

By the Committee on Colleges & Universities and
 Representatives Betancourt, J. Miller, Waters and Bense

1 A bill to be entitled
 2 An act relating to university student
 3 governments and state universities; amending s.
 4 240.235, F.S.; defining "consultation" for
 5 purposes of establishing student fees;
 6 providing requirements regarding the
 7 recommendations of fee committees; creating s.
 8 240.236, F.S., relating to university student
 9 governments; requiring the establishment of a
 10 student government at each state university;
 11 authorizing each student government to adopt
 12 certain internal procedures; requiring the
 13 adoption of certain procedures; providing for
 14 the university president to have responsibility
 15 for the student government and final approval
 16 authority for internal procedures adopted
 17 according to this section; amending s. 240.295,
 18 F.S.; defining "consultation" for purposes of
 19 approval of state university capital outlay
 20 projects; amending s. 240.531, F.S., relating
 21 to the establishment of educational research
 22 centers for child development; revising
 23 terminology; repealing s. 240.136, F.S.,
 24 relating to suspension and removal from office
 25 of elected student government officials;
 26 providing an effective date.

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

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 30 Section 1. Subsection (1) of section 240.235, Florida
 31 Statutes, 1998 Supplement, is amended to read:

1 240.235 Fees.--

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

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

27 2. The student activity and service fees shall be
28 expended for lawful purposes to benefit the student body in
29 general. These purposes ~~This~~ shall include, but are ~~shall~~ not
30 be limited to, student publications and grants to duly
31 recognized student organizations, the membership of which is

1 open to all students at the university without regard to race,
2 sex, or religion. The fund may not benefit activities for
3 which an admission fee is charged to students, except for
4 student-government sponsored
5 ~~student-government-association-sponsored~~ concerts. The
6 allocation and expenditure of the fund shall be determined by
7 the student government ~~association~~ of the university, except
8 that the president of the university may veto any line item or
9 portion thereof within the budget when submitted by the
10 student government ~~association~~ legislative body. The
11 university president shall have 15 school days from the date
12 of presentation of the budget to act on the allocation and
13 expenditure recommendations, which shall be deemed approved if
14 no action is taken within the 15 school days. If any line item
15 or portion thereof within the budget is vetoed, the student
16 government ~~association~~ legislative body shall within 15 school
17 days make new budget recommendations for expenditure of the
18 vetoed portion of the fund. If the university president
19 vetoes any line item or portion thereof within the new budget
20 revisions, the university president may reallocate by line
21 item that vetoed portion to bond obligations guaranteed by
22 activity and service fees. Unexpended funds and undisbursed
23 funds remaining at the end of a fiscal year shall be carried
24 over and remain in the student activity and service fund and
25 be available for allocation and expenditure during the next
26 fiscal year.

27 (b) Each university president shall establish a
28 student health fee on the main campus of the university. The
29 university president may also establish a student health fee
30 on any branch campus or center. Any subsequent modification
31 ~~increase~~ in the health fee must be recommended by a health

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

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

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

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9 For purposes of this section, "consultation" means an ongoing
10 and documented dialogue with the student body president
11 following any recommendation by a fee committee, and prior to
12 approval of any proposal for modification of any fee. An
13 attachment containing the names and affiliation of all
14 committee members (i.e., student, faculty, or staff, etc.),
15 any objections and alternatives to a modification of any fee
16 as formulated by the student government, and stating that the
17 university president and the student government have reviewed
18 the proposal, shall accompany the recommendation of any fee
19 committee.

20 Section 2. Section 240.236, Florida Statutes, is
21 created to read:

22 240.236 University student governments.--

23 (1) There is created at each state university a
24 student government that shall be organized and maintained by
25 students as the official representatives of the student body.
26 Each student government shall be composed of at least a
27 student body president and a student legislative body, who are
28 both to be elected by the student body. Interim vacancies may
29 be filled in a manner other than election as prescribed by the
30 student government. Each student government may adopt
31 internal procedures governing:

1 (a) The operation and administration of the student
2 government.

3 (b) The election, appointment, and discipline of
4 officers of the student government.

5 (c) The execution of all other duties as delegated to
6 the student government by law.

7 (2) Any elected officer of the student government of a
8 state university may be removed from office by the majority
9 vote of students participating in a referendum held pursuant
10 to the provisions of this section. The student government
11 shall develop a procedure for students to petition for a
12 referendum to remove an elected officer of the student
13 government from office. The grounds for removal of a student
14 government officer by petition are limited to the following,
15 and must be expressly stated in the petition: malfeasance,
16 misfeasance, neglect of duty, incompetence, permanent
17 inability to perform official duties, and conviction of a
18 felony. The referendum must be held no more than 60 days
19 after filing of the petition.

20 (3) The student government shall develop procedures
21 providing for the suspension and removal of an elected officer
22 following the conviction of that officer for a felony.

23 (4) The university president is responsible for the
24 operation and administration of the university, including
25 student government, and has final approval authority for
26 internal procedures adopted pursuant to this section.

27 Section 3. Subsection (3) of section 240.295, Florida
28 Statutes, is amended to read:

29 240.295 State University System; authorization for
30 fixed capital outlay projects.--

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1 (3) Other than those projects currently authorized, no
2 project proposed by a university which is to be funded from
3 Capital Improvement Trust Fund fees or building fees may ~~shall~~
4 be submitted to the Board of Regents for approval without
5 prior consultation with the student government ~~association~~ of
6 that university. For the purposes of this subsection,
7 "consultation" is defined as an ongoing and documented
8 dialogue with the student body president regarding each
9 proposed project, which shall begin prior to developing the
10 university proposal. An attachment containing any objections
11 and alternatives formulated by the student government, and
12 stating that the university president and the student
13 government have reviewed the project or projects proposed,
14 shall be included in the proposal.The Board of Regents shall
15 promulgate rules which are consistent with this requirement.

16 Section 4. Subsections (1), (2), and (4) of section
17 240.531, Florida Statutes, are amended to read:

18 240.531 Establishment of educational research centers
19 for child development.--

20 (1) Upon approval of the university president, the
21 student government ~~association~~ of any university within the
22 State University System may establish an educational research
23 center for child development in accordance with the provisions
24 of this section. Each such center shall be a child day care
25 center established to provide care for the children of
26 students, both graduate and undergraduate, faculty, and other
27 staff and employees of the university and to provide an
28 opportunity for interested schools or departments of the
29 university to conduct educational research programs and
30 establish internship programs within such centers. Whenever
31 possible, such center shall be located on the campus of the

1 university. There shall be a director of each center,
2 selected by the board of directors of the center.

3 (2) There shall be a board of directors for each
4 educational research center for child development, consisting
5 of the president of the university or his or her designee, the
6 student body ~~government~~ president or his or her designee, the
7 chair of each department participating in the center or his or
8 her designee, and one parent for each 50 children enrolled in
9 the center, elected by the parents of children enrolled in the
10 center. The director of the center shall be an ex officio,
11 nonvoting member of the board. The board shall establish
12 local policies and perform local oversight and operational
13 guidance for the center.

14 (4) The Board of Regents shall adopt ~~is authorized and~~
15 ~~directed to promulgate~~ rules governing for the establishment,
16 operation, and supervision of educational research centers for
17 child development. These ~~Such~~ rules shall include, but are
18 ~~need not be~~ limited to: a defined method of establishment of
19 and participation in the operation of centers by the
20 appropriate student governments ~~government associations~~;
21 guidelines for the establishment of an intern program in each
22 center; and guidelines for the receipt and monitoring of funds
23 from grants and other sources of funds consistent with
24 existing laws.

25 Section 5. Section 240.136, Florida Statutes, 1998
26 Supplement, is repealed.

27 Section 6. This act shall take effect July 1, 1999.
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HOUSE SUMMARY

Defines "consultation" for purposes of establishing student fees and for approval of state university capital outlay projects. Provides requirements regarding the recommendations of fee committees. Creates provisions relating to student governments. Revises terminology relating to student governments and student fees. Repeals provisions relating to the suspension and removal from office of student government officials.