

By the Committees on Education Appropriations,  
Governmental Rules & Regulations, Colleges & Universities and  
Representatives Casey, Betancourt and Waters

1                                   A bill to be entitled  
2           An act relating to rulemaking authority within  
3           the State University System; amending s.  
4           240.209, F.S.; revising language; clarifying  
5           the authority of the Board of Regents to  
6           establish certain fees, delegate authority to  
7           the Chancellor or the universities, allow the  
8           waiver of certain fees, manage systemwide  
9           enrollment, govern the admission of students  
10          into the State University System, establish  
11          policies relating to credit and noncredit  
12          offerings, and establish and regulate faculty  
13          practice plans for the academic health science  
14          centers; providing and clarifying authority to  
15          adopt rules to implement such powers and  
16          duties; correcting an obsolete cross reference;  
17          deleting unnecessary cross references; amending  
18          s. 240.227, F.S.; clarifying the rulemaking  
19          authority of university presidents regarding  
20          conditions of employment of university  
21          personnel and the management of property and  
22          financial resources of the university;  
23          providing rulemaking authority regarding  
24          internal procedures of student governments, the  
25          use and protection of data and technology, and  
26          compliance with federal laws; amending s.  
27          240.229, F.S., relating to the powers of the  
28          university with regard to patents, copyrights,  
29          and trademarks; authorizing the adoption of  
30          rules; amending s. 240.233, F.S., relating to  
31          university admission of students; authorizing

1 the adoption of rules by the university  
2 president; revising requirements for minimum  
3 standards for undergraduate admission relating  
4 to foreign language and requiring submission of  
5 a test score; prohibiting university admission  
6 standards for limiting the ability of high  
7 school students to choose electives; amending  
8 s. 240.241, F.S., relating to divisions of  
9 sponsored research at state universities;  
10 authorizing the adoption of rules by the  
11 university president; amending s. 240.261,  
12 F.S.; clarifying the rulemaking authority of  
13 universities with regard to student and  
14 employee conduct; amending s. 240.291, F.S.;  
15 providing rulemaking authority regarding  
16 delinquent accounts; providing an effective  
17 date.

18  
19 Be It Enacted by the Legislature of the State of Florida:

20  
21 Section 1. Subsection (1) and paragraphs (e), (f),  
22 (p), (q), (r), and (t) of subsection (3) of section 240.209,  
23 Florida Statutes, are amended, and paragraphs (u) through (y)  
24 of subsection (3), and subsection (11) are added to said  
25 section, to read:

26 240.209 Board of Regents; powers and duties.--

27 (1) The Board of Regents is authorized to adopt  
28 systemwide rules ~~primarily responsible for adopting systemwide~~  
29 ~~rules~~ pursuant to ss. 120.536(1) and 120.54 to implement  
30 provisions of law conferring duties upon it; to plan ~~planning~~  
31 for the future needs of the State University System; to plan

1 ~~planning~~ the programmatic, financial, and physical development  
2 of the system; to review and evaluate ~~reviewing and evaluating~~  
3 the instructional, research, and service programs at the  
4 universities; to coordinate ~~coordinating~~ program development  
5 among the universities; and to monitor ~~monitoring~~ the fiscal  
6 performance of the universities.

7 (3) The board shall:

8 (e) Establish student fees.

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

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

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

30           4. The board is authorized to collect for financial  
31 aid purposes an amount not to exceed 5 percent of the student

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

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

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

27           7. The board may establish the following fees:

28           a. A nonrefundable application fee, which shall not  
29 exceed \$30.

30           b. An admissions deposit fee for the University of  
31 Florida College of Dentistry, which shall not exceed \$200.

- 1           c. An orientation fee, which shall not exceed \$35.
- 2           d. A fee for security, access, or identification  
3 cards, the annual fee for which shall not exceed \$10 per card.  
4 The amount charged for replacement cards shall not exceed \$15.
- 5           e. Registration fees for audit and zero hours  
6 registration; a service charge for the payment of registration  
7 fees in installments, which shall not exceed \$15; and a late  
8 registration fee for students who fail to initiate  
9 registration during the regular registration period, which  
10 shall be from \$50 to \$100.
- 11           f. A late payment fee for students who fail to pay, or  
12 make appropriate arrangements, such as installment payment,  
13 deferment, or third-party billing, for the payment of tuition  
14 and course-related fees by the deadline set by each  
15 university, which shall be from \$50 to \$100. Universities may  
16 adopt specific procedures or policies for waiving the late  
17 payment fee for minor underpayment, as specified by the  
18 university.
- 19           g. A fee for miscellaneous health-related charges for  
20 services provided at cost by a university health center which  
21 are not covered by the health fee established pursuant to s.  
22 240.235(1).
- 23           h. Material and supply fees to offset the cost of  
24 materials or supply items that are consumed in the course of  
25 the student's instructional activities, excluding the cost of  
26 equipment replacement, repairs, and maintenance.
- 27           i. Housing rental rates and miscellaneous housing  
28 charges for services provided by the university at the request  
29 of the student.
- 30           j. A charge representing the reasonable cost of  
31 collection efforts to effect payment for overdue accounts.

- 1           k. A service charge on university loans, in lieu of  
2 interest and administrative handling.
- 3           l. A fee for off-campus offerings when the location  
4 results in specific, identifiable increased costs to the  
5 university.
- 6           m. Library fees and fines, including charges for  
7 damaged and lost library material, overdue reserve library  
8 books, interlibrary loans, and literature searches.
- 9           n. Fees relating to duplicating, photocopying,  
10 binding, and microfilming; copyright services; and  
11 standardized testing. Such fees shall only be charged to those  
12 receiving the service.
- 13           o. Fees and fines relating to facilities and equipment  
14 use, late return, loss, and damage.
- 15           p. A returned check fee as authorized by s. 832.07(1),  
16 for unpaid checks returned to the university.
- 17           q. Traffic and parking fines, parking decal fees, and  
18 transportation access fees.
- 19           r. A fee for child care and services provided by an  
20 educational research center for child development.
- 21           s. Fees for transcripts and diploma replacement, which  
22 shall not exceed \$10 per item.
- 23           (f) Establish and maintain systemwide personnel  
24 programs for all State University System employees, including  
25 a systemwide personnel classification and pay plan,  
26 notwithstanding provisions of law that grant authority to the  
27 Department of Management Services over such programs for state  
28 employees. The board shall consult with the legislative  
29 appropriations committees regarding any major policy changes  
30 related to classification and pay which are in conflict with  
31 those policies in effect for career service employees with

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

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

31



- 1           (q) ~~Adopt rules to~~ Ensure compliance with the  
2 provisions of s. 287.09451 ~~287.0945~~, for all State University  
3 System procurement, and additionally, ss. 255.101 and 255.102,  
4 for construction contracts, and rules adopted pursuant  
5 thereto, relating to the utilization of minority business  
6 enterprises, except that procurements costing less than the  
7 amount provided for in CATEGORY FIVE as provided in s. 287.017  
8 shall not be subject to s. 287.09451 ~~287.0945(7)(a)~~.
- 9           (r) ~~Adopt rules pursuant to ss. 120.536(1) and 120.54~~  
10 ~~to implement provisions of law conferring duties upon it,~~  
11 ~~including, but not limited to, procedures to~~ Administer an  
12 acquisition program for the purchase or lease of real and  
13 personal property and contractual services pursuant to s.  
14 240.205(6).
- 15           (t) Require ~~Adopt rules providing~~ that each state  
16 university shall advise students who meet the minimum  
17 requirements for admission to the upper division of a state  
18 university, but are denied admission to limited access  
19 programs, of the availability of similar programs at other  
20 State University System institutions and the admissions  
21 requirements of such programs.
- 22           (u) Allow the waiver of any or all application, course  
23 registration, and related fees for persons who supervise  
24 student interns of institutions within the State University  
25 System.
- 26           (v) Manage systemwide enrollment.
- 27           (w) Govern the admission of students into the State  
28 University System.
- 29           (x) Establish policies relating to credit and  
30 noncredit education offerings by universities in the State  
31 University System.

1       (y) Establish and regulate faculty practice plans for  
2 the academic health science centers.

3       (11) The board is authorized to adopt rules to  
4 implement the provisions of this section.

5           Section 2. Subsections (1), (5), (11), (13), and (19)  
6 of section 240.227, Florida Statutes, are amended, subsection  
7 (24) of said section is renumbered and amended, subsections  
8 (20) through (23) of said section are renumbered as  
9 subsections (19) through (22), respectively, and new  
10 subsections (24) through (27) are added to said section, to  
11 read:

12           240.227 University presidents; powers and duties.--The  
13 president is the chief administrative officer of the  
14 university and is responsible for the operation and  
15 administration of the university. Each university president  
16 shall:

17           (1) Have the authority to adopt rules pursuant to ss.  
18 120.536(1) and 120.54 to implement provisions of law governing  
19 the operation and administration of the university, which  
20 shall include the specific powers and duties enumerated in  
21 this section. Such rules shall be consistent with the mission  
22 of the university and statewide rules and policies and shall  
23 assist in the development of the university in a manner which  
24 will complement the missions and activities of the other  
25 universities for the overall purpose of achieving the highest  
26 quality of education for the citizens of the state.

27           (5) Appoint university personnel and provide for the  
28 compensation and other conditions of employment, such as  
29 recruitment, nonreappointment, benefits and hours of work,  
30 evaluation, recognition, inventions and works, learning  
31 opportunities, academic freedom and responsibility, promotion,

1 assignment, demotion, transfer, tenure and permanent status,  
2 ethical obligations and conflicts of interest, restrictive  
3 covenants, disciplinary actions, complaints, appeals and  
4 grievance procedures, and separation and termination from  
5 employment, consistent with applicable law, collective  
6 bargaining agreements, and rules of the Board of Regents rule  
7 ~~for university personnel who are exempt from chapter 110.~~  
8 (11) Establish and maintain ~~Make rules necessary for~~  
9 ~~the establishment and maintenance of a personnel exchange~~  
10 program, by which persons employed within the university as  
11 instructional and research faculty and comparable  
12 administrative and professional staff may be exchanged with  
13 persons employed in like capacities by institutions of higher  
14 learning which are not under the jurisdiction of the  
15 university, by units of government either within or without  
16 this state, or by private industry. The salary and benefits  
17 of State University System and state personnel participating  
18 in the exchange program shall be continued during the period  
19 of time they participate in the exchange program, and such  
20 personnel shall be deemed to have no break in creditable or  
21 continuous state service or employment during the period of  
22 time in which they participate in the exchange program. The  
23 salary and benefits of persons participating in the personnel  
24 exchange program who are employed by institutions of higher  
25 learning which are not under the jurisdiction of the  
26 university, by units of government either within or without  
27 this state, or by private industry shall be paid by the  
28 originating employers of those participants. The duties and  
29 responsibilities of a person participating in the exchange  
30 program shall be the same as those of the person he or she  
31 replaces.

1           (13) Use, maintain, protect, and control  
2 university-owned or controlled buildings and grounds; property  
3 and equipment; name, trademarks, and other proprietary marks;  
4 and the financial and other resources of the university. Such  
5 authority may include restrictions on commercial activity,  
6 access to facilities, firearms, food, tobacco, alcoholic  
7 beverages, distribution of printed materials, animals, and  
8 sound. The authority vested in the university president in  
9 this paragraph includes the prioritization of the use of  
10 university space, property, equipment, and resources and the  
11 imposition of charges for the same. Further, each university  
12 president shall have ~~Manage the property and financial~~  
13 ~~resources of the university, including, but not limited to,~~  
14 ~~having~~ the authority to adjust property records and dispose of  
15 state-owned tangible personal property in the university's  
16 custody in accordance with procedures established by the Board  
17 of Regents. Notwithstanding the provisions of s. 273.055(5),  
18 all moneys received from the disposition of state-owned  
19 tangible personal property shall be retained by the university  
20 and disbursed for the acquisition of tangible personal  
21 property and for all necessary operating expenditures. The  
22 university shall maintain records of the accounts into which  
23 such moneys are deposited.

24           ~~(19) Administer personnel programs established by the~~  
25 ~~Board of Regents and any applicable collective bargaining~~  
26 ~~agreements under the supervision of the Board of Regents.~~

27           (23)~~(24)~~ ~~Adopt rules and~~ Enter into agreements for  
28 student exchange programs which involve students at the  
29 university and students in institutions of higher learning,  
30 either within or without the state, which are not in the State  
31 University System. Such agreements may provide that the

1 tuition and fees of a student who is enrolled in a university  
2 in the State University System and who is participating in an  
3 exchange program shall be paid to the state university during  
4 the period of time he or she is participating in the exchange  
5 program. Such agreements may also provide that the tuition  
6 and fees of a student who is enrolled in an institution which  
7 is not in the State University System and who is participating  
8 in an exchange program shall be paid to the nonstate  
9 institution in which he or she is enrolled.

10 (24) Approve the internal procedures and provide  
11 purchasing, contracting, and budgetary review processes of  
12 student government.

13 (25) Provide for the use and protection of data and  
14 technology, including information systems, communication  
15 systems, computer hardware and software, and networks.

16 (26) Ensure compliance with federal laws, regulations,  
17 and other requirements applicable to the university.

18 (27) Adopt rules to implement the provisions of this  
19 section.

20 Section 3. Subsection (6) of section 240.229, Florida  
21 Statutes, is amended to read:

22 240.229 Universities; powers; patents, copyrights, and  
23 trademarks.--Any other law to the contrary notwithstanding,  
24 each university is authorized, in its own name, to:

25 (6) Do all other acts necessary and proper for the  
26 execution of powers and duties herein conferred upon the  
27 university, including adopting rules in order to administer  
28 this section. Any proceeds therefrom shall be deposited and  
29 expended in accordance with s. 240.241. Any action taken by  
30 the university in securing or exploiting such trademarks,  
31

1 copyrights, or patents shall, within 30 days, be reported in  
2 writing by the president to the Department of State.

3 Section 4. Section 240.233, Florida Statutes, is  
4 amended to read:

5 240.233 Universities; admissions of students.--Each  
6 university president is authorized to adopt rules governing  
7 the admission ~~shall govern admissions~~ of students, subject to  
8 this section and rules of the Board of Regents.

9 (1) Minimum academic standards for undergraduate  
10 admission to a university must include the requirements that:

11 (a) Each student have received a high school diploma  
12 pursuant to s. 232.246, or its equivalent, except as provided  
13 in s. 240.116(2) and (3).

14 (b) Each student have successfully completed a  
15 college-preparatory curriculum, as defined in rules of the  
16 Board of Regents, including at least ~~earned~~ two credits of  
17 sequential foreign language at the secondary level or the  
18 equivalent of such instruction at the postsecondary level. A  
19 student whose native language is not English is exempt from  
20 this admissions requirement, provided that the student  
21 demonstrates proficiency in the native language. If a  
22 standardized test is not available in the student's native  
23 language for the demonstration of proficiency, the university  
24 may provide an alternative method of assessment. The State  
25 Board of Education shall adopt rules for the articulation of  
26 foreign language competency and equivalency between secondary  
27 and postsecondary institutions. A student who received an  
28 associate in arts degree prior to September 1, 1989, or who  
29 enrolled in a program of studies leading to an associate  
30 degree from a Florida community college prior to August 1,

31

1 1989, and maintains continuous enrollment shall be exempt from  
2 this admissions requirement.

3 (c) Each student have submitted a test score from the  
4 Scholastic Assessment Test of the College Entrance Examination  
5 Board or the American College Testing Program.

6  
7 Board of Regents, State Board of Education, and individual  
8 university admission standards for freshmen shall not limit a  
9 Florida high school student's ability to meet high school  
10 graduation requirements and also choose elective credits each  
11 year in courses designed to enable such students to pursue  
12 talents, interests, and special needs in areas, including but  
13 not limited to, art, music, drama, speech, debate, and  
14 specialized magnet programs.

15 (2) The Board of Regents shall adopt rules which  
16 provide for a limited number of students to be admitted to the  
17 State University System, notwithstanding the admission  
18 requirements of paragraph (1)(b) relating to credits in  
19 foreign language, if there is evidence that the applicant is  
20 expected to do successful academic work at the admitting  
21 university. The number of applicants admitted under this  
22 subsection may not exceed 5 percent of the total number of  
23 freshmen who entered the State University System the prior  
24 year. Any lower-division student admitted without meeting the  
25 foreign language requirement must earn such credits prior to  
26 admission to the upper division of a state university. Any  
27 associate in arts degree graduate from a public community  
28 college or university in Florida, or other upper-division  
29 transfer student, admitted without meeting the foreign  
30 language requirement, must earn such credits prior to  
31 graduation from a state university. Students shall be exempt

1 from the provisions of this subsection if they can demonstrate  
2 proficiency in American sign language equivalent to that of  
3 students who have completed two credits of such instruction in  
4 high school.

5 (3)(a) Nonresident students may be admitted to the  
6 university upon such terms as the university may establish.  
7 However, such terms shall include, but shall not be limited  
8 to: completion of a secondary school curriculum which  
9 includes 4 years of English; 3 years each of mathematics,  
10 science, and social sciences; and 2 years of a foreign  
11 language.

12 (b) Within the admission standards provided for in  
13 subsection (1), the Board of Regents shall develop procedures  
14 for weighting courses which are necessary to meet the  
15 requirements of a college-preparatory curriculum at a higher  
16 value than less rigorous courses. Credits received in such  
17 courses shall be given greater value in determining admission  
18 by universities than cumulative grade point averages in high  
19 school.

20 (4) Consideration shall be given to the past actions  
21 of any person applying for admission as a student to any state  
22 university, either as a new applicant, an applicant for  
23 continuation of studies, or a transfer student, when such  
24 actions have been found to disrupt or interfere with the  
25 orderly conduct, processes, functions, or programs of any  
26 other university, college, or community college.

27 (5) In any application for admission by a student as a  
28 citizen of the state, the applicant, if 18 years of age, or,  
29 if a minor, his or her parents or guardian shall make and file  
30 with such application a written statement under oath that such  
31 applicant is a citizen and resident of the state and entitled,



1 as such, to admission upon the terms and conditions prescribed  
2 for citizens and residents of the state.

3 (6) Rules of the State Board of Education shall  
4 require the use of scores on tests of college-level  
5 communication and computation skills provided in s. 229.551 as  
6 a condition for admission of students to upper-division  
7 instructional programs from community colleges, including  
8 those who have been awarded associate in arts degrees. Use of  
9 such test scores as an admission requirement shall extend  
10 equally and uniformly to students enrolled in lower divisions  
11 in the State University System and to transfer students from  
12 other colleges and universities. The tests shall be required  
13 for community college students seeking associate in arts  
14 degrees and students seeking admission to upper-division  
15 instructional programs in the State University System. The  
16 use of test scores prior to August 1, 1984, shall be limited  
17 to student counseling and curriculum improvement.

18 (7) For the purposes of this section, American sign  
19 language constitutes a foreign language. Florida high schools  
20 may offer American sign language as a for-credit elective or  
21 as a substitute for any already authorized foreign language  
22 requirement.

23 (8) A Florida resident who is denied admission as an  
24 undergraduate to a state university for failure to meet the  
25 high school grade point average requirement may appeal the  
26 decision to the university and request a recalculation of the  
27 grade point average including in the revised calculation the  
28 grades earned in up to three credits of advanced fine arts  
29 courses. The university shall provide the student with a  
30 description of the appeals process at the same time as  
31 notification of the admissions decision. The university shall

1 recalculate the student's grade point average using the  
2 additional courses and advise the student of any changes in  
3 the student's admission status. For purposes of this section,  
4 fine arts courses include courses in music, drama, painting,  
5 sculpture, speech, debate, or a course in any art form that  
6 requires manual dexterity. Advanced level fine arts courses  
7 include fine arts courses identified in the course code  
8 directory as Advanced Placement, pre-International  
9 Baccalaureate, or International Baccalaureate, or fine arts  
10 courses taken in the third or fourth year of a fine arts  
11 curriculum.

12 Section 5. Subsection (17) is added to section  
13 240.241, Florida Statutes, to read:

14 240.241 Divisions of sponsored research at state  
15 universities.--

16 (17) Each university president is authorized to adopt  
17 rules to implement the provisions of this section.

18 Section 6. Section 240.261, Florida Statutes, is  
19 amended to read:

20 240.261 Codes of conduct; disciplinary measures;  
21 rulemaking authority ~~Disciplinary rules~~.--

22 (1) Each university may adopt, by rule, codes a  
23 ~~uniform code~~ of conduct and appropriate penalties for  
24 violations of rules by students and employees, to be  
25 administered by the ~~president of each~~ university. Such  
26 penalties, unless otherwise provided by law, may include: the  
27 issuance of a reprimand; the payment of restitution; the  
28 imposition of fines; ~~the~~ withholding of diplomas or  
29 transcripts pending compliance with rules, completion of any  
30 pending student judicial process or sanction, or payment of  
31 finest; restrictions on the use of, or removal from, university

1 facilities; the completion of community service or educational  
2 requirements; or, ~~and~~ the imposition of probation, suspension,  
3 ~~or~~ dismissal, or expulsion.

4 (2) Each university may adopt, by rule, a code of  
5 conduct and appropriate penalties for violations of rules by  
6 student organizations, to be administered by the university.  
7 Such penalties, unless otherwise provided by law, may include:  
8 reprimand; restitution; suspension, cancellation, or  
9 revocation of the registration or official recognition of a  
10 student organization; and restrictions on the use of, or  
11 removal from, university facilities.

12 (3) Sanction authorized by university codes of conduct  
13 may only be imposed for acts or omissions in violation of  
14 rules adopted by the university, including rules adopted  
15 pursuant to this section; rules of the Board of Regents;  
16 county and municipal ordinances; or federal or state law,  
17 including the laws of other states.

18 (4) Each university may establish and adopt, by rule,  
19 codes of appropriate penalties for violations of rules  
20 governing student academic honesty. Such penalties, unless  
21 otherwise provided by law, may include: reprimand, reduction  
22 of grade, denial of academic credit, invalidation of  
23 university credit or the degree that is based upon such  
24 credit, probation, suspension, dismissal, or expulsion. In  
25 addition to any other penalties imposed, an individual may be  
26 denied admission or further registration, and the university  
27 may invalidate academic credit for work done by a student, and  
28 may invalidate or revoke the degree based upon such credit, if  
29 it is determined that the student has made false, fraudulent,  
30 or incomplete statements in the application, residence  
31 affidavit, or accompanying documents or statements in

1 connection with, or supplemental to, the application for  
2 admission to, or graduation from, the university.

3 ~~(5)(2)~~ The university shall adopt rules for the lawful  
4 discipline of any student, faculty member, or member of the  
5 administrative staff who intentionally acts to impair,  
6 interfere with, or obstruct the orderly conduct, processes,  
7 and functions of a state university. Said rules may apply to  
8 acts conducted on or off campus when relevant to such orderly  
9 conduct, processes, and functions.

10 Section 7. Subsection (4) is added to section 240.291,  
11 Florida Statutes, to read:

12 240.291 Delinquent accounts.--

13 (4) Each university is authorized to adopt rules to  
14 implement the provisions of this section, including setoff  
15 procedures; payroll deductions; and restrictions on the  
16 release of transcripts, award of diplomas, and access to  
17 university resources and services.

18 Section 8. This act shall take effect upon becoming a  
19 law.

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