

STATE UNIVERSITIES

CS/CS/SB 762 — State University Tuition and Fees

by Higher Education Appropriations Committee; Higher Education Committee; and Senators Pruitt, King, and Lynn

This bill authorizes each state university to charge a tuition differential subject to approval by the Board of Governors. In addition to the five state universities that currently charge the tuition differential—the University of Florida, Florida State University, the University of South Florida, the University of Central Florida, and Florida International University—the remaining six state universities are authorized to establish a tuition differential, as well.

Seventy percent of the tuition differential would be used to enhance undergraduate education and 30 percent, or the equivalent amount from private sources, would be used to provide financial aid to undergraduate students who exhibit financial need. Possible uses of the tuition differential to enhance undergraduate education include increasing course offerings, improving graduation rates, increasing the percentage of undergraduate students who are taught by faculty, decreasing student-faculty ratios, providing salary increases for faculty who have a history of excellent teaching in undergraduate courses, improving the efficiency of the delivery of undergraduate education through academic advisement and counseling, reducing the percentage of students who graduate with excess hours, and other education enhancements. The bill prohibits using the tuition differential to pay the salaries of graduate teaching assistants.

The aggregate sum of tuition and the tuition differential could not increase by more than 15 percent of the total charged for these fees in the previous year. The total undergraduate tuition and fees per credit hour could not exceed the national average for undergraduate tuition at public universities.

The current requirements of the tuition differential continue to apply to students, as follows:

- The tuition differential is not covered by the Bright Futures Scholarship Program;
- Students who were in attendance at the qualifying institution prior to July 1, 2007, and who maintain continuous enrollment may not be charged the tuition differential;
- A university may waive the tuition differential for students who demonstrate unmet financial need under the criteria for the Florida Public Student Assistance Grant (FSAG); and
- Beneficiaries having prepaid tuition contracts in the Prepaid College Tuition Program in effect on July 1, 2007, are exempt from the payment of the tuition differential.

The Board of Governors must issue a report to the Governor, Senate President, House Speaker, and Commissioner of Education regarding the implementation of the tuition differential.

If approved by the Governor, these provisions take effect July 1, 2009.

Vote: Senate 30-7; House 101-17

SB 234 — State University Presidents

by Senators Gaetz and Lynn

This bill authorizes the state university boards of trustees to appoint, terminate, and establish the terms and conditions of employment of university presidents. The bill would eliminate the Board of Governors' role in the selection and appointment of university presidents.

If approved by the Governor, these provisions take effect July 1, 2009.

Vote: Senate 38-0; House 118-0

CS/SB 554 — Legal Jurisdiction of Campus Police

by Higher Education Appropriations Committee and Senator Dean

This bill expands the jurisdiction of state university police officers to enforce the law. In particular, the bill authorizes state university police officers to:

- Enforce laws within defined jurisdictional areas as agreed upon in a mutual aid agreement with another law enforcement agency;
- Enforce traffic laws when the violations occur within 1,000 feet of any university owned or controlled property or facilities;
- Enforce traffic laws beyond the 1,000-foot threshold when hot pursuit originates on university property or within 1,000 feet of university owned or controlled property or facilities, or as agreed upon in accordance with a mutual aid agreement;
- Arrest persons for violations of state law or applicable county or city ordinances if the violation occurs on or within 1,000 feet of university owned or controlled property or facilities; and
- Arrest persons for violations of state law or applicable county or city ordinances beyond the 1,000-foot threshold when hot pursuit originates on university property or within 1,000 feet of university owned or controlled property or facilities, or as agreed upon in accordance with a mutual aid agreement.

If approved by the Governor, these provisions take effect July 1, 2009.

Vote: Senate 38-0; House 115-1

HB 7041 — Public Records and Meetings Exemption, Florida Institute for Human and Machine Cognition, Inc.

by Governmental Affairs Policy Committee and Rep. Eisnaugle (CS/SB 1902 by Governmental Oversight and Accountability Committee and Higher Education Committee)

This bill would reenact the public records and public meetings exemptions for the Florida Institute for Human and Machine Cognition, Inc., as recommended by Senate Interim Project 2009-213.

The following information held by the Florida Institute for Human and Machine Cognition, Inc., is confidential and exempt from public disclosure requirements:

- Information relating to methods of manufacture;
- Potential trade secrets;
- Patentable material;
- Actual trade secrets;
- Business transactions;
- Identification of a donor or prospective donor who wishes to remain anonymous; and
- Information that is otherwise exempt under Florida law or under the laws of the state or nation from which a person provides the information to the institute.

The law also provides a public meetings exemption for that portion of a meeting at which information is presented or discussed that is confidential or exempt from public disclosure requirements.

If approved by the Governor, these provisions take effect October 1, 2009.

Vote: Senate 40-0; House 75-37

STATE COLLEGES, COLLEGES, AND COMMUNITY COLLEGES

CS/CS/SB 2682 — Florida College System

by Higher Education Appropriations Committee; Higher Education Committee; and Senator Pruitt

The bill implements some of the recommendations of the Florida College System Task Force and the State College Pilot Project. In particular, the bill would:

- Rename the Division of Community Colleges within the Department of Education as the Division of Florida Colleges;
- Define the colleges' service areas;
- Authorize a community college to change its name to college or state college if it has been authorized to grant baccalaureate degrees and has been accredited to do so by the Commission on Colleges of the Southern Association of Colleges and Schools, or, alternatively, with board-of-trustees and State Board of Education approval;

- Require the college to seek a statutory codification of the name in the year following the college's name change;
- Revise the primary mission of the community colleges to include upper level instruction and awarding baccalaureate degrees as authorized by law;
- Provide an opportunity for private institutions and state universities to propose an alternative baccalaureate program to one proposed by a Florida college;
- Require a Florida college's baccalaureate degree proposal to include:
 - A description of the planning process and timeline for implementation;
 - An analysis of workforce demand and unmet need for graduates of the program on a district, regional, or statewide basis, as appropriate;
 - Identification of the facilities, equipment, and library and academic resources that would be used to deliver the program;
 - The program cost analysis of creating a new baccalaureate degree when compared to alternative proposals and other program delivery options;
 - The program's admission requirements, academic content, curriculum, faculty credentials, student-to-teacher ratios, and accreditation plan;
 - The program's enrollment projections and funding requirements; and
 - A plan of action if the program is terminated;
- Require colleges to continue associate degree programs after receiving approval to offer a baccalaureate degree;
- Provide for an exemption from State Board of Education approval for colleges that meet certain criteria;
- Retain St. Petersburg College's authority to provide baccalaureate degrees as the college's board of trustees decide is necessary in its service area.

Finally, the bill renames certain colleges and community colleges.

If approved by the Governor, these provisions take effect July 1, 2009.

Vote: Senate 39-0; House 118-0

CS/HB 739 — Community College Transportation Fees

by State and Community Colleges and Workforce Policy Committee and Rep. Chestnut and others (CS/CS/SB 622 by Higher Education Appropriations Committee; Higher Education Committee; and Senator Oelrich)

This bill authorizes each community college board of trustees to establish a transportation access fee which could not exceed \$6.00 per credit hour. An increase in the fee could only occur once each year and would have to be implemented in the fall term. The fee would not be covered by the Bright Futures Scholarship Program.

If approved by the Governor, these provisions take effect July 1, 2009.

Vote: Senate 37-1; House 108-4

FLORIDA PREPAID COLLEGE PROGRAM

CS/CS/SB 606 — Florida Prepaid College Program

by Higher Education Appropriations Committee; Higher Education Committee; and Senators Wise, Fasano, Gardiner, and Storms

This bill permits beneficiaries of prepaid contracts to transfer the benefits of a prepaid contract to any eligible educational institution as defined in s. 529 of the Internal Revenue Code. The bill permits Florida Prepaid College Program beneficiaries the maximum choice permitted under s. 529 of the Internal Revenue Code in selecting an educational institution at which the benefits of their plans could be used.

The bill requires that any advertisement disseminated by a for-profit educational institution which references the Florida Prepaid College Program must state that the Florida Prepaid College Board does not endorse any particular educational institution.

If approved by the Governor, these provisions take effect July 1, 2009.

Vote: Senate 38-0; House 119-0

CS/HB 281 — Prepaid College Programs

by State Universities and Private Colleges Policy Committee and Rep. Weinstein and others (SB 1426 by Senator Wise)

This bill would permit certain purchasers of prepaid contracts for prepaid tuition scholarships to receive a refund for the redemption value of the unused portion of the prepaid contracts at state postsecondary institutions when the refund is used exclusively to fund the purchase of additional prepaid scholarship contracts. The bill only applies to the following entities:

- A purchaser of prepaid contracts that is a non-profit organization as described in s. 501(c)(3) of the U.S. Internal Revenue Code, that is exempt from taxation under s. 501(a) of the U.S. Internal Revenue Code, and that provides a scholarship program which is approved by the Florida College Prepaid Board; and
- The Florida Prepaid College Board direct support organization (Florida Prepaid College Foundation).

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 117-0

DISTANCE LEARNING

HB 7121 — Postsecondary Distance Learning

by Education Policy Council and Rep. Culp and others (CS/SB 844 by Higher Education Committee and Senator Oelrich)

This bill enacts recommendations of the Florida Distance Learning Task Force. The Florida Distance Learning Consortium is established to:

- Facilitate collaboration among public institutions in their use of distance learning;
- Increase student access to courses;
- Support institutions in their use of technology;
- Help build partnerships among the institutions, businesses, and communities;
- Manage and promote the Florida Higher Education Distance Learning Catalog;
- Consult with the Florida College System and the State University System to develop a plan for an automated, on-line registration process;
- Coordinate the negotiation of statewide licensing and preferred pricing agreements; and
- Develop and operate a central instructional content repository.

The Board of Governors and the State Board of Education would jointly oversee the consortium.

The bill defines a distance learning course as one in which at least 80 percent of the direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time, space, or both. A community college or state university course would have to meet this definition in order for the institution to assess the distance learning course user fee.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 117-0