

By Senator Oelrich

14-1403-07

1                                   A bill to be entitled  
2           An act relating to academic fees; amending s.  
3           1009.24, F.S.; authorizing the Board of  
4           Governors to delegate authority to establish  
5           certain fees for academic enhancement to the  
6           board of trustees of a university; providing an  
7           effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11           Section 1. Section 1009.24, Florida Statutes, is  
12 amended to read:

13           1009.24 State university student fees.--

14           (1) This section applies to students enrolled in  
15 college credit programs at state universities.

16           (2) All students shall be charged fees except students  
17 who are exempt from fees or students whose fees are waived.

18           (3) Except as otherwise provided by law, undergraduate  
19 tuition shall be established annually in the General  
20 Appropriations Act. The Board of Governors, or the board's  
21 designee, may establish tuition for graduate and professional  
22 programs, and out-of-state fees for all programs. The sum of  
23 tuition and out-of-state fees assessed to nonresident students  
24 must be sufficient to offset the full instructional cost of  
25 serving such students. However, adjustments to out-of-state  
26 fees or tuition for graduate and professional programs  
27 pursuant to this section may not exceed 10 percent in any  
28 year. The sum of the activity and service, health, and  
29 athletic fees a student is required to pay to register for a  
30 course shall not exceed 40 percent of the tuition established  
31 in law or in the General Appropriations Act. No university

1 shall be required to lower any fee in effect on the effective  
2 date of this act in order to comply with this subsection.  
3 Within the 40 percent cap, universities may not increase the  
4 aggregate sum of activity and service, health, and athletic  
5 fees more than 5 percent per year unless specifically  
6 authorized in law or in the General Appropriations Act. A  
7 university may increase its athletic fee to defray the costs  
8 associated with changing National Collegiate Athletic  
9 Association divisions. Any such increase in the athletic fee  
10 may exceed both the 40 percent cap and the 5 percent cap  
11 imposed by this subsection. Any such increase must be approved  
12 by the athletic fee committee in the process outlined in  
13 subsection (11) and cannot exceed \$2 per credit hour.  
14 Notwithstanding the provisions of ss. 1009.534, 1009.535, and  
15 1009.536, that portion of any increase in an athletic fee  
16 pursuant to this subsection that causes the sum of the  
17 activity and service, health, and athletic fees to exceed the  
18 40 percent cap or the annual increase in such fees to exceed  
19 the 5 percent cap shall not be included in calculating the  
20 amount a student receives for a Florida Academic Scholars  
21 award, a Florida Medallion Scholars award, or a Florida Gold  
22 Seal Vocational Scholars award. This subsection does not  
23 prohibit a university from increasing or assessing optional  
24 fees related to specific activities if payment of such fees is  
25 not required as a part of registration for courses.

26 (4) A university that has a service area that borders  
27 another state may implement a plan for a differential  
28 out-of-state fee.

29 (5) Students who are enrolled in Programs in Medical  
30 Sciences are considered graduate students for the purpose of  
31 enrollment and student fees.

1           (6) A university board of trustees is authorized to  
2 collect for financial aid purposes an amount not to exceed 5  
3 percent of the tuition and out-of-state fee. The revenues from  
4 fees are to remain at each campus and replace existing  
5 financial aid fees. Such funds shall be disbursed to students  
6 as quickly as possible. A minimum of 75 percent of funds from  
7 the student financial aid fee for new financial aid awards  
8 shall be used to provide financial aid based on absolute need.  
9 A student who has received an award prior to July 1, 1984,  
10 shall have his or her eligibility assessed on the same  
11 criteria that were used at the time of his or her original  
12 award. The State Board of Education shall develop criteria for  
13 making financial aid awards. Each university shall report  
14 annually to the Department of Education on the revenue  
15 collected pursuant to this subsection, the amount carried  
16 forward, the criteria used to make awards, the amount and  
17 number of awards for each criterion, and a delineation of the  
18 distribution of such awards. The report shall include an  
19 assessment by category of the financial need of every student  
20 who receives an award, regardless of the purpose for which the  
21 award is received. Awards which are based on financial need  
22 shall be distributed in accordance with a nationally  
23 recognized system of need analysis approved by the State Board  
24 of Education. An award for academic merit shall require a  
25 minimum overall grade point average of 3.0 on a 4.0 scale or  
26 the equivalent for both initial receipt of the award and  
27 renewal of the award.

28           (7) The Capital Improvement Trust Fund fee is  
29 established as \$2.44 per credit hour per semester. The  
30 building fee is established as \$2.32 per credit hour per  
31 semester.

1           (8) Each university board of trustees is authorized to  
2 establish separate activity and service, health, and athletic  
3 fees. When duly established, the fees shall be collected as  
4 component parts of tuition and fees and shall be retained by  
5 the university and paid into the separate activity and  
6 service, health, and athletic funds.

7           (9)(a) Each university board of trustees shall  
8 establish a student activity and service fee on the main  
9 campus of the university. The university board may also  
10 establish a student activity and service fee on any branch  
11 campus or center. Any subsequent increase in the activity and  
12 service fee must be recommended by an activity and service fee  
13 committee, at least one-half of whom are students appointed by  
14 the student body president. The remainder of the committee  
15 shall be appointed by the university president. A chairperson,  
16 appointed jointly by the university president and the student  
17 body president, shall vote only in the case of a tie. The  
18 recommendations of the committee shall take effect only after  
19 approval by the university president, after consultation with  
20 the student body president, with final approval by the  
21 university board of trustees. An increase in the activity and  
22 service fee may occur only once each fiscal year and must be  
23 implemented beginning with the fall term. The State Board of  
24 Education is responsible for promulgating the rules and  
25 timetables necessary to implement this fee.

26           (b) The student activity and service fees shall be  
27 expended for lawful purposes to benefit the student body in  
28 general. This shall include, but shall not be limited to,  
29 student publications and grants to duly recognized student  
30 organizations, the membership of which is open to all students  
31 at the university without regard to race, sex, or religion.

1 The fund may not benefit activities for which an admission fee  
2 is charged to students, except for  
3 student-government-association-sponsored concerts. The  
4 allocation and expenditure of the fund shall be determined by  
5 the student government association of the university, except  
6 that the president of the university may veto any line item or  
7 portion thereof within the budget when submitted by the  
8 student government association legislative body. The  
9 university president shall have 15 school days from the date  
10 of presentation of the budget to act on the allocation and  
11 expenditure recommendations, which shall be deemed approved if  
12 no action is taken within the 15 school days. If any line item  
13 or portion thereof within the budget is vetoed, the student  
14 government association legislative body shall within 15 school  
15 days make new budget recommendations for expenditure of the  
16 vetoed portion of the fund. If the university president vetoes  
17 any line item or portion thereof within the new budget  
18 revisions, the university president may reallocate by line  
19 item that vetoed portion to bond obligations guaranteed by  
20 activity and service fees. Unexpended funds and undisbursed  
21 funds remaining at the end of a fiscal year shall be carried  
22 over and remain in the student activity and service fund and  
23 be available for allocation and expenditure during the next  
24 fiscal year.

25 (10) Each university board of trustees shall establish  
26 a student health fee on the main campus of the university. The  
27 university board of trustees may also establish a student  
28 health fee on any branch campus or center. Any subsequent  
29 increase in the health fee must be recommended by a health  
30 committee, at least one-half of whom are students appointed by  
31 the student body president. The remainder of the committee

1 shall be appointed by the university president. A chairperson,  
2 appointed jointly by the university president and the student  
3 body president, shall vote only in the case of a tie. The  
4 recommendations of the committee shall take effect only after  
5 approval by the university president, after consultation with  
6 the student body president, with final approval by the  
7 university board of trustees. An increase in the health fee  
8 may occur only once each fiscal year and must be implemented  
9 beginning with the fall term. The State Board of Education is  
10 responsible for promulgating the rules and timetables  
11 necessary to implement this fee.

12 (11) Each university board of trustees shall establish  
13 a separate athletic fee on the main campus of the university.  
14 The university board may also establish a separate athletic  
15 fee on any branch campus or center. Any subsequent increase in  
16 the athletic fee must be recommended by an athletic fee  
17 committee, at least one-half of whom are students appointed by  
18 the student body president. The remainder of the committee  
19 shall be appointed by the university president. A chairperson,  
20 appointed jointly by the university president and the student  
21 body president, shall vote only in the case of a tie. The  
22 recommendations of the committee shall take effect only after  
23 approval by the university president, after consultation with  
24 the student body president, with final approval by the  
25 university board of trustees. An increase in the athletic fee  
26 may occur only once each fiscal year and must be implemented  
27 beginning with the fall term. The State Board of Education is  
28 responsible for promulgating the rules and timetables  
29 necessary to implement this fee.

30 (12) The Board of Governors may delegate to a  
31 university board of trustees the authority to establish an

1 academic enhancement fee as required to support an academic  
2 enhancement program as approved by the Board of Governors.  
3 This fee is not subject to the provisions of s. 1009.53, s.  
4 1009.534, s. 1009.535, or s. 1009.536.

5 ~~(13)~~~~(12)~~ Each university board of trustees is  
6 authorized to establish the following fees:

7 (a) A nonrefundable application fee in an amount not  
8 to exceed \$30.

9 (b) An orientation fee in an amount not to exceed \$35.

10 (c) A fee for security, access, or identification  
11 cards. The annual fee for such a card may not exceed \$10 per  
12 card. The maximum amount charged for a replacement card may  
13 not exceed \$15.

14 (d) Registration fees for audit and zero-hours  
15 registration; a service charge, which may not exceed \$15, for  
16 the payment of tuition in installments; and a  
17 late-registration fee in an amount not less than \$50 nor more  
18 than \$100 to be imposed on students who fail to initiate  
19 registration during the regular registration period.

20 (e) A late-payment fee in an amount not less than \$50  
21 nor more than \$100 to be imposed on students who fail to pay  
22 or fail to make appropriate arrangements to pay (by means of  
23 installment payment, deferment, or third-party billing)  
24 tuition by the deadline set by each university. Each  
25 university may adopt specific procedures or policies for  
26 waiving the late-payment fee for minor underpayments.

27 (f) A fee for miscellaneous health-related charges for  
28 services provided at cost by the university health center  
29 which are not covered by the health fee set under subsection  
30 (10).

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1 (g) Materials and supplies fees to offset the cost of  
2 materials or supplies that are consumed in the course of the  
3 student's instructional activities, excluding the cost of  
4 equipment replacement, repairs, and maintenance.

5 (h) Housing rental rates and miscellaneous housing  
6 charges for services provided by the university at the request  
7 of the student.

8 (i) A charge representing the reasonable cost of  
9 efforts to collect payment of overdue accounts.

10 (j) A service charge on university loans in lieu of  
11 interest and administrative handling charges.

12 (k) A fee for off-campus course offerings when the  
13 location results in specific, identifiable increased costs to  
14 the university.

15 (l) Library fees and fines, including charges for  
16 damaged and lost library materials, overdue reserve library  
17 books, interlibrary loans, and literature searches.

18 (m) Fees relating to duplicating, photocopying,  
19 binding, and microfilming; copyright services; and  
20 standardized testing. These fees may be charged only to those  
21 who receive the services.

22 (n) Fees and fines relating to the use, late return,  
23 and loss and damage of facilities and equipment.

24 (o) A returned-check fee as authorized by s. 832.07(1)  
25 for unpaid checks returned to the university.

26 (p) Traffic and parking fines, charges for parking  
27 decals, and transportation access fees.

28 (q) An Educational Research Center for Child  
29 Development fee for child care and services offered by the  
30 center.

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1 (r) Fees for transcripts and diploma replacement, not  
2 to exceed \$10 per item.

3 ~~(14)~~~~(13)~~ Each university board of trustees is  
4 authorized to establish a nonrefundable admissions deposit for  
5 undergraduate, graduate, and professional degree programs in  
6 an amount not to exceed \$200. The admissions deposit shall be  
7 imposed at the time of an applicant's acceptance to the  
8 university and shall be applied toward tuition upon  
9 enrollment. In the event the applicant does not enroll in the  
10 university, the admissions deposit shall be deposited in an  
11 auxiliary account of the university and used to expand  
12 financial assistance, scholarships, and student academic and  
13 career counseling services at the university. A university  
14 board of trustees that establishes an admissions deposit  
15 pursuant to this subsection must also adopt policies that  
16 provide for the waiver of such deposit on the basis of  
17 financial hardship.

18 ~~(15)~~~~(14)~~ Each university may assess a service charge  
19 for the payment of tuition and fees in installments. Such  
20 service charge must be approved by the university board of  
21 trustees.

22 Section 2. This act shall take effect July 1, 2007.

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25 SENATE SUMMARY

26 Authorizes the Board of Governors to delegate authority  
27 to establish certain fees to the board of trustees of a  
28 university.  
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