pay the \$431.88 for just two dual enrollment classes for a student, where would the funds come from? Since we do not receive any funds from the FEFP, they would have to come from the family for the student, which the statute prohibits.

We would ask that HCC extend the articulation agreement from the 2012-2013 school year so that students who have already made academic decisions do not have their graduation and scholarship opportunities and plans placed at risk at this late date.

Sincerely,

James Lawson
Administrator