

By Senators Sullivan, King, Dawson, Holzendorf, Klein, Horne, Dyer, Kirkpatrick, Casas and Cowin

22-796-00

1                                   A bill to be entitled  
 2           An act relating to student governments;  
 3           amending s. 240.235, F.S.; defining the term  
 4           "consultation," for purposes of establishing  
 5           certain student fees; requiring certain  
 6           information to be included in a fee proposal;  
 7           revising requirements for modifying fees;  
 8           creating s. 240.236, F.S.; providing for a  
 9           student government at each state university and  
 10          providing minimum requirements for such  
 11          governments; amending s. 240.295, F.S.;  
 12          defining the term "consultation," with respect  
 13          to submission of capital outlay projects for  
 14          Board of Regents' approval; requiring certain  
 15          information to be included in a project  
 16          proposal; amending s. 240.531, F.S., relating  
 17          to educational research centers for child  
 18          development; revising terminology to conform to  
 19          changes made by the bill; repealing s. 240.136,  
 20          F.S., relating to suspension and removal from  
 21          office of elected student government officials;  
 22          providing an effective date.

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

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 26           Section 1. Subsection (1) of section 240.235, Florida  
 27 Statutes, is amended to read:

28           240.235 Fees.--

29           (1) Each university may ~~is authorized to~~ establish  
 30 separate activity and service, health, and athletic fees.  
 31 When duly established, these ~~the~~ fees shall be collected as

1 component parts of the registration and tuition fees and shall  
2 be retained by the university and paid into the separate  
3 activity and service, health, and athletic funds. For the  
4 purposes of this section, "consultation" is defined as an  
5 ongoing and documented dialogue with the student body  
6 president following any recommendation by a fee committee and  
7 before approval of any proposal for modification of any fee.  
8 An attachment containing the names and affiliations of all  
9 committee members, whether student, faculty, staff, or other;  
10 containing any objection or alternative to a modification of a  
11 fee as formulated by the student government; and stating that  
12 the university president and the student government have  
13 reviewed the proposal shall be included in each proposal.

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

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

1 be available for allocation and expenditure during the next  
2 fiscal year.

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

21 (c) Each university president shall establish a  
22 separate athletic fee on the main campus of the university.  
23 The university president may also establish a separate  
24 athletic fee on any branch campus or center. The initial  
25 aggregate athletic fee at each university shall be equal to,  
26 but may be no greater than, the 1982-1983 per-credit-hour  
27 activity and service fee contributed to intercollegiate  
28 athletics, including women's athletics, as provided by s.  
29 240.533. Concurrently with the establishment of the athletic  
30 fee, the activity and service fee shall experience a one-time  
31 reduction equal to the initial aggregate athletic fee. Any

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

15 Section 2. Section 240.236, Florida Statutes, is  
16 created to read:

17 240.236 University student governments.--

18 (1) There is created at each state university a  
19 student government that shall be organized and maintained by  
20 students as the official representative of the student body.  
21 Each student government shall be composed of at least a  
22 student body president and a student legislative body, both to  
23 be elected by the student body. Interim vacancies may be  
24 filled in a manner other than election, as prescribed by the  
25 student government. Each student government may adopt internal  
26 procedures governing:

27 (a) The operation and administration of the student  
28 government.

29 (b) The election, appointment, removal, and discipline  
30 of officers of the student government.

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1           (c) The execution of all other duties as prescribed to  
2 the student government by law.

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

15           (3) The student government shall develop procedures  
16 providing for the suspension and removal of an elected officer  
17 following that officer's conviction of a felony.

18           (4) The internal procedures adopted by the student  
19 government under this section are subject to final approval by  
20 the university president.

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

23           240.295 State University System; authorization for  
24 fixed capital outlay projects.--

25           (3) Other than those projects currently authorized, no  
26 project proposed by a university which is to be funded from  
27 Capital Improvement Trust Fund fees or building fees may shall  
28 be submitted to the Board of Regents for approval without  
29 prior consultation with the student government ~~association~~ of  
30 that university. For the purposes of this subsection,  
31 "consultation" is defined as an ongoing and documented

1 dialogue with the student body president regarding each  
2 proposed project, which shall begin before developing the  
3 university proposal. An attachment containing any objection or  
4 alternative formulated by the student government, and stating  
5 that the university president and the student government have  
6 reviewed the project or projects proposed, shall be included  
7 in the proposal.The Board of Regents shall adopt ~~promulgate~~  
8 rules that ~~which~~ are consistent with this requirement.

9 Section 4. Subsections (1), (2), and (4) of section  
10 240.531, Florida Statutes, are amended to read:

11 240.531 Establishment of educational research centers  
12 for child development.--

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

27 (2) There shall be a board of directors for each  
28 educational research center for child development, consisting  
29 of the president of the university or his or her designee, the  
30 student body ~~government~~ president or his or her designee, the  
31 chair of each department participating in the center or his or

1 her designee, and one parent for each 50 children enrolled in  
2 the center, elected by the parents of children enrolled in the  
3 center. The director of the center shall be an ex officio,  
4 nonvoting member of the board. The board shall establish  
5 local policies and perform local oversight and operational  
6 guidance for the center.

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

18 Section 5. Section 240.136, Florida Statutes, is  
19 repealed.

20 Section 6. This act shall take effect July 1, 2000.

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23 SENATE SUMMARY

24 Defines the term "consultation," as it is used in  
25 relation to the setting of student fees and approval of  
26 capital outlay projects to be submitted to the Board of  
27 Regents for the board's approval. Requires the  
28 establishment of a student government at each state  
29 university and provides minimum requirements for those  
30 governments. Revises provisions relating to removal of  
31 elected student government officials from office.