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1 A bill to be entitled
2 An act relating to postsecondary education; amending s.
3 1009.22, F.S.; revising provisions relating to workforce
4 education postsecondary student fees; specifying the out-
5 of-state fee per contact hour; authorizing district school
6 boards and community college boards of trustees to adopt
7 an out-of-state fee within a specified range; prohibiting
8 the fee from exceeding a certain percentage of the tuition
9 per credit hour and the out-of-state fee per credit hour;
10 requiring that such fees be used to enhance instructional
11 technology resources; prohibiting the fee from being
12 included in any award under the Florida Bright Futures
13 Scholarship Program; amending s. 1009.23, F.S.; providing
14 an exemption relating to establishment of the community
15 college activity and service student fee; authorizing an
16 increase in the amount of fees collected for financial aid
17 purposes; increasing the amount of financial aid fees that
18 may be used to assist students who meet specified
19 criteria; conforming provisions relating to community
20 college student fees to changes made by the act; amending
21 s. 1011.52, F.S.; requiring the first accredited medical
22 school to enter into an annual operating agreement with a
23 government-owned hospital meeting specified criteria;
24 providing for maintenance of the affiliation; requiring
25 submission of documentation of the agreement to the
26 Department of Education prior to payment from an annual
27 appropriation; providing effective dates.

28
29 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Paragraphs (c), (d), and (e) of subsection (3) of section 1009.22, Florida Statutes, as amended by chapter 2007-329, Laws of Florida, are amended to read:

1009.22 Workforce education postsecondary student fees.--
(3)

(c) Effective January 1, 2008, standard ~~resident~~ tuition shall be \$1.67 per contact hour for programs leading to a career certificate or an applied technology diploma and 83 cents for adult general education programs. The out-of-state fee per contact hour shall be three times the standard tuition per contact hour.

(d) Beginning with the 2008-2009 fiscal year and each year thereafter, the ~~standard resident~~ tuition and the out-of-state fee per contact hour shall increase at the beginning of each fall semester at a rate equal to inflation, unless otherwise provided in the General Appropriations Act. The Office of Economic and Demographic Research shall report the rate of inflation to the President of the Senate, the Speaker of the House of Representatives, the Governor, and the State Board of Education each year prior to March 1. For purposes of this paragraph, the rate of inflation shall be defined as the rate of the 12-month percentage change in the Consumer Price Index for All Urban Consumers, U.S. City Average, All Items, or successor reports as reported by the United States Department of Labor, Bureau of Labor Statistics, or its successor for December of the previous year. In the event the percentage change is negative, the ~~standard resident~~ tuition and out-of-state fee shall remain at the same level as the prior fiscal year.

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(e) Each district school board and each community college board of trustees may adopt ~~resident~~ tuition and out-of-state fees that may vary no more than ~~is within the range of~~ 5 percent below and to 5 percent above the combined total of the standard tuition and out-of-state fees established in paragraph (c).

Section 2. Effective July 1, 2009, and applicable beginning with the fall term of the 2009-2010 academic year, subsection (7) of section 1009.22, Florida Statutes, as amended by chapter 2007-329, Laws of Florida, is amended to read:

1009.22 Workforce education postsecondary student fees.--

(7) Each district school board and community college board of trustees is authorized to establish a separate fee for technology, not to exceed 5 percent of tuition ~~\$1.80~~ per credit hour or credit-hour equivalent for resident students and not to exceed 5 percent of tuition and the out-of-state fee ~~not more than \$5.40~~ per credit hour or credit-hour equivalent for nonresident students, ~~or the equivalent, to be expended in accordance with technology improvement plans. Revenues generated from the technology fee shall be used to enhance instructional technology resources for students and faculty and shall not be included in any award under the Florida Bright Futures Scholarship Program. The technology fee may apply only to associate degree programs and courses.~~ Fifty percent of technology fee revenues may be pledged by a community college board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, not to exceed the useful life of the asset being financed. Revenues generated from the technology fee may not be bonded.

Section 3. Paragraph (a) of subsection (3), subsection (7),

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and paragraphs (a) and (c) of subsection (8) of section 1009.23, Florida Statutes, as amended by chapter 2007-329, Laws of Florida, are amended to read:

1009.23 Community college student fees.--

(3)(a) Effective January 1, 2008, for advanced and professional, postsecondary vocational, college preparatory, and educator preparation institute programs, the following tuition and fee rates shall apply:

1. The sum of the standard tuition and the technology fee shall be \$51.35 per credit hour for students who are residents for tuition purposes.

2. The sum of the standard tuition and, the technology fee shall be \$51.35 per credit hour, and the out-of-state fee shall be \$154.14 per credit hour for students who are nonresidents for tuition purposes.

(7) Each community college board of trustees may establish a separate activity and service fee not to exceed 10 percent of the tuition fee, according to rules of the State Board of Education. The student activity and service fee shall be collected as a component part of the tuition and fees. The student activity and service fees shall be paid into a student activity and service fund at the community college and shall be expended for lawful purposes to benefit the student body in general. These purposes include, but are not limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the community college without regard to race, sex, or religion. No community college shall be required to lower any activity and service fee approved by the board of trustees of the community college and in

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117 effect prior to October 26, 2007, in order to comply with the
118 provisions of this subsection.

119 (8)(a) Each community college board of trustees is
120 authorized to establish a separate fee for financial aid purposes
121 in an additional amount up to, but not to exceed, 5 percent of
122 the total student tuition or out-of-state fees collected. Each
123 community college board of trustees may collect up to an
124 additional 2 percent if the amount generated by the total
125 financial aid fee is less than \$500,000 ~~\$250,000~~. If the amount
126 generated is less than \$500,000 ~~\$250,000~~, a community college
127 that charges tuition and out-of-state fees at least equal to the
128 average fees established by rule may transfer from the general
129 current fund to the scholarship fund an amount equal to the
130 difference between \$500,000 ~~\$250,000~~ and the amount generated by
131 the total financial aid fee assessment. No other transfer from
132 the general current fund to the loan, endowment, or scholarship
133 fund, by whatever name known, is authorized.

134 (c) Up to 25 percent or \$600,000 ~~\$300,000~~, whichever is
135 greater, of the financial aid fees collected may be used to
136 assist students who demonstrate academic merit; who participate
137 in athletics, public service, cultural arts, and other
138 extracurricular programs as determined by the institution; or who
139 are identified as members of a targeted gender or ethnic minority
140 population. The financial aid fee revenues allocated for athletic
141 scholarships and fee exemptions provided pursuant to s.
142 1009.25(3) for athletes shall be distributed equitably as
143 required by s. 1000.05(3)(d). A minimum of 75 percent of the
144 balance of these funds for new awards shall be used to provide
145 financial aid based on absolute need, and the remainder of the

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funds shall be used for academic merit purposes and other purposes approved by the boards of trustees. Such other purposes shall include the payment of child care fees for students with financial need. The State Board of Education shall develop criteria for making financial aid awards. Each college shall report annually to the Department of Education on the revenue collected pursuant to this paragraph, the amount carried forward, the criteria used to make awards, the amount and number of awards for each criterion, and a delineation of the distribution of such awards. The report shall include an assessment by category of the financial need of every student who receives an award, regardless of the purpose for which the award is received. Awards which are based on financial need shall be distributed in accordance with a nationally recognized system of need analysis approved by the State Board of Education. An award for academic merit shall require a minimum overall grade point average of 3.0 on a 4.0 scale or the equivalent for both initial receipt of the award and renewal of the award.

Section 4. Effective July 1, 2009, and applicable beginning with the fall term of the 2009-2010 academic year, subsections (3) and (10) of section 1009.23, Florida Statutes, as amended by chapter 2007-329, Laws of Florida, and as amended by this act, are amended to read:

1009.23 Community college student fees.--

(3)(a) Effective January 1, 2008, for advanced and professional, postsecondary vocational, college preparatory, and educator preparation institute programs, the following tuition and fee rates shall apply:

1. The ~~sum of the~~ standard tuition ~~and the technology fee~~

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175 shall be \$51.35 per credit hour for students who are residents
176 for tuition purposes.

177 2. The ~~sum of the~~ standard tuition and the ~~technology fee~~
178 shall be \$51.35 per credit hour and the out-of-state fee shall be
179 \$154.14 per credit hour for students who are nonresidents for
180 tuition purposes.

181 (b) Effective January 1, 2008, for baccalaureate degree
182 programs, the following tuition and fee rates shall apply:

183 1. The ~~sum of the~~ tuition and the ~~technology fee~~ shall be
184 \$65.47 per credit hour for students who are residents for tuition
185 purposes.

186 2. The sum of the tuition, ~~the technology fee,~~ and the out-
187 of-state fee per credit hour for students who are nonresidents
188 for tuition purposes shall be no more than 85 percent of the sum
189 of the tuition and the out-of-state fee at the state university
190 nearest the community college.

191 (c) Beginning with the 2008-2009 fiscal year and each year
192 thereafter, the tuition and the out-of-state fee ~~fees specified~~
193 ~~in paragraphs (a) and (b)~~ shall increase at the beginning of each
194 fall semester at a rate equal to inflation, unless otherwise
195 provided in the General Appropriations Act. The Office of
196 Economic and Demographic Research shall report the rate of
197 inflation to the President of the Senate, the Speaker of the
198 House of Representatives, the Governor, and the State Board of
199 Education each year prior to March 1. For purposes of this
200 paragraph, the rate of inflation shall be defined as the rate of
201 the 12-month percentage change in the Consumer Price Index for
202 All Urban Consumers, U.S. City Average, All Items, or successor
203 reports as reported by the United States Department of Labor,

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Bureau of Labor Statistics, or its successor for December of the previous year. In the event the percentage change is negative, the ~~sum of the~~ tuition and ~~the technology fee per credit hour and~~ the out-of-state fee per credit hour shall remain at the same levels as the prior fiscal year.

(10) Each community college board of trustees is authorized to establish a separate fee for technology, which may not exceed 5 percent of tuition ~~\$1.80~~ per credit hour or credit-hour equivalent for resident students and may not exceed 5 percent of tuition and the out-of-state fee ~~not more than \$5.40~~ per credit hour or credit-hour equivalent for nonresident students, ~~to be expended according to technology improvement plans.~~ Revenues generated from the technology fee shall be used to enhance instructional technology resources for students and faculty. The technology fee may apply to both college credit and college-preparatory instruction and shall not be included in any award under the Florida Bright Futures Scholarship Program. Fifty percent of technology fee revenues may be pledged by a community college board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, not to exceed the useful life of the asset being financed. Revenues generated from the technology fee may not be bonded.

Section 5. Subsection (2) of section 1011.52, Florida Statutes, is amended to read:

1011.52 Appropriation to first accredited medical school.--

(2) In order for a medical school to qualify under the provisions of this section and to be entitled to the benefits herein, such medical school:

(a) Must be primarily operated and established to offer,

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233 afford, and render a medical education to residents of the state
234 qualifying for admission to such institution;

235 (b) Must be operated by a municipality or county of this
236 state, or by a nonprofit organization heretofore or hereafter
237 established exclusively for educational purposes;

238 (c) Must, upon the formation and establishment of an
239 accredited medical school, transmit and file with the Department
240 of Education documentary proof evidencing the facts that such
241 institution has been certified and approved by the council on
242 medical education and hospitals of the American Medical
243 Association and has adequately met the requirements of that
244 council in regard to its administrative facilities,
245 administrative plant, clinical facilities, curriculum, and all
246 other such requirements as may be necessary to qualify with the
247 council as a recognized, approved, and accredited medical school;

248 (d) Must certify to the Department of Education the name,
249 address, and educational history of each student approved and
250 accepted for enrollment in such institution for the ensuing
251 school year; ~~and~~—

252 (e) Must enter into an annual operating agreement each
253 fiscal year with a government-owned hospital that is located in
254 the same county as the medical school and that is a statutory
255 teaching hospital as defined in s. 408.07(45). The annual
256 operating agreement shall provide for the medical school to
257 maintain the same level of affiliation with the hospital,
258 including the level of services to indigent and charity care
259 patients served by the hospital, which was in place in the prior
260 fiscal year. Documentation of the operating agreement shall be
261 submitted to the Department of Education prior to the payment of

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262 moneys from the annual appropriation.

263 Section 6. Except as otherwise expressly provided in this
264 act, this act shall take effect July 1, 2008.