

By the Council for Lifelong Learning and Representatives
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 Wallace

1 A bill to be entitled
 2 An act relating to postsecondary education;
 3 amending s. 240.235, F.S.; requiring the
 4 approval of certain student fee modifications,
 5 rather than just increases, by certain
 6 committees; changing language to conform with
 7 other provisions of the bill; creating ss.
 8 240.236 and 240.336, F.S.; providing for the
 9 establishment of student governments at each
 10 state university and community college with the
 11 authority to establish certain procedures and
 12 to provide for the election or removal of
 13 student government officers; providing powers
 14 and duties; providing for suspension or removal
 15 from office under certain circumstances;
 16 amending ss. 240.295, 240.382, 240.531,
 17 447.203, and 447.301, F.S.; conforming language
 18 to other provisions of the act and Florida law;
 19 repealing s. 240.136, F.S., relating to the
 20 removal and suspension of student government
 21 officers; providing an effective date.

22
 23 Be It Enacted by the Legislature of the State of Florida:

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

27 240.235 Fees.--

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

1 be retained by the university and paid into the separate
2 activity and service, health, and athletic funds.

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

22 2. The student activity and service fees shall be
23 expended for lawful purposes to benefit the student body in
24 general. These purposes ~~This shall~~ include, but are ~~shall~~ not
25 ~~be~~ limited to, student publications and grants to duly
26 recognized student organizations, the membership of which is
27 open to all students at the university without regard to race,
28 sex, or religion. The fund may not benefit activities for
29 which an admission fee is charged to students, except for
30 student-government-sponsored
31 ~~student-government-association-sponsored~~ concerts. The

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

22 (b) Each university president shall establish a
23 student health fee on the main campus of the university. The
24 university president may also establish a student health fee
25 on any branch campus or center. Any subsequent modification
26 ~~increase~~ in the health fee must be recommended by a health
27 committee, at least one-half of whom are students appointed by
28 the student body president. The remainder of the committee
29 shall be appointed by the university president. A
30 chairperson, appointed jointly by the university president and
31 the student body president, may ~~shall~~ vote only in the case of

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

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

1 Board of Regents is responsible for promulgating the rules and
2 timetables necessary to implement this fee.

3 Section 2. Section 240.236, Florida Statutes, is
4 created to read:

5 240.236 University student governments.--

6 (1) There is created within each state university a
7 student government that shall be organized and maintained by
8 students as the official representatives of the student body.
9 Each student government shall be composed of at least a
10 student body president and a student legislative body. Interim
11 vacancies may be filled in a manner other than election as
12 prescribed by the student government. Each student government
13 may adopt internal procedures governing:

14 (a) The operation and administration of the student
15 government.

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

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

20 (2) Any elected officer of the student government of a
21 state university may be removed from office by the majority
22 vote of students participating in a referendum held pursuant
23 to the provisions of this section. The student government
24 shall develop a procedure for students to petition for a
25 referendum to remove from office an elected officer of the
26 student government. The grounds for removal of a student
27 government officer by petition must be expressly contained in
28 the petition and are limited to the following: malfeasance,
29 misfeasance, neglect of duty, incompetence, permanent
30 inability to perform official duties, or conviction of a

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1 felony. The referendum must be held no more than 60 days after
2 the filing of the petition.

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

7 (4) Each student government is a part of the
8 university at which it is established. The internal procedures
9 adopted by the student government under this section are
10 subject to final approval by the university president.

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

13 240.295 State University System; authorization for
14 fixed capital outlay projects.--

15 (3) Other than those projects currently authorized, no
16 project proposed by a university which is to be funded from
17 Capital Improvement Trust Fund fees or building fees shall be
18 submitted to the Board of Regents for approval without prior
19 consultation with the student government ~~association~~ of that
20 university. The Board of Regents shall promulgate rules which
21 are consistent with this requirement.

22 Section 4. Section 240.336, Florida Statutes, is
23 created to read:

24 240.336 Community college student governments.--

25 (1) There is created within each community college a
26 student government that shall be organized and maintained by
27 students as the official representatives of the student body.
28 Each student government shall be composed of at least a
29 student body president and a student legislative body. Interim
30 vacancies may be filled in a manner other than election as
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1 prescribed by the student government. Each student government
2 may adopt internal procedures governing:

3 (a) The operation and administration of the student
4 government.

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

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

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

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

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

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

1 240.382 Establishment of child development training
2 centers at community colleges.--
3 (2) In consultation with the student government
4 ~~association~~ or a recognized student group representing the
5 student body, the district board of trustees of any community
6 college may establish a child development training center in
7 accordance with this section. Each child development training
8 center shall be a child care center established to provide
9 child care during the day and at variable hours, including
10 evenings and weekends, for the children of students. Emphasis
11 should be placed on serving students who demonstrate financial
12 need as defined by the district board of trustees. At least 50
13 percent of the child care slots must be made available to
14 students, and financially needy students, as defined by the
15 district board of trustees, shall receive child care slots
16 first. The center may serve the children of staff, employees,
17 and faculty; however, a designated number of child care slots
18 shall not be allocated for employees. Whenever possible, the
19 center shall be located on the campus of the community
20 college. However, the board may elect to provide child care
21 services for students through alternative mechanisms, which
22 may include contracting with private providers.

23 Section 6. Subsections (1), (2), and (4) of section
24 240.531, Florida Statutes, are amended to read:

25 240.531 Establishment of educational research centers
26 for child development.--

27 (1) Upon approval of the university president, the
28 student government ~~association~~ of any university within the
29 State University System may establish an educational research
30 center for child development in accordance with the provisions
31 of this section. Each such center shall be a child day care

1 center established to provide care for the children of
2 students, both graduate and undergraduate, faculty, and other
3 staff and employees of the university and to provide an
4 opportunity for interested schools or departments of the
5 university to conduct educational research programs and
6 establish internship programs within such centers. Whenever
7 possible, such center shall be located on the campus of the
8 university. There shall be a director of each center,
9 selected by the board of directors of the center.

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

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

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

3 447.203 Definitions.--As used in this part:

4 (18) "Student representative" means the representative
5 selected by each community college student government
6 ~~association~~ and the council of student body presidents. Each
7 representative may be present at all negotiating sessions
8 which take place between the appropriate public employer and
9 an exclusive bargaining agent. Said representative shall be
10 enrolled as a student with at least 8 credit hours in the
11 respective community college or in the State University System
12 during his or her term as student representative.

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

15 447.301 Public employees' rights; organization and
16 representation.--

17 (5) In negotiations over the terms and conditions of
18 service and other matters affecting the working environment of
19 employees, or the learning environment of students, in
20 institutions of higher education, one student representative
21 selected by the council of student body presidents may, at his
22 or her discretion, be present at all negotiating sessions
23 which take place between the Board of Regents and the
24 bargaining agent for an employee bargaining unit. In the case
25 of community colleges, the student government ~~association~~ of
26 each college shall establish procedures for the selection of,
27 and shall select, a student representative to be present, at
28 his or her discretion, at negotiations between the bargaining
29 agent of the employees and the board of trustees. Each
30 student representative shall have access to all written draft
31 agreements and all other written documents pertaining to

1 negotiations exchanged by the appropriate public employer and
2 the bargaining agent, including a copy of any prepared written
3 transcripts of any negotiating session. Each student
4 representative shall have the right at reasonable times during
5 the negotiating session to comment to the parties and to the
6 public upon the impact of proposed agreements on the
7 educational environment of students. Each student
8 representative shall have the right to be accompanied by
9 alternates or aides, not to exceed a combined total of two in
10 number. Each student representative shall be obligated to
11 participate in good faith during all negotiations and shall be
12 subject to the rules and regulations of the Public Employees
13 Relations Commission. The student representatives shall have
14 neither voting nor veto power in any negotiation, action, or
15 agreement. The state or any branch, agency, division, agent,
16 or institution of the state shall not expend any moneys from
17 any source for the payment of reimbursement for travel
18 expenses or per diem to aides, alternates, or student
19 representatives participating in, observing, or contributing
20 to any negotiating sessions between the bargaining parties;
21 however, this limitation does not apply to the use of student
22 activity fees for the reimbursement of travel expenses and per
23 diem to the university student representative, aides, or
24 alternates participating in the aforementioned negotiations
25 between the Board of Regents and the bargaining agent for an
26 employee bargaining unit.

27 Section 9. Section 240.136, Florida Statutes, is
28 repealed.

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