

By Senators Grant, Latvala, Clary, Holzendorf, Meadows, Gutman, Hargrett, Ostalkiewicz, Williams, Dudley, Horne, Klein, Forman, Casas, Bronson, Thomas, Rossin, Harris, Cowin, Brown-Waite, Silver, Lee, Campbell, Turner, Sullivan, Childers, Burt, Myers, Crist, Scott, Dyer and Diaz-Balart

13-844-98

1 A bill to be entitled
 2 An act relating to the State University System;
 3 amending s. 240.207, F.S.; providing terms of
 4 office for members of the Board of Regents;
 5 amending s. 240.209, F.S.; requiring
 6 confirmation of persons appointed as Chancellor
 7 of the State University System after a date
 8 certain; authorizing universities to increase
 9 tuition and matriculation fees within certain
 10 limits; deleting a restriction on the faculty
 11 appointment of former university presidents;
 12 providing an effective date.

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

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 16 Section 1. Subsection (1) of section 240.207, Florida
 17 Statutes, is amended to read:

18 240.207 Board of Regents; appointment of members;
 19 qualifications and terms of office.--

20 (1) The Board of Regents shall consist of the
 21 Commissioner of Education and 12 citizens of this state who
 22 shall be selected from the state at large, representative of
 23 the geographical areas of the state; who shall have been
 24 residents and citizens thereof for a period of at least 10
 25 years prior to their appointment (one of whom shall be a
 26 member registered as a full-time student in the State
 27 University System and who shall have been a resident of this
 28 state for at least 5 years prior to appointment in lieu of the
 29 10 years required of other members); and who shall be
 30 appointed by the Governor, approved by three members of the
 31 Cabinet, and confirmed by the Senate. However, no appointee

1 shall take office until after his or her appointment has been
2 approved by three members of the Cabinet. The State Board of
3 Education shall develop rules and procedures for review and
4 approval of the appointees. Except for the Commissioner of
5 Education and except for the full-time student member, who
6 shall serve for 1 year, the terms of office for the members of
7 the Board of Regents shall be 6 years and until their
8 successors are appointed and qualified, except in case of an
9 appointment to fill a vacancy, in which case the appointment
10 shall be for the unexpired term, and except as in this section
11 otherwise provided. Effective July 1, 1998, the terms of
12 office for members shall be 2 years, and no member shall serve
13 on the board for more than 8 consecutive years. No member
14 shall be selected from any county to serve with any other
15 member from the same county, except that not more than two
16 members may be selected from a county which has a population
17 in excess of 900,000, and with the exceptions of the student
18 member, who shall be selected at large, and the Commissioner
19 of Education. The Governor shall fill all vacancies, subject
20 to the above approval and confirmation, that may at any time
21 occur on the board.

22 Section 2. Subsection (2) and paragraphs (b) and (e)
23 of subsection (3) of section 240.209, Florida Statutes, are
24 amended to read:

25 240.209 Board of Regents; powers and duties.--

26 (2) The Board of Regents shall appoint a Chancellor to
27 serve at its pleasure who shall perform such duties as are
28 assigned to him or her by the board. The board shall fix the
29 compensation and other conditions of employment for the
30 Chancellor. Any person appointed as Chancellor after July 1,
31 1998, must be confirmed by the Senate.The board shall also

1 provide for the compensation and other conditions of
2 employment for employees necessary to assist the board and the
3 Chancellor in the performance of their duties. The Chancellor
4 shall be the chief administrative officer of the board and
5 shall be responsible for appointing all employees of the board
6 who shall serve under his or her direction and control. The
7 Chancellor shall be a person qualified by training and
8 experience to understand the problems and needs of the state
9 in the field of postsecondary education. Search committee
10 activities for the selection of the Chancellor up to the point
11 of transmitting a list of nominees to the Board of Regents
12 shall be confidential and exempt from the provisions of ss.
13 119.07(1) and 286.011.

14 (3) The board shall:

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 shall
21 determine the compensation and other conditions of employment
22 for each president. ~~The board shall not provide a tenured~~
23 ~~faculty appointment to any president who is removed through~~
24 ~~termination by the board or resignation tendered at the~~
25 ~~request of the board.~~

26 (e) Establish student fees.

27 1. By no later than December 1 of each year, the board
28 shall raise the systemwide standard for resident undergraduate
29 matriculation and financial aid fees for the subsequent fall
30 term, up to but no more than 25 percent of the prior year's
31 cost of undergraduate programs. In implementing this

1 paragraph, fees charged for graduate, medical, veterinary, and
2 dental programs may be increased by the Board of Regents in
3 the same percentage as the increase in fees for resident
4 undergraduates. However, in the absence of legislative action
5 to the contrary in an appropriations act, the board may not
6 approve annual fee increases for resident students in excess
7 of 10 percent. The sum of nonresident student matriculation
8 and tuition fees must be sufficient to defray the full cost of
9 undergraduate education. Graduate, medical, veterinary, and
10 dental fees charged to nonresidents may be increased by the
11 board in the same percentage as the increase in fees for
12 nonresident undergraduates. However, in implementing this
13 policy and in the absence of legislative action to the
14 contrary in an appropriations act, annual fee increases for
15 nonresident students may not exceed 25 percent. In the absence
16 of legislative action to the contrary in the General
17 Appropriations Act, the fees shall go into effect for the
18 following fall term.

19 2. When the appropriations act requires a new fee
20 schedule, the board shall establish a systemwide standard fee
21 schedule required to produce the total fee revenue established
22 in the appropriations act based on the product of the assigned
23 enrollment and the fee schedule. The board may approve the
24 expenditure of any fee revenues resulting from the product of
25 the fee schedule adopted pursuant to this section and the
26 assigned enrollment.

27 3. ~~Upon provision of authority in a General~~
28 ~~Appropriations Act to spend revenue raised pursuant to this~~
29 ~~section,~~The board shall approve a university request to
30 implement a matriculation and out-of-state tuition fee
31 schedule which is calculated to generate revenue which varies

1 no more than 10 percent from the standard fee revenues
2 authorized through an appropriations act. In implementing an
3 alternative fee schedule, the increase in cost to a student
4 taking 15 hours in one term shall be limited to 5 percent.
5 Matriculation and out-of-state tuition fee revenues generated
6 as a result of this provision are to be expended for
7 implementing a plan for achieving accountability goals adopted
8 pursuant to s. 240.214(2) and for implementing a Board of
9 Regents-approved plan to contain student costs by reducing the
10 time necessary for graduation without reducing the quality of
11 instruction. The plans shall be recommended by a
12 universitywide committee, at least one-half of whom are
13 students appointed by the student body president. A
14 chairperson, appointed jointly by the university president and
15 the student body president, shall vote only in the case of a
16 tie.

17 4. The board is authorized to collect for financial
18 aid purposes an amount not to exceed 5 percent of the student
19 tuition and matriculation fee per credit hour. The revenues
20 from fees are to remain at each campus and replace existing
21 financial aid fees. Such funds shall be disbursed to students
22 as quickly as possible. The board shall specify specific
23 limits on the percent of the fees collected in a fiscal year
24 which may be carried forward unexpended to the following
25 fiscal year. A minimum of 50 percent of funds from the student
26 financial aid fee shall be used to provide financial aid based
27 on absolute need. A student who has received an award prior to
28 July 1, 1984, shall have his or her eligibility assessed on
29 the same criteria that was used at the time of his or her
30 original award.

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