

# SNIFFEN & SPELLMAN, P.A.

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## EDUCATION LAW ALERT November 2017

### **Tax Plan Draws Ire of Higher Education Community**

The House has passed a tax plan that critics in higher education claim will make a college degree less attainable and hurt the financial strength of institutions. One of most panned provisions is a repeal of a tax code provision allowing colleges and universities to waive the cost of tuition for graduate students, effectively imposing a new tax directly on graduate students themselves. Another provision would apply a 1.4 percent excise tax to private college endowments valued at \$250,000 per student, which would only impact approximately 100 institutions; however, critics feel it penalizes colleges for having a stable revenue stream. Also included is a plan to eliminate tax-exempt private activity bonds that institutions use to lower the cost of borrowing for new construction, potentially chilling the ability for institutions to build or renovate facilities.

Read more [here](#).

### **United States Supreme Court Declines to Hear Student-Led Prayer Case**

The United States Supreme Court declined to review a case originating in Texas on student-led public prayers at school board meetings. The court's denial leaves in place the ruling by the 5<sup>th</sup> Circuit Court of Appeals allowing a school district to open its school board meetings with a student prayer. The Plaintiffs, a former student and an atheist group alleged that Christian prayer at school board meetings made the student feel "violated and uncomfortable" and the practice violated the Constitution by pressuring other students to participate. The Court of Appeals Disagreed.

Read more [here](#).

### **Will New Legislation Lead to Barrage of Challenges to K-12 Textbooks?**

The Florida Legislature has passed a bill whereby any district resident, regardless of whether they have a child in school, can challenge textbooks or other aspects of the curriculum as being pornographic, biased, inaccurate, or a violation of state law. Under the new procedure the district resident is able to present concerns to a mediator and the mediator advises the school board. The school board then makes a final decision. Districts must also post a list of all new books and materials online leading to concerns of further scrutiny from those not otherwise involved in K-12 education.

Read [more](#).

## **Governor Scott Unveils Proposed Education Budget**

The Governor's proposed education budget includes the following: \$21.4 billion in state and local funding for K-12 public schools with \$7,497 allocated per student; \$1.24 billion in state operating funds for colleges; \$420.6 million to fund Florida's Bright Futures Scholarship Program; and \$150 million for maintenance, repairs, renovations and remodeling of educational facilities.

Read more [here](#).

## **From the Lighter Side: Judge Orders Man to Write 144 Nice Things About Ex-Girlfriend**

A Hawaiian judge provided an interesting sentence to a man who pleaded no contest to violating his ex-girlfriend's protection order. The man, accused of sending his ex 144 nasty text messages, was sentenced to write 144 compliments about his former paramour. The judge also instructed the man that he was not allowed to repeat words when drafting the aforementioned compliments.

Read more [here](#).

## **Firm News**

Robert J. Sniffen presented multiple times in November throughout the state to include the following:

“Candid Discussions with an Employment Law Attorney,” Florida Society of Association Executives Executive Series Luncheon (Tallahassee, FL) (November 7, 2017).

“Stuff You May Have Forgotten But Need to Remember,” Florida Association of Counties Ethics, Public Records and Sunshine Laws Seminar (Sarasota, FL) (November 14, 2017).

“Hot Issues in Employment Law,” Florida Association of County Attorneys Midyear CLE Seminar Program (Sarasota, FL) (November 16, 2017).

## **Past Issues of the Education Law Alert Available on Website**

You may view past issues of the Education Law Alert on the Firm's website: [www.sniffenlaw.com](http://www.sniffenlaw.com). After entering the Firm's website, click on the “Publications” page. Our Firm also highlights various articles of interest on our official Twitter feed, @Sniffenlaw.