



1 postsecondary educational institution in this state. A charge  
2 for any other purpose shall not be included within this fee.

3 (33) NONRESIDENT TUITION.--The ~~additional~~ fee for  
4 instruction provided by a public postsecondary educational  
5 institution in this state, which fee is charged to a  
6 non-Florida student as defined in rules of the State Board of  
7 Education, the State Board of Community Colleges, or the Board  
8 of Regents. A charge for any other purpose shall not be  
9 included within this fee.

10 (43) REGISTRATION FEES.--The fees that a student  
11 attending a public postsecondary institution may be charged to  
12 enroll in a course. For a student attending a state  
13 university, these fees include tuition, financial aid fee,  
14 building fee, capital improvement trust fund fee, activity and  
15 service fee, health fee, and athletic fee. For a student  
16 attending a public community college or a school district  
17 vocational-technical school, these fees include tuition,  
18 activity and service fee, financial aid fee, and capital  
19 improvement fee.

20 Section 2. Subsections (9) through (17) of section  
21 239.117, Florida Statutes, are amended to read:

22 239.117 Workforce development postsecondary student  
23 fees.--

24 ~~(9) A district school board or a community college~~  
25 ~~board of trustees may charge other fees only as authorized by~~  
26 ~~rule of the State Board of Education or the State Board of~~  
27 ~~Community Colleges.~~

28 (9)(10) The State Board of Education and the State  
29 Board of Community Colleges shall adopt rules to allow the  
30 deferral of registration and tuition fees for students  
31 receiving financial aid from a federal or state assistance

1 program when such aid is delayed in being transmitted to the  
2 student through circumstances beyond the control of the  
3 student. The failure to make timely application for such aid  
4 is an insufficient reason to receive a deferral of fees. The  
5 rules must provide for the enforcement and collection or other  
6 settlement of delinquent accounts.

7 (10)~~(11)~~ Any veteran or other eligible student who  
8 receives benefits under chapter 30, chapter 31, chapter 32,  
9 chapter 34, or chapter 35 of Title 38, U.S.C., or chapter 106  
10 of Title 10, U.S.C., is entitled to one deferment each  
11 academic year and an additional deferment each time there is a  
12 delay in the receipt of benefits.

13 (11)~~(12)~~ Each school district and community college  
14 shall be responsible for collecting all deferred fees. If a  
15 school district or community college has not collected a  
16 deferred fee, the student may not earn state funding for any  
17 course for which the student subsequently registers until the  
18 fee has been paid.

19 (12)~~(13)~~ Any school district or community college that  
20 reports students who have not paid fees in an approved manner  
21 in calculations of full-time equivalent enrollments for state  
22 funding purposes shall be penalized at a rate equal to 2 times  
23 the value of such enrollments. Such penalty shall be charged  
24 against the following year's allocation from the Florida  
25 Workforce Development Education Fund or the Community College  
26 Program Fund and shall revert to the General Revenue Fund.  
27 The State Board of Education shall specify, in rule, approved  
28 methods of student fee payment. Such methods must include,  
29 but need not be limited to, student fee payment; payment  
30 through federal, state, or institutional financial aid; and  
31 employer fee payments.

1           (13)~~(14)~~ Each school district and community college  
2 shall report only those students who have actually enrolled in  
3 instruction provided or supervised by instructional personnel  
4 under contract with the district or community college in  
5 calculations of actual full-time enrollments for state funding  
6 purposes. A student who has been exempted from taking a  
7 course or who has been granted academic or vocational credit  
8 through means other than actual coursework completed at the  
9 granting institution may not be calculated for enrollment in  
10 the course from which the student has been exempted or for  
11 which the student has been granted credit. School districts  
12 and community colleges that report enrollments in violation of  
13 this subsection shall be penalized at a rate equal to 2 times  
14 the value of such enrollments. Such penalty shall be charged  
15 against the following year's allocation from the Workforce  
16 Development Education Fund and shall revert to the General  
17 Revenue Fund.

18           (14)~~(15)~~ School boards and community college boards of  
19 trustees may establish scholarship funds using donations. If  
20 such funds are established, school boards and community  
21 college boards of trustees shall adopt rules that provide for  
22 the criteria and methods for awarding scholarships from the  
23 fund.

24           ~~(16) School boards and community college boards of~~  
25 ~~trustees may establish, by rule, a consumable supply fee for~~  
26 ~~postsecondary students enrolled in certificate career~~  
27 ~~education or supplemental courses.~~

28           (15)~~(17)~~ Each school board and community college board  
29 of trustees may establish a separate fee for capital  
30 improvements, technology enhancements, or equipping buildings  
31 which may not exceed 5 percent of the matriculation fee for

1 resident students or 5 percent of the matriculation and  
2 tuition fee for nonresident students. Funds collected through  
3 these fees may not be bonded. The fee shall be collected as a  
4 component part of the registration and tuition fees, paid into  
5 a separate account, and expended only to maintain, improve,  
6 equip, or enhance the certificate career education or adult  
7 education facilities of the school district or community  
8 college. Projects funded through the use of the capital  
9 improvement fee must meet the survey and construction  
10 requirements of chapter 235. Pursuant to s. 216.0158, each  
11 school board and community college board of trustees shall  
12 identify each project, including maintenance projects,  
13 proposed to be funded in whole or in part by such fee. A  
14 maximum of 15 cents per credit hour may be allocated from the  
15 capital improvement fee for child care centers conducted by  
16 the school board or community college board of trustees.

17 (16) Community colleges and district school boards may  
18 not charge students enrolled in workforce development programs  
19 any fee that is not specifically authorized by statute. In  
20 addition to tuition, activity and service fees, financial aid  
21 fees, and capital improvement fees, as authorized in this  
22 section, community colleges and district school boards may  
23 charge students laboratory fees, transcript fees, application  
24 fees, graduation fees, and consumable supply fees. Only  
25 tuition and the fees specified in this subsection may be  
26 charged.

27 (17) Boards of trustees and district school boards may  
28 establish specific fees for instruction not reported for state  
29 funding purposes or for instruction not reported as state  
30 funded full-time equivalent students. Boards of trustees and  
31

1 district school boards are not required to charge any other  
2 fees specified in this section for this type of instruction.

3 Section 3. Subsection (3) of section 240.209, Florida  
4 Statutes, is amended to read:

5 240.209 Board of Regents; powers and duties.--

6 (3) The board shall:

7 (a) Develop a plan for the future expansion of the  
8 State University System and recommend the establishment of new  
9 universities consistent with the criteria adopted by the State  
10 Board of Education pursuant to s. 229.053. The plan must  
11 include a procedure for the periodic assessment of the need  
12 for a new state university and specific standards for the  
13 minimum acreage, building space, staffing, and programmatic  
14 mix of state universities.

15 (b) Appoint or remove the president of each university  
16 in accordance with procedures and rules adopted by the Board  
17 of Regents. The board may appoint a search committee to  
18 assist in evaluating presidential candidates. Each appointment  
19 of a university president shall be conducted in accordance  
20 with the provisions of ss. 119.07 and 286.011. The board  
21 shall determine the compensation and other conditions of  
22 employment for each president. The board shall not provide a  
23 tenured faculty appointment to any president who is removed  
24 through termination by the board or resignation tendered at  
25 the request of the board.

26 (c) Approve new degree programs for all state  
27 universities. In so doing, the board shall be mindful of the  
28 differentiated missions of the several universities. New  
29 colleges, schools, or functional equivalents of any program  
30 leading to a degree which is offered as a credential for a  
31 specific license granted under the Florida Statutes or the

1 State Constitution shall not be established without the  
2 specific approval of the Legislature.

3 (d) Prepare the legislative budget requests, including  
4 fixed capital outlay requests, in accordance with chapter 216  
5 and s. 235.41. The board shall provide to the individual  
6 universities fiscal policy guidelines, formats, and  
7 instructions for the development of individual university  
8 budget requests.

9 (e) Establish student fees pursuant to the provisions  
10 of s. 240.235.

11 ~~1. By no later than December 1 of each year, the board~~  
12 ~~shall raise the systemwide standard for resident undergraduate~~  
13 ~~matriculation and financial aid fees for the subsequent fall~~  
14 ~~term, up to but no more than 25 percent of the prior year's~~  
15 ~~cost of undergraduate programs. In implementing this~~  
16 ~~paragraph, fees charged for graduate, medical, veterinary, and~~  
17 ~~dental programs may be increased by the Board of Regents in~~  
18 ~~the same percentage as the increase in fees for resident~~  
19 ~~undergraduates. However, in the absence of legislative action~~  
20 ~~to the contrary in an appropriations act, the board may not~~  
21 ~~approve annual fee increases for resident students in excess~~  
22 ~~of 10 percent. The sum of nonresident student matriculation~~  
23 ~~and tuition fees must be sufficient to defray the full cost of~~  
24 ~~undergraduate education. Graduate, medical, veterinary, and~~  
25 ~~dental fees charged to nonresidents may be increased by the~~  
26 ~~board in the same percentage as the increase in fees for~~  
27 ~~nonresident undergraduates. However, in implementing this~~  
28 ~~policy and in the absence of legislative action to the~~  
29 ~~contrary in an appropriations act, annual fee increases for~~  
30 ~~nonresident students may not exceed 25 percent. In the absence~~  
31 ~~of legislative action to the contrary in the General~~

1 ~~Appropriations Act, the fees shall go into effect for the~~  
2 ~~following fall term.~~

3         ~~2. When the appropriations act requires a new fee~~  
4 ~~schedule, the board shall establish a systemwide standard fee~~  
5 ~~schedule required to produce the total fee revenue established~~  
6 ~~in the appropriations act based on the product of the assigned~~  
7 ~~enrollment and the fee schedule. The board may approve the~~  
8 ~~expenditure of any fee revenues resulting from the product of~~  
9 ~~the fee schedule adopted pursuant to this section and the~~  
10 ~~assigned enrollment.~~

11         ~~3. Upon provision of authority in a General~~  
12 ~~Appropriations Act to spend revenue raised pursuant to this~~  
13 ~~section, the board shall approve a university request to~~  
14 ~~implement a matriculation and out-of-state tuition fee~~  
15 ~~schedule which is calculated to generate revenue which varies~~  
16 ~~no more than 10 percent from the standard fee revenues~~  
17 ~~authorized through an appropriations act. In implementing an~~  
18 ~~alternative fee schedule, the increase in cost to a student~~  
19 ~~taking 15 hours in one term shall be limited to 5 percent.~~  
20 ~~Matriculation and out-of-state tuition fee revenues generated~~  
21 ~~as a result of this provision are to be expended for~~  
22 ~~implementing a plan for achieving accountability goals adopted~~  
23 ~~pursuant to s. 240.214(2) and for implementing a Board of~~  
24 ~~Regents approved plan to contain student costs by reducing the~~  
25 ~~time necessary for graduation without reducing the quality of~~  
26 ~~instruction. The plans shall be recommended by a~~  
27 ~~universitywide committee, at least one-half of whom are~~  
28 ~~students appointed by the student body president. A~~  
29 ~~chairperson, appointed jointly by the university president and~~  
30 ~~the student body president, shall vote only in the case of a~~  
31 ~~tie.~~

1           ~~4. The board is authorized to collect for financial~~  
2 ~~aid purposes an amount not to exceed 5 percent of the student~~  
3 ~~tuition and matriculation fee per credit hour. The revenues~~  
4 ~~from 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. The board shall specify specific~~  
7 ~~limits on the percent of the fees collected in a fiscal year~~  
8 ~~which may be carried forward unexpended to the following~~  
9 ~~fiscal year. A minimum of 50 percent of funds from the student~~  
10 ~~financial aid fee shall be used to provide financial aid based~~  
11 ~~on absolute need. A student who has received an award prior to~~  
12 ~~July 1, 1984, shall have his or her eligibility assessed on~~  
13 ~~the same criteria that was used at the time of his or her~~  
14 ~~original award.~~

15           ~~5. The board may recommend to the Legislature an~~  
16 ~~appropriate systemwide standard matriculation and tuition fee~~  
17 ~~schedule.~~

18           ~~6. The Education and General Student and Other Fees~~  
19 ~~Trust Fund is hereby created, to be administered by the~~  
20 ~~Department of Education. Funds shall be credited to the trust~~  
21 ~~fund from student fee collections and other miscellaneous fees~~  
22 ~~and receipts. The purpose of the trust fund is to support the~~  
23 ~~instruction and research missions of the State University~~  
24 ~~System. Notwithstanding the provisions of s. 216.301, and~~  
25 ~~pursuant to s. 216.351, any balance in the trust fund at the~~  
26 ~~end of any fiscal year shall remain in the trust fund and~~  
27 ~~shall be available for carrying out the purposes of the trust~~  
28 ~~fund.~~

29           (f) Establish and maintain systemwide personnel  
30 programs for all State University System employees, including  
31 a systemwide personnel classification and pay plan,

1 notwithstanding provisions of law that grant authority to the  
2 Department of Management Services over such programs for state  
3 employees. The board shall consult with the legislative  
4 appropriations committees regarding any major policy changes  
5 related to classification and pay which are in conflict with  
6 those policies in effect for career service employees with  
7 similar job classifications and responsibilities. The board  
8 may adopt rules delegating its authority to the Chancellor or  
9 the universities. The board shall submit, in a manner  
10 prescribed by law, any reports concerning State University  
11 System personnel programs as shall be required of the  
12 Department of Management Services for other state employees.  
13 The Department of Management Services shall retain authority  
14 over State University System employees for programs  
15 established in ss. 110.116, 110.123, 110.1232, 110.1234,  
16 110.1235, and 110.1238 and in chapters 121, 122, and 238. The  
17 board shall adopt only those rules necessary to provide for a  
18 coordinated, efficient systemwide program and shall delegate  
19 to the universities all authority necessary for implementation  
20 of the program consistent with these coordinating rules so  
21 adopted and applicable collective bargaining agreements.  
22 Notwithstanding the provisions of s. 216.181(7), the salary  
23 rate controls for positions in budgets under the Board of  
24 Regents shall separately delineate the general faculty and all  
25 other categories.

26 (g) Develop a plan, to be mutually agreed upon by  
27 applicable bargaining units, for the transfer of employees  
28 from career service status provisions of chapter 110. Subject  
29 to the approval of the President of the Senate and the Speaker  
30 of the House of Representatives, the plan shall become  
31 effective July 1, 1986.

1           (h) Recommend to the Legislature any proposed changes  
2 in the Capital Improvement Trust Fund and building fees. ~~The~~  
3 ~~Capital Improvement Trust Fund fee is established as \$2.44 per~~  
4 ~~credit hour per semester. The building fee is established as~~  
5 ~~\$2.32 per credit hour per semester.~~

6           (i) Terminate programs at the state universities  
7 pursuant to findings of reviews and evaluations of  
8 instructional, research, and service programs at the  
9 universities.

10           (j) After consultation with the university presidents,  
11 adopt a systemwide strategic plan which specifies goals and  
12 objectives for the State University System. In developing  
13 this plan, the board shall consider the role of individual  
14 public and independent institutions within the state. The plan  
15 shall provide for the roles of the universities to be  
16 coordinated to best meet state needs and reflect  
17 cost-effective use of state resources. The strategic plan  
18 shall clarify mission statements and identify degree programs  
19 to be offered at each university in accordance with the  
20 objectives provided herein. The systemwide strategic plan  
21 shall be for a period of 5 years with modification of the  
22 program lists after 2 years. Development of each 5-year plan  
23 shall be coordinated with and initiated subsequent to  
24 completion of the master plan specified in s. 240.147. The  
25 Board of Regents shall submit a report to the Speaker of the  
26 House of Representatives and the President of the Senate upon  
27 modification of the system plan.

28           (k) Seek the cooperation and advice of the officers  
29 and trustees of both public and private institutions of higher  
30 education in the state in performing its duties and making its  
31 plans, studies, and recommendations.

1           (l) Coordinate and provide for educational television  
2 in the State University System.

3           (m) Establish and maintain an effective information  
4 system which will provide composite data about the university  
5 system and assure that special analyses and studies of the  
6 universities are conducted, as necessary, for provision of  
7 accurate and cost-effective information about the universities  
8 and about the system as a whole.

9           (n) Seek the cooperation and advice of superintendents  
10 and board members of local school districts in the state in  
11 performing its duties and making its plans, studies, and  
12 recommendations. The systemwide and university strategic plans  
13 shall specifically include programs and procedures for  
14 responding to the educational needs of teachers and students  
15 in the public schools of this state.

16           (o) Submit to the State Board of Education, for  
17 approval, all new campuses and instructional centers approved  
18 by the board.

19           (p) Notwithstanding the provisions of ss. 216.044,  
20 255.248, 255.249, 255.25, 255.28, 255.29, and 287.055, adopt  
21 rules to administer a program for the maintenance and  
22 construction of facilities in the State University System and  
23 to secure, or otherwise provide as a self-insurer pursuant to  
24 s. 440.38(6), workers' compensation coverage for contractors  
25 and subcontractors, or each of them, employed by or on behalf  
26 of the Board of Regents when performing work on or adjacent to  
27 property owned or used by the Board of Regents or the State  
28 University System.

29           (q) Adopt rules to ensure compliance with the  
30 provisions of s. 287.0945, for all State University System  
31 procurement, and additionally, ss. 255.101 and 255.102, for

1 construction contracts, and rules adopted pursuant thereto,  
2 relating to the utilization of minority business enterprises,  
3 except that procurements costing less than the amount provided  
4 for in CATEGORY FIVE as provided in s. 287.017 shall not be  
5 subject to s. 287.0945(7)(a).

6 (r) Adopt such rules as are necessary to carry out its  
7 duties and responsibilities.

8 (s) Monitor the extent of limited access programs  
9 within the state universities and report to the State Board of  
10 Education and the Legislature admissions and enrollment data  
11 for limited access programs. Such report shall be submitted  
12 by December 1, 1991, and annually thereafter, and shall assist  
13 in determining the potential need for academic program  
14 contracts with independent institutions pursuant to s.  
15 229.053. The report shall include, for each limited access  
16 program within each institution, the following categories, by  
17 race and gender:

- 18 1. The number of applicants.
- 19 2. The number of applicants granted admission.
- 20 3. The number of applicants who are granted admission  
21 and enroll.
- 22 4. The number of applicants denied admission.
- 23 5. The number of applicants neither granted admission  
24 nor denied admission.

25  
26 Each category shall be reported for each term. Each category  
27 shall be reported by type of student, including the following  
28 subcategories: native student, community college associate in  
29 arts degree transfer student, and other student. Each  
30 category and subcategory shall further be reported according  
31 to the number of students who meet or exceed the minimum

1 eligibility requirements for admission to the program and the  
2 number of students who do not meet or exceed the minimum  
3 eligibility requirements for admission to the program.

4 (t) Adopt rules providing that each state university  
5 shall advise students who meet the minimum requirements for  
6 admission to the upper division of a state university, but are  
7 denied admission to limited access programs, of the  
8 availability of similar programs at other State University  
9 System institutions and the admissions requirements of such  
10 programs.

11 Section 4. Section 240.235, Florida Statutes, is  
12 amended to read:

13 240.235 Fees.--

14 (1) The board shall, as part of its legislative budget  
15 request, propose a fee schedule for tuition and financial aid  
16 fees sufficient to generate the revenues required in the  
17 budget request. The resident undergraduate tuition shall be  
18 set at no less than 25 percent of the full cost of  
19 undergraduate instruction. Except as otherwise provided by  
20 law, the resident graduate tuition shall be set at no less  
21 than 25 percent of the full cost of graduate instruction. The  
22 nonresident undergraduate tuition must be sufficient to defray  
23 the full cost of undergraduate education. The nonresident  
24 graduate tuition must be sufficient to defray the full cost of  
25 graduate education.

26 (2) As necessary, the board shall revise the  
27 systemwide standard fee schedule to produce the total fee  
28 revenue established in the appropriations act, based on the  
29 product of the assigned enrollment and the fee schedule.  
30 However, the annual fee increases for resident tuition may not  
31

1 exceed 10 percent unless otherwise provided in the  
2 appropriations act.

3 (3) The board may approve a university request to  
4 implement a resident and nonresident tuition schedule that is  
5 calculated to generate revenue that varies no more than 10  
6 percent from the standard fee revenues authorized through an  
7 appropriations act.

8 (4) The board may collect for financial aid purposes  
9 an amount not to exceed 5 percent of the registration fees.  
10 These revenues are to remain at each campus and must be  
11 disbursed to students as quickly as possible. The board shall  
12 establish specific limits on the percent of the fees collected  
13 in a fiscal year which may be carried forward unexpended to  
14 the following fiscal year. A minimum of 70 percent of funds  
15 from the student financial aid fee must be used to provide  
16 financial aid based on absolute need.

17 (5) The Capital Improvement Trust Fund fee is  
18 established as \$2.44 per credit hour per semester. The  
19 building fee is established as \$2.32 per credit hour per  
20 semester.

21 (6) Unless otherwise provided, funds from student fee  
22 collections and other miscellaneous fees and receipts shall be  
23 credited to the Education and General Student Other Fees Trust  
24 Fund, administered by the Department of Education. The purpose  
25 of the trust fund is to support the instruction and research  
26 missions of the State University System. Notwithstanding the  
27 provisions of s. 216.301, and pursuant to s. 216.351, any  
28 balance in the trust fund at the end of any fiscal year shall  
29 remain in the trust fund and shall be available for carrying  
30 out the purposes of the trust fund.

31

1           (7)~~(1)~~ Each university is authorized to establish  
2 separate activity and service, health, and athletic fees.  
3 When duly established, the fees shall be collected as  
4 component parts of the registration ~~and tuition~~ fees and shall  
5 be retained by the university and paid into the separate  
6 activity and service, health, and athletic funds.

7           (a)1. Each university president shall establish a  
8 student activity and service fee on the main campus of the  
9 university. The university president may also establish a  
10 student activity and service fee on any branch campus or  
11 center. Any subsequent increase in the activity and service  
12 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  
16 chairperson, appointed jointly by the university president and  
17 the student body president, shall vote only in the case of a  
18 tie. The recommendations of the committee shall take effect  
19 only after approval by the university president, after  
20 consultation with the student body president, with final  
21 approval by the Board of Regents. An increase in the activity  
22 and service fee may occur only once each fiscal year and must  
23 be implemented beginning with the fall term. The Board of  
24 Regents is responsible for promulgating the rules and  
25 timetables necessary to implement this fee.

26           2. 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  
17 vetoes 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 (b) Each university president shall establish a  
26 student health fee on the main campus of the university. The  
27 university president may also establish a student health fee  
28 on any branch campus or center. Any subsequent increase in the  
29 health fee must be recommended by a health committee, at least  
30 one-half of whom are students appointed by the student body  
31 president. The remainder of the committee shall be appointed

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

11 (c) Each university president shall establish a  
12 separate athletic fee on the main campus of the university.  
13 The university president may also establish a separate  
14 athletic fee on any branch campus or center. ~~The initial~~  
15 ~~aggregate athletic fee at each university shall be equal to,~~  
16 ~~but may be no greater than, the 1982-1983 per-credit-hour~~  
17 ~~activity and service fee contributed to intercollegiate~~  
18 ~~athletics, including women's athletics, as provided by s.~~  
19 ~~240.533. Concurrently with the establishment of the athletic~~  
20 ~~fee, the activity and service fee shall experience a one-time~~  
21 ~~reduction equal to the initial aggregate athletic fee.~~ Any  
22 subsequent increase in the athletic fee must be recommended by  
23 an athletic fee committee, at least one-half of whom are  
24 students appointed by the student body president. The  
25 remainder of the committee shall be appointed by the  
26 university president. A chairperson, appointed jointly by the  
27 university president and the student body president, shall  
28 vote only in the case of a tie. The recommendations of the  
29 committee shall take effect only after approval by the  
30 university president, after consultation with the student body  
31 president, with final approval by the Board of Regents. An

1 increase in the athletic fee may occur only once each fiscal  
2 year and must be implemented beginning with the fall term. The  
3 Board of Regents is responsible for promulgating the rules and  
4 timetables necessary to implement this fee.

5 (8)~~(2)~~ The university may permit the deferral of  
6 registration ~~and tuition~~ fees for those students receiving  
7 financial aid from federal or state assistance programs when  
8 such aid is delayed in being transmitted to the student  
9 through circumstances beyond the control of the student.  
10 Failure to make timely application for such aid shall be  
11 insufficient reason to receive such deferral. Veterans and  
12 other eligible students receiving benefits under chapter 30,  
13 chapter 31, chapter 32, chapter 34, or chapter 35, 38 U.S.C.,  
14 or chapter 106, 10 U.S.C., shall be entitled to one deferment  
15 each academic year and an additional deferment each time there  
16 is a delay in the receipt of their benefits.

17 (9)~~(3)~~ The Board of Regents shall establish rules to  
18 waive any or all application, course registration, and related  
19 fees for persons 60 years of age or older who are residents of  
20 this state and who attend credit classes ~~for credit~~. No  
21 academic credit shall be awarded for attendance in classes for  
22 which fees are waived under this subsection. This privilege  
23 may be granted only on a space-available basis, if such  
24 classes are not filled as of the close of registration. A  
25 university may limit or deny the privilege for courses which  
26 are in programs for which the Board of Regents has established  
27 selective admissions criteria. Persons paying full fees and  
28 state employees taking courses on a space-available basis  
29 shall have priority over those persons whose fees are waived  
30 in all cases where classroom spaces are limited.

31

1           ~~(10)(4)~~ Students enrolled in a dual enrollment or early  
2 admission program pursuant to s. 240.116 shall be exempt from  
3 the payment of registration, ~~matriculation,~~ and laboratory  
4 fees. Students enrolled in accordance with this subsection may  
5 be calculated as the proportional shares of full-time  
6 equivalent enrollments each such student generates for state  
7 funding purposes.

8           (11)~~(5)~~(a) Any student for whom the state is paying a  
9 foster care board payment pursuant to s. 409.145(3) or parts  
10 III and V of chapter 39, for whom the permanency planning goal  
11 pursuant to part V of chapter 39 is long-term foster care or  
12 independent living, or who is adopted from the Department of  
13 Children and Family Services after December 31, 1997, shall be  
14 exempt from the payment of all undergraduate fees, including  
15 fees associated with enrollment in college-preparatory  
16 instruction or completion of college-level communication and  
17 computation skills testing programs. Before a fee exemption  
18 can be given, the student shall have applied for and been  
19 denied financial aid, pursuant to s. 240.404, which would have  
20 provided, at a minimum, payment of all undergraduate fees.  
21 Such exemption shall be available to any student adopted from  
22 the Department of Children and Family Services after December  
23 31, 1997; however, the exemption shall be valid for no more  
24 than 4 years after the date of graduation from high school.

25           (b) Any student qualifying for a fee exemption under  
26 this subsection shall receive such an exemption for not more  
27 than 4 consecutive years or 8 semesters unless the student is  
28 participating in college-preparatory instruction or is  
29 requiring additional time to complete the college-level  
30 communication and computation skills testing programs. Such a  
31

1 student shall be eligible to receive a fee exemption for a  
2 maximum of 5 consecutive years or 10 semesters.

3 (c) As a condition for continued fee exemption, a  
4 student shall have earned a grade point average of at least  
5 2.0 on a 4.0 scale for the previous term, maintain at least an  
6 overall 2.0 average for college work, or have an average below  
7 2.0 for only the previous term and be eligible for continued  
8 enrollment in the institution.

9 (12)~~(6)~~ Each university may assess a service charge  
10 for the payment of tuition and fees in installments. Such  
11 service charge must be approved by the Board of Regents. The  
12 revenues from such service charges shall be deposited into the  
13 Education and General Student Other Fees Trust Fund ~~Incidental~~  
14 ~~Trust Fund~~.

15 (13)~~(7)~~ Any graduate student enrolled in a  
16 state-approved school psychology training program shall be  
17 entitled to a waiver of registration fees for internship  
18 credit hours applicable to an internship in the public school  
19 system under the supervision of a Department of Education  
20 certified school psychologist employed by the school system.

21 (14)~~(8)~~ The Board of Regents shall exempt one-half of  
22 all tuition and course-related fees for certain members of the  
23 active Florida National Guard pursuant to the provisions of s.  
24 250.10(8).

25 (15)~~(9)~~ The Board of Regents may establish rules to  
26 allow for the waiver of out-of-state fees for  
27 nondegree-seeking students enrolled at State University System  
28 institutions if the earned student credit hours generated by  
29 such students are nonfundable and the direct cost for the  
30 program of study is recovered from the fees charged to all  
31 students.

1           Section 5. Subsections (15), (16), and (17) are added  
2 to s. 240.35, Florida Statutes, to read:

3           240.35 Student fees.--Unless otherwise provided, the  
4 provisions of this section apply only to fees charged for  
5 college credit instruction leading to an associate degree,  
6 including college-preparatory courses defined in s. 239.105.

7           (15) For the discretionary fees authorized in  
8 subsections (9), (10), and (13), each board of trustees may  
9 very fee levels within the specified parameters of each fee in  
10 those subsections.

11           (16) Community colleges may not charge any fee that is  
12 not specifically authorized by statute. Community colleges may  
13 charge laboratory fees, transcript fees, application fees, and  
14 graduation fees. Only tuition and the fees specified by this  
15 subsection may be charged.

16           (17) Boards of trustees may establish specific fees  
17 for instruction not reported for state funding purposes or for  
18 instruction not reported as state-funded full-time equivalent  
19 students. Boards of trustees are not required to charge any  
20 other fees specified in this section for this type of  
21 instruction.

22           Section 6. Paragraphs (a) and (b) of subsection (7) of  
23 section 240.551, Florida Statutes, are amended to read:

24           240.551 Florida Prepaid Postsecondary Education  
25 Expense Program.--

26           (7) At a minimum, the board shall make advance payment  
27 contracts available for two independent plans to be known as  
28 the community college plan and the university plan. The board  
29 may also make advance payment contracts available for a  
30 dormitory residence plan.

31

1 (a) Through the community college plan, the advance  
2 payment contract shall provide prepaid registration fees for a  
3 specified number of undergraduate semester credit hours not to  
4 exceed the average number of hours required for the conference  
5 of an associate degree. The cost of participation in the  
6 community college plan shall be based primarily on the average  
7 current and projected registration fees within the State  
8 Community College System and the number of years expected to  
9 elapse between the purchase of the plan on behalf of a  
10 qualified beneficiary and the exercise of the benefits  
11 provided in the plan by such beneficiary. Effective July 1,  
12 1998, the board may provide advance payment contracts for  
13 activity and service fees in conjunction with or in addition  
14 to advance payment contracts for registration fees. The cost  
15 of purchasing activity and service fees shall be based  
16 primarily on the average current and projected activity and  
17 service fees within the State Community College System and the  
18 number of years expected to elapse between the purchase of the  
19 plan on behalf of a qualified beneficiary and the exercise of  
20 the benefits provided in the plan by such beneficiary.  
21 Qualified beneficiaries shall bear the cost of any laboratory  
22 fees associated with enrollment in specific courses. Each  
23 qualified beneficiary shall be classified as a resident for  
24 tuition purposes pursuant to s. 240.1201 regardless of his or  
25 her actual legal residence.

26 (b) Through the university plan, the advance payment  
27 contract shall provide prepaid registration fees for a  
28 specified number of undergraduate semester credit hours not to  
29 exceed the average number of hours required for the conference  
30 of a baccalaureate degree. The cost of participation in the  
31 university plan shall be based primarily on the current and

1 projected registration fees within the State University System  
2 and the number of years expected to elapse between the  
3 purchase of the plan on behalf of a qualified beneficiary and  
4 the exercise of the benefits provided in the plan by such  
5 beneficiary. Effective July 1, 1998, the board may provide  
6 advance payment contracts for activity fees and service,  
7 health, and athletic fees in conjunction with or in addition  
8 to advance payment contracts for registration fees. The cost  
9 of purchasing activity and service, health, and athletic fees  
10 shall be based primarily on the average current and projected  
11 cost of these fees within the State University System and the  
12 number of years expected to elapse between the purchase of the  
13 plan on behalf of a qualified beneficiary and the exercise of  
14 the benefits provided in the plan by such beneficiary.  
15 However, the maximum coverage of these fees may not exceed 45  
16 percent of tuition. Qualified beneficiaries shall bear the  
17 cost of any laboratory fees associated with enrollment in  
18 specific courses. In the event that a qualified beneficiary  
19 fails to be admitted to a state university or chooses to  
20 attend a community college, the qualified beneficiary may  
21 convert the average number of semester credit hours required  
22 for the conference of an associate degree from a university  
23 plan to a community college plan and may retain the remaining  
24 semester credit hours in the university plan or may request a  
25 refund for prepaid credit hours in excess of the average  
26 number of semester credit hours required for the conference of  
27 an associate degree pursuant to subparagraph (6)(a)7. Each  
28 qualified beneficiary shall be classified as a resident for  
29 tuition purposes pursuant to s. 240.1201 regardless of his or  
30 her actual legal residence.

31 Section 7. This act shall take effect July 1, 1998.

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SENATE SUMMARY

Revises provisions relating to postsecondary education.  
Provides definitions relating to postsecondary education  
fees and directs that changes in terminology be made in  
the Florida Statutes. Authorizes fees and prohibits  
community colleges and district school boards from  
charging fees not specifically authorized by statute.  
Authorizes the Board of Regents to set fees based on the  
full cost of instruction and authorizes specific fees.  
Authorizes advance payment contracts pertaining to the  
Florida Prepaid Postsecondary Education Expense Program.  
(See bill for details.)