

Bill No. SB 8-C

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605-438B-08

Proposed Committee Substitute by the Committee on Higher
Education Appropriations

1 A bill to be entitled

2 An act relating to tuition and fees for higher

3 education; amending s. 1009.22, F.S., relating

4 to postsecondary student fees for workforce

5 education; deleting provisions requiring the

6 State Board of Education to adopt a fee

7 schedule; providing standard resident tuition

8 for the career certificate, applied technology

9 diploma, and adult general education courses;

10 authorizing district school boards and

11 community college boards to adopt tuition

12 within a specified range; limiting the amount

13 of the increase during the 2007-2008 fiscal

14 year; providing an appropriation and requiring

15 the Department of Education to allocate such

16 funds; amending s. 1009.23, F.S., relating to

17 community college student tuition and fees;

18 providing standard resident and nonresident

19 tuition and fees for community college

20 programs; deleting provisions requiring the

21 State Board of Education to adopt the fee

22 schedule in the absence of a provision in an

23 appropriations act; providing an appropriation

24 and requiring the Department of Education to

25 allocate such funds; amending s. 1009.24, F.S.,

26 relating to state university student fees;

27 providing an amount for resident undergraduate

28 tuition; providing an appropriation and

29 requiring the Board of Governors to allocate

30 the funds; providing an effective date.

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

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3 Section 1. Subsections (3), (10), (11), (12), and (13)
4 of section 1009.22, Florida Statutes, are amended to read:

5 1009.22 Workforce education postsecondary student
6 fees.--

7 (3)(a) ~~The Commissioner of Education shall provide to~~
8 ~~the State Board of Education no later than December 31 of each~~
9 ~~year a schedule of fees for workforce development education,~~
10 ~~excluding continuing workforce education, for school districts~~
11 ~~and community colleges. The fee schedule shall be based on the~~
12 ~~amount of student fees necessary to produce 25 percent of the~~
13 ~~prior year's average cost of a course of study leading to a~~
14 ~~certificate or diploma. Except as otherwise provided by law,~~
15 fees for students who are not residents for tuition purposes
16 must offset the full cost of instruction. Fee-nonexempt
17 students enrolled in vocational-preparatory instruction shall
18 be charged fees equal to the fees charged for certificate
19 career education instruction. Each community college that
20 conducts college-preparatory and vocational-preparatory
21 instruction in the same class section may charge a single fee
22 for both types of instruction.

23 (b) Fees for continuing workforce education shall be
24 locally determined by the district school board or community
25 college board. However, at least 50 percent of the
26 expenditures for the continuing workforce education program
27 provided by the community college or school district must be
28 derived from fees.

29 (c) Effective January 1, 2008, standard resident
30 tuition per contact hour shall be \$1.67 for programs leading
31 to a career certificate or an applied technology diploma and

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1 ~~83 cents for adult general education programs. The State Board~~
2 ~~of Education shall adopt a fee schedule for school districts~~
3 ~~and community colleges that produces the fee revenues~~
4 ~~calculated pursuant to paragraph (a). The schedule so~~
5 ~~calculated shall take effect, unless otherwise specified in~~
6 ~~the General Appropriations Act.~~

7 (d) Each district school board and each community
8 college board of trustees may adopt resident tuition that is
9 within the range of 5 percent below to 5 percent above the
10 standard tuition.

11 (e) The maximum increase in resident tuition for any
12 school district or community college during the 2007-2008
13 fiscal year shall be 5 percent over the tuition charged during
14 the 2006-2007 fiscal year.

15 ~~(f)(d)~~ The State Board of Education shall adopt, by
16 rule, the definitions and procedures that district school
17 boards shall use in the calculation of cost borne by students.

18 ~~(10)~~ Each year the State Board of Education shall
19 review and evaluate the percentage of the cost of adult
20 programs and certificate career education programs supported
21 through student fees. For students who are residents for
22 tuition purposes, the schedule adopted pursuant to subsection
23 ~~(3)~~ must produce revenues equal to 25 percent of the prior
24 year's average program cost for college-preparatory and
25 certificate-level workforce development programs. Fees for
26 continuing workforce education shall be locally determined by
27 the district school board or community college board. However,
28 at least 50 percent of the expenditures for the continuing
29 workforce education program provided by the community college
30 or school district must be derived from fees. Except as
31 otherwise provided by law, fees for students who are not

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1 ~~residents for tuition purposes must offset the full cost of~~
2 ~~instruction.~~

3 ~~(10)~~(11) Each school district and community college
4 may assess a service charge for the payment of tuition and
5 fees in installments. Such service charge must be approved by
6 the district school board or community college board of
7 trustees.

8 ~~(11)~~(12) Any school district or community college that
9 reports students who have not paid fees in an approved manner
10 in calculations of full-time equivalent enrollments for state
11 funding purposes shall be penalized at a rate equal to 2 times
12 the value of such enrollments. Such penalty shall be charged
13 against the following year's allocation from workforce
14 education funds or the Community College Program Fund and
15 shall revert to the General Revenue Fund. The State Board of
16 Education shall specify, in rule, approved methods of student
17 fee payment. Such methods must include, but need not be
18 limited to, student fee payment; payment through federal,
19 state, or institutional financial aid; and employer fee
20 payments.

21 ~~(12)~~(13) Each school district and community college
22 shall report only those students who have actually enrolled in
23 instruction provided or supervised by instructional personnel
24 under contract with the district or community college in
25 calculations of actual full-time enrollments for state funding
26 purposes. A student who has been exempted from taking a course
27 or who has been granted academic or technical credit through
28 means other than actual coursework completed at the granting
29 institution may not be calculated for enrollment in the course
30 from which the student has been exempted or for which the
31 student has been granted credit. School districts and

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1 community colleges that report enrollments in violation of
 2 this subsection shall be penalized at a rate equal to 2 times
 3 the value of such enrollments. Such penalty shall be charged
 4 against the following year's allocation from workforce
 5 education funds and shall revert to the General Revenue Fund.

6 Section 2. The nonrecurring sum of \$629,614 from the
 7 General Revenue Fund is appropriated to the Department of
 8 Education for the 2007-2008 fiscal year for Aid to Local
 9 Governments, Grants and Aids, Workforce Development. These
 10 funds are provided to fund one-half of the estimated annual
 11 revenue generated from a 5-percent increase in tuition for
 12 fee-paying students in school districts for the 2007-2008
 13 fiscal year. The department shall allocate the funds among the
 14 districts in the same proportion as each district's resident
 15 student tuition revenue is of the total for all districts.

16 Section 3. Subsections (3) and (4) of section 1009.23,
 17 Florida Statutes, are amended to read:

18 1009.23 Community college student fees.--

19 (3)(a) Effective January 1, 2008, the sum of the
 20 standard tuition and technology fee per credit hour for the
 21 following programs: advanced and professional; postsecondary
 22 vocational; college preparatory; and educator preparatory
 23 shall be \$51.35 for residents.

24 (b) Effective January 1, 2008, the sum of the standard
 25 tuition, out-of-state fee, and technology fee per credit hour
 26 for the following programs: advanced and professional;
 27 postsecondary vocational; college preparatory; and educator
 28 preparatory shall be \$154.14 for nonresidents.

29 (c) Effective January 1, 2008, the sum of the standard
 30 tuition and technology fee per credit hour for baccalaureate
 31 programs shall be \$65.47 for residents and the tuition and

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1 ~~out-of-state fees for nonresidents shall be no more than 85~~
2 ~~percent of the tuition and out-of-state fees at the public~~
3 ~~university nearest the community college. The State Board of~~
4 ~~Education shall adopt by December 31 of each year a resident~~
5 ~~fee schedule for the following fall for advanced and~~
6 ~~professional, associate in science degree, and~~
7 ~~college-preparatory programs that produce revenues in the~~
8 ~~amount of 25 percent of the full prior year's cost of these~~
9 ~~programs. Fees for courses in college preparatory programs and~~
10 ~~associate in arts and associate in science degree programs may~~
11 ~~be established at the same level. In the absence of a~~
12 ~~provision to the contrary in an appropriations act, the fee~~
13 ~~schedule shall take effect and the colleges shall expend the~~
14 ~~funds on instruction. If the Legislature provides for an~~
15 ~~alternative fee schedule in an appropriations act, the fee~~
16 ~~schedule shall take effect the subsequent fall semester.~~

17 (4) Each community college board of trustees shall
18 establish tuition and out-of-state fees, which may vary no
19 more than 10 percent below and 15 percent above the combined
20 total of the standard tuition fee schedule in subsection (3)
21 ~~adopted by the State Board of Education and the technology fee~~
22 ~~adopted by a board of trustees, provided that any amount from~~
23 10 to 15 percent above the tuition fee schedule is used only
24 to support safety and security purposes. In order to assess an
25 additional amount for safety and security purposes, a
26 community college board of trustees must provide written
27 justification to the State Board of Education based on
28 criteria approved by the board of trustees, including, but not
29 limited to, criteria such as local crime data and information,
30 and strategies for the implementation of local safety plans.
31 Should a college decide to increase the tuition fee, the funds

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1 raised by increasing the tuition ~~fee~~ must be expended solely
2 for additional safety and security purposes and shall not
3 supplant funding expended in the 1998-1999 budget for safety
4 and security purposes.

5 Section 4. The nonrecurring sum of \$11,446,858 from
6 the General Revenue Fund is appropriated to the Department of
7 Education for the 2007-2008 fiscal year for Aid to Local
8 Governments, Grants and Aids, Community Colleges Program Fund.
9 These funds are provided to fund one-half of the estimated
10 annual revenue generated from a 5-percent increase in tuition
11 for students in community colleges for the 2007-2008 fiscal
12 year. The department shall allocate the funds among the
13 community colleges in the same proportion as each college's
14 resident student tuition revenue is of the total for all
15 colleges.

16 Section 5. Subsection (4) of section 1009.24, Florida
17 Statutes, is amended to read:

18 1009.24 State university student fees.--

19 (4) Effective January 1, 2008, the resident
20 undergraduate tuition per credit hour for lower-level and
21 upper-level coursework shall be \$77.39. ~~Except as otherwise~~
22 provided by law, undergraduate tuition shall be established
23 annually in the General Appropriations Act. The Board of
24 Governors, or the board's designee, may establish tuition for
25 graduate and professional programs, and out-of-state fees for
26 all programs. The sum of tuition and out-of-state fees
27 assessed to nonresident students must be sufficient to offset
28 the full instructional cost of serving such students. However,
29 adjustments to out-of-state fees or tuition for graduate and
30 professional programs pursuant to this section may not exceed
31 10 percent in any year. The sum of the activity and service,

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1 health, and athletic fees a student is required to pay to
 2 register for a course shall not exceed 40 percent of the
 3 tuition established in law or in the General Appropriations
 4 Act. No university shall be required to lower any fee in
 5 effect on the effective date of this act in order to comply
 6 with this subsection. Within the 40 percent cap, universities
 7 may not increase the aggregate sum of activity and service,
 8 health, and athletic fees more than 5 percent per year unless
 9 specifically authorized in law or in the General
 10 Appropriations Act. A university may increase its athletic fee
 11 to defray the costs associated with changing National
 12 Collegiate Athletic Association divisions. Any such increase
 13 in the athletic fee may exceed both the 40 percent cap and the
 14 5 percent cap imposed by this subsection. Any such increase
 15 must be approved by the athletic fee committee in the process
 16 outlined in subsection(12) ~~(11)~~ and cannot exceed \$2 per
 17 credit hour. Notwithstanding the provisions of ss. 1009.534,
 18 1009.535, and 1009.536, that portion of any increase in an
 19 athletic fee pursuant to this subsection that causes the sum
 20 of the activity and service, health, and athletic fees to
 21 exceed the 40 percent cap or the annual increase in such fees
 22 to exceed the 5 percent cap shall not be included in
 23 calculating the amount a student receives for a Florida
 24 Academic Scholars award, a Florida Medallion Scholars award,
 25 or a Florida Gold Seal Vocational Scholars award. This
 26 subsection does not prohibit a university from increasing or
 27 assessing optional fees related to specific activities if
 28 payment of such fees is not required as a part of registration
 29 for courses.

30 Section 6. The nonrecurring sum of \$9,547,941 from the
 31 General Revenue Fund is appropriated to the Division of

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1 Universities for the 2007-2008 fiscal year for Aid to Local
2 Governments, Grants and Aids, Education and General
3 Activities. These funds are provided to fund one-half of the
4 estimated annual revenue generated from a 5-percent increase
5 in tuition for resident students in undergraduate enrollment
6 in state universities for the 2007-2008 fiscal year. The Board
7 of Governors shall allocate the funds among the universities
8 in the same proportion as each university's lower-level and
9 upper-level resident student tuition revenue is of the total
10 for all universities.

11 Section 7. This act shall take effect upon becoming a
12 law.

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