

Bill No. CS for SB 2214

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Grant moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 40, between lines 14 and 15,		
15			
16	insert:		
17	Section 5. Effective January 1, 1999, section 240.207,		
18	Florida Statutes, is amended to read:		
19	240.207 Board of Regents; appointment of members;		
20	qualifications and terms of office.--		
21	(1) The Board of Regents shall consist of the		
22	Commissioner of Education and <u>13</u> 12 citizens of this state who		
23	shall be selected from the state at large, representative of		
24	the geographical areas of the state; who shall have been		
25	residents and citizens thereof for a period of at least 10		
26	years prior to their appointment (one of whom shall be a		
27	member registered as a full-time student in the State		
28	University System and who shall have been a resident of this		
29	state for at least 5 years prior to appointment in lieu of the		
30	10 years required of other members); and who shall be		
31	appointed by the Governor, approved by three members of the		

Bill No. CS for SB 2214

Amendment No. ____

1 Cabinet, and confirmed by the Senate. However, no appointee
2 shall take office until after his or her appointment has been
3 approved by three members of the Cabinet. The State Board of
4 Education shall develop rules and procedures for review and
5 approval of the appointees. Except for the Commissioner of
6 Education and except for the full-time student member, who
7 shall serve for 1 year, the terms of office for the members of
8 the Board of Regents appointed after the effective date of
9 this act shall be 4 6 years and until their successors are
10 appointed and qualified, except in case of an appointment to
11 fill a vacancy, in which case the appointment shall be for the
12 unexpired term, and except as in this section otherwise
13 provided. No member shall be selected from any county to
14 serve with any other member from the same county, except that
15 not more than two members may be selected from a county which
16 has a population in excess of 900,000, and with the exceptions
17 of the student member, who shall be selected at large, and the
18 Commissioner of Education. The Governor shall fill all
19 vacancies, subject to the above approval and confirmation,
20 that may at any time occur on the board.

21 (2) Members may be removed for cause at any time upon
22 the concurrence of a majority of the members of the State
23 Board of Education.

24 ~~(3) To create an orderly succession of Regents and the~~
25 ~~appointment of two Regents each year, one additional Regent~~
26 ~~shall be appointed in 1991 to serve a 6-year term, and one~~
27 ~~additional Regent shall be appointed in 1992 to serve a 6-year~~
28 ~~term. For the four seats with terms ending in 1993, the~~
29 ~~Governor shall make one appointment for a 3-year term and two~~
30 ~~appointments for regular 6-year terms. For 1 year, from~~
31 ~~January 1992 to January 1993, there shall be a total of 15~~

Bill No. CS for SB 2214

Amendment No. ____

1 ~~Regents. All the members of the Board of Regents serving on~~
2 ~~May 3, 1991, shall complete their regular terms, as prescribed~~
3 ~~by the Secretary of State.~~

4 Section 6. Subsections (2) and paragraphs (b) and (e)
5 of subsection (3) of section 240.209, Florida Statutes, are
6 amended to read:

7 240.209 Board of Regents; powers and duties.--

8 (2) The Board of Regents shall appoint a Chancellor to
9 serve at its pleasure who shall perform such duties as are
10 assigned to him or her by the board. The board shall fix the
11 compensation and other conditions of employment for the
12 Chancellor. The board shall also provide for the compensation
13 and other conditions of employment for employees necessary to
14 assist the board and the Chancellor in the performance of
15 their duties. The Chancellor shall be the chief administrative
16 officer of the board and shall be responsible for appointing
17 all employees of the board who shall serve under his or her
18 direction and control. The Chancellor must ~~shall~~ be a person
19 qualified by training and experience to understand the
20 problems and needs of the state in the field of postsecondary
21 education. Search committee activities for the selection of
22 the Chancellor up to the point of transmitting a list of
23 nominees to the Board of Regents shall be confidential and
24 exempt from the provisions of ss. 119.07(1) and 286.011.

25 (3) The board shall:

26 (b) Appoint or remove the president of each university
27 in accordance with procedures and rules adopted by the Board
28 of Regents. The board may appoint a search committee to
29 assist in evaluating presidential candidates. Each appointment
30 of a university president shall be conducted in accordance
31 with the provisions of ss. 119.07 and 286.011. The board shall

Bill No. CS for SB 2214

Amendment No. ____

1 determine the compensation and other conditions of employment
2 for each president. ~~The board shall not provide a tenured~~
3 ~~faculty appointment to any president who is removed through~~
4 ~~termination by the board or resignation tendered at the~~
5 ~~request of the board.~~

6 (e) Establish student fees.

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

30 2. When the appropriations act requires a new fee
31 schedule, the board shall establish a systemwide standard fee

Bill No. CS for SB 2214

Amendment No. ____

1 schedule required to produce the total fee revenue established
2 in the appropriations act based on the product of the assigned
3 enrollment and the fee schedule. The board may approve the
4 expenditure of any fee revenues resulting from the product of
5 the fee schedule adopted pursuant to this section and the
6 assigned enrollment.

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

28 4. The board is authorized to collect for financial
29 aid purposes an amount not to exceed 5 percent of the student
30 tuition and matriculation fee per credit hour. The revenues
31 from fees are to remain at each campus and replace existing

Bill No. CS for SB 2214

Amendment No. ____

1 financial aid fees. Such funds shall be disbursed to students
2 as quickly as possible. The board shall specify specific
3 limits on the percent of the fees collected in a fiscal year
4 which may be carried forward unexpended to the following
5 fiscal year. A minimum of 50 percent of funds from the student
6 financial aid fee shall be used to provide financial aid based
7 on absolute need. A student who has received an award prior to
8 July 1, 1984, shall have his or her eligibility assessed on
9 the same criteria that was used at the time of his or her
10 original award.

11 5. The board may recommend to the Legislature an
12 appropriate systemwide standard matriculation and tuition fee
13 schedule.

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

25 Section 7. Section 240.136, Florida Statutes, is
26 created to read:

27 240.136 Suspension and removal from office of elected
28 student government officials; referendum.--Each state
29 university and community college student government
30 association shall establish a process within 60 days of this
31 act becoming a law to provide for the removal from office of

Bill No. CS for SB 2214

Amendment No. ____

1 any elected student government official who has been convicted
2 of a violation of criminal law or has been found civilly
3 liable for an act of moral turpitude, after all available
4 rights of judicial appeal have been exercised or waived or
5 have expired. The process shall include a procedure for the
6 immediate suspension of the student government official from
7 elected office following the conviction or civil finding and
8 during any appeal, and shall provide for the temporary
9 successor to the subject office pending completion of any
10 appeal. The process must also include a procedure for
11 registered students to petition for a referendum recommending
12 to the student government association the removal of a student
13 official from elected office. The referendum must be held
14 within 60 days of filing of the petition. The recommendation
15 to remove the subject official from elected office shall be
16 made by majority vote of the students participating in the
17 referendum. The action of a student government association
18 under this section shall be subject to an appeal to the
19 university or community college president or designee.

20
21 (Redesignate subsequent sections.)
22

23
24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 On page 1, line 20, after the semicolon,
27
28 insert:
29 amending s. 240.207, F.S.; providing terms of
30 office for members of the Board of Regents;
31 amending s. 240.209, F.S.; revising provisions

Bill No. CS for SB 2214

Amendment No. ____

1 relating to the selection of the Chancellor;
2 deleting a restriction on the faculty
3 appointment of former university presidents;
4 creating s. 240.136, F.S.; requiring state
5 university and community college student
6 government associations to establish a process
7 for removal of certain student government
8 officials; providing requirements; providing
9 for a referendum;
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