

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 The Committee on Education Appropriations offered the
12 following:

14 **Amendment (with title amendment)**

15 Remove from the bill: Everything after the enacting clause
16
17 and insert in lieu thereof:

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

20 240.235 Fees.--

21 (1) Each university may ~~is authorized to~~ establish
22 separate activity and service, health, and athletic fees.
23 When duly established, these ~~the~~ fees shall be collected as
24 component parts of the registration and tuition fees and shall
25 be retained by the university and paid into the separate
26 activity and service, health, and athletic funds.

27 (a)1. Each university president shall establish a
28 student activity and service fee on the main campus of the
29 university. The university president may also establish a
30 student activity and service fee on any branch campus or
31 center. Any subsequent modification ~~increase~~ in the activity

Amendment No. 1 (for drafter's use only)

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

15 2. The student activity and service fees shall be
16 expended for lawful purposes to benefit the student body in
17 general. These purposes ~~This~~ shall include, but are ~~shall~~ not
18 ~~be~~ limited to, student publications and grants to duly
19 recognized student organizations, the membership of which is
20 open to all students at the university without regard to race,
21 sex, or religion. The fund may not benefit activities for
22 which an admission fee is charged to students, except for
23 student-government-sponsored
24 ~~student-government-association-sponsored~~ concerts. The
25 allocation and expenditure of the fund shall be determined by
26 the student government ~~association~~ of the university, except
27 that the president of the university may veto any line item or
28 portion thereof within the budget when submitted by the
29 student government ~~association~~ legislative body. The
30 university president shall have 15 school days from the date
31 of presentation of the budget to act on the allocation and

Amendment No. 1 (for drafter's use only)

1 expenditure recommendations, which shall be deemed approved if
2 no action is taken within the 15 school days. If any line item
3 or portion thereof within the budget is vetoed, the student
4 government ~~association~~ legislative body shall within 15 school
5 days make new budget recommendations for expenditure of the
6 vetoed portion of the fund. If the university president
7 vetoes any line item or portion thereof within the new budget
8 revisions, the university president may reallocate by line
9 item that vetoed portion to bond obligations guaranteed by
10 activity and service fees. Unexpended funds and undisbursed
11 funds remaining at the end of a fiscal year shall be carried
12 over and remain in the student activity and service fund and
13 be available for allocation and expenditure during the next
14 fiscal year.

15 (b) Each university president shall establish a
16 student health fee on the main campus of the university. The
17 university president may also establish a student health fee
18 on any branch campus or center. Any subsequent modification
19 ~~increase~~ in the health fee must be recommended by a health
20 committee, at least one-half of whom are students appointed by
21 the student body president. The remainder of the committee
22 shall be appointed by the university president. A
23 chairperson, appointed jointly by the university president and
24 the student body president, may ~~shall~~ vote only in the case of
25 a 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 health
29 fee may occur only once each fiscal year and must be
30 implemented beginning with the fall term. The Board of Regents
31 is responsible for promulgating the rules and timetables

Amendment No. 1 (for drafter's use only)

1 necessary to implement this fee.

2 (c) Each university president shall establish a
3 separate athletic fee on the main campus of the university.
4 The university president may also establish a separate
5 athletic fee on any branch campus or center. The initial
6 aggregate athletic fee at each university shall be equal to,
7 but may be no greater than, the 1982-1983 per-credit-hour
8 activity and service fee contributed to intercollegiate
9 athletics, including women's athletics, as provided by s.
10 240.533. Concurrently with the establishment of the athletic
11 fee, the activity and service fee shall experience a one-time
12 reduction equal to the initial aggregate athletic fee. Any
13 subsequent modification ~~increase~~ in the athletic fee must be
14 recommended by an athletic fee committee, at least one-half of
15 whom are students appointed by the student body president.
16 The remainder of the committee shall be appointed by the
17 university president. A chairperson, appointed jointly by the
18 university president and the student body president, may ~~shall~~
19 vote only in the case of a tie. The recommendations of the
20 committee shall take effect only after approval by the
21 university president, after consultation with the student body
22 president, with final approval by the Board of Regents. An
23 increase in the athletic fee may occur only once each fiscal
24 year and must be implemented beginning with the fall term. The
25 Board of Regents is responsible for promulgating the rules and
26 timetables necessary to implement this fee.

27 Section 2. Section 240.236, Florida Statutes, is
28 created to read:

29 240.236 University student governments.--

30 (1) There is created within each state university a
31 student government that shall be organized and maintained by

Amendment No. 1 (for drafter's use only)

1 students as the official representatives of the student body.
2 Each student government shall be composed of at least a
3 student body president and a student legislative body. Interim
4 vacancies may be filled in a manner other than election as
5 prescribed by the student government. Each student government
6 may adopt internal procedures governing:
7 (a) The operation and administration of the student
8 government.
9 (b) The election, appointment, removal, and discipline
10 of officers of the student government.
11 (c) The execution of all other duties as prescribed to
12 the student government by law.
13 (2) Any elected officer of the student government of a
14 state university may be removed from office by the majority
15 vote of students participating in a referendum held pursuant
16 to the provisions of this section. The student government
17 shall develop a procedure for students to petition for a
18 referendum to remove from office an elected officer of the
19 student government. The grounds for removal of a student
20 government officer by petition must be expressly contained in
21 the petition and are limited to the following: malfeasance,
22 misfeasance, neglect of duty, incompetence, permanent
23 inability to perform official duties, or conviction of a
24 felony. The referendum must be held no more than 60 days after
25 the filing of the petition.
26 (3) The student government shall develop procedures
27 providing for the suspension and removal of an elected student
28 government officer following the conviction of that officer of
29 a felony.
30 (4) Each student government is a part of the
31 university at which it is established. The internal procedures

Amendment No. 1 (for drafter's use only)

1 adopted by the student government under this section are
2 subject to final approval by the university president.

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

5 240.295 State University System; authorization for
6 fixed capital outlay projects.--

7 (3) Other than those projects currently authorized, no
8 project proposed by a university which is to be funded from
9 Capital Improvement Trust Fund fees or building fees shall be
10 submitted to the Board of Regents for approval without prior
11 consultation with the student government ~~association~~ of that
12 university. The Board of Regents shall promulgate rules which
13 are consistent with this requirement.

14 Section 4. Section 240.336, Florida Statutes, is
15 created to read:

16 240.336 Community college student governments.--

17 (1) There is created within each community college a
18 student government that shall be organized and maintained by
19 students as the official representatives of the student body.
20 Each student government shall be composed of at least a
21 student body president and a student legislative body. Interim
22 vacancies may be filled in a manner other than election as
23 prescribed by the student government. Each student government
24 may adopt internal procedures governing:

25 (a) The operation and administration of the student
26 government.

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

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

31 (2) Any elected officer of the student government of a

Amendment No. 1 (for drafter's use only)

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

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

17 (4) Each student government is a part of the community
18 college at which it is established. The internal procedures
19 adopted by the student government under this section are
20 subject to final approval by the community college president.

21 Section 5. Subsection (2) of section 240.382, Florida
22 Statutes, is amended to read:

23 240.382 Establishment of child development training
24 centers at community colleges.--

25 (2) In consultation with the student government
26 ~~association~~ or a recognized student group representing the
27 student body, the district board of trustees of any community
28 college may establish a child development training center in
29 accordance with this section. Each child development training
30 center shall be a child care center established to provide
31 child care during the day and at variable hours, including

Amendment No. 1 (for drafter's use only)

1 evenings and weekends, for the children of students. Emphasis
2 should be placed on serving students who demonstrate financial
3 need as defined by the district board of trustees. At least 50
4 percent of the child care slots must be made available to
5 students, and financially needy students, as defined by the
6 district board of trustees, shall receive child care slots
7 first. The center may serve the children of staff, employees,
8 and faculty; however, a designated number of child care slots
9 shall not be allocated for employees. Whenever possible, the
10 center shall be located on the campus of the community
11 college. However, the board may elect to provide child care
12 services for students through alternative mechanisms, which
13 may include contracting with private providers.

14 Section 6. Subsections (1), (2), and (4) of section
15 240.531, Florida Statutes, are amended to read:

16 240.531 Establishment of educational research centers
17 for child development.--

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

Amendment No. 1 (for drafter's use only)

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

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

22 Section 7. Subsection (18) of section 447.203, Florida
23 Statutes, is amended to read:

24 447.203 Definitions.--As used in this part:

25 (18) "Student representative" means the representative
26 selected by each community college student government
27 ~~association~~ and the council of student body presidents. Each
28 representative may be present at all negotiating sessions
29 which take place between the appropriate public employer and
30 an exclusive bargaining agent. Said representative shall be
31 enrolled as a student with at least 8 credit hours in the

Amendment No. 1 (for drafter's use only)

1 respective community college or in the State University System
2 during his or her term as student representative.

3 Section 8. Subsection (5) of section 447.301, Florida
4 Statutes, is amended to read:

5 447.301 Public employees' rights; organization and
6 representation.--

7 (5) In negotiations over the terms and conditions of
8 service and other matters affecting the working environment of
9 employees, or the learning environment of students, in
10 institutions of higher education, one student representative
11 selected by the council of student body presidents may, at his
12 or her discretion, be present at all negotiating sessions
13 which take place between the Board of Regents and the
14 bargaining agent for an employee bargaining unit. In the case
15 of community colleges, the student government ~~association~~ of
16 each college shall establish procedures for the selection of,
17 and shall select, a student representative to be present, at
18 his or her discretion, at negotiations between the bargaining
19 agent of the employees and the board of trustees. Each
20 student representative shall have access to all written draft
21 agreements and all other written documents pertaining to
22 negotiations exchanged by the appropriate public employer and
23 the bargaining agent, including a copy of any prepared written
24 transcripts of any negotiating session. Each student
25 representative shall have the right at reasonable times during
26 the negotiating session to comment to the parties and to the
27 public upon the impact of proposed agreements on the
28 educational environment of students. Each student
29 representative shall have the right to be accompanied by
30 alternates or aides, not to exceed a combined total of two in
31 number. Each student representative shall be obligated to

Amendment No. 1 (for drafter's use only)

1 participate in good faith during all negotiations and shall be
2 subject to the rules and regulations of the Public Employees
3 Relations Commission. The student representatives shall have
4 neither voting nor veto power in any negotiation, action, or
5 agreement. The state or any branch, agency, division, agent,
6 or institution of the state shall not expend any moneys from
7 any source for the payment of reimbursement for travel
8 expenses or per diem to aides, alternates, or student
9 representatives participating in, observing, or contributing
10 to any negotiating sessions between the bargaining parties;
11 however, this limitation does not apply to the use of student
12 activity fees for the reimbursement of travel expenses and per
13 diem to the university student representative, aides, or
14 alternates participating in the aforementioned negotiations
15 between the Board of Regents and the bargaining agent for an
16 employee bargaining unit.

17 Section 9. Section 240.136, Florida Statutes, is
18 repealed.

19 Section 10. This act shall take effect July 1, 2001.

20
21
22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 remove from the title of the bill: the entire title

25
26 and insert in lieu thereof:

27 A bill to be entitled

28 An act relating to postsecondary education;

29 amending s. 240.235, F.S.; requiring the

30 approval of certain student fee modifications,

31 rather than just increases, by certain

Amendment No. 1 (for drafter's use only)

1 committees; changing language to conform with
2 other provisions of the bill; creating ss.
3 240.236 and 240.336, F.S.; providing for the
4 establishment of student governments at each
5 state university and community college with the
6 authority to establish certain procedures and
7 to provide for the election or removal of
8 student government officers; providing powers
9 and duties; providing for suspension or removal
10 from office under certain circumstances;
11 amending ss. 240.295, 240.382, 240.531,
12 447.203, and 447.301, F.S.; conforming language
13 to other provisions of the act and Florida law;
14 repealing s. 240.136, F.S., relating to the
15 removal and suspension of student government
16 officers; providing an effective date.

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