

By Senator Smith

14-736A-03

1 A bill to be entitled
2 An act relating to postsecondary education;
3 amending s. 1001.74, F.S.; providing that a
4 university board of trustees shall establish
5 the fees for the university, including instate
6 undergraduate matriculation, instate graduate
7 and professional tuition, and out-of-state
8 undergraduate, graduate, and professional
9 matriculation; requiring a plan for setting
10 fees, which allows base tuition or
11 matriculation to be reset initially and
12 increased annually, subject to specified
13 guidelines; requiring the plan to specify the
14 percentage of the increase which is to be spent
15 on increased need-based financial aid;
16 providing for block tuition; providing for the
17 university to retain the proceeds and providing
18 for deposit; allowing each board of trustees to
19 waive tuition, matriculation, and certain fees;
20 requiring a report of waivers; amending s.
21 1009.24, F.S., relating to state university
22 student fees; amending the formula for
23 calculating the maximum amounts of certain
24 fees; assigning certain duties to the Board of
25 Governors, rather than the State Board of
26 Education or the Department of Education;
27 providing that the State Board of Education is
28 responsible for certain policies, as well as
29 rules and timetables; deleting the
30 authorization of boards of trustees to
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1 establish specified fees at specified maximum
2 amounts; providing an effective date.

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

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6 Section 1. Present subsections (12)-(41) of section
7 1001.74, Florida Statutes, are redesignated as subsections
8 (15)-(44), respectively, present subsection (11) is
9 redesignated as subsection (14) and amended, and new
10 subsections (11), (12), and (13) are added to that section, to
11 read:

12 1001.74 Powers and duties of university boards of
13 trustees.--

14 (11) Each board of trustees shall establish instate
15 undergraduate matriculation within proviso language in the
16 General Appropriations Act. A board of trustees also may
17 establish, for all or a portion of its instate undergraduate
18 students, block tuition within an established range of credit
19 hours. The board of trustees shall set such block tuition at a
20 level equivalent to the cost of the median number of credit
21 hours within the established range. The per-credit charge for
22 each credit hour within the median number of credit hours must
23 be the same as the per-credit hour charge for instate
24 undergraduate matriculation which is authorized within proviso
25 language in the General Appropriations Act. The university
26 shall retain the matriculation that it collects and shall
27 deposit it into separate funds.

28 (12) Notwithstanding any provision of law to the
29 contrary, each board of trustees shall establish instate
30 graduate and professional tuition and out-of-state
31 undergraduate, graduate, and professional matriculation,

1 pursuant to a plan to achieve a level equivalent to the median
2 of the university's self-selected public peer institutions as
3 reported by the United States Department of Education National
4 Center for Educational Statistics. The plan may allow the
5 university initially to reset the base tuition or
6 matriculation to a new level not exceeding the national median
7 for the university's self-selected public peer institutions
8 and, after that, to limit annual increases to no more than 20
9 percent. Such a plan must specify the minimum percentage of
10 each annual increase which will be spent for increased
11 need-based financial aid. A board of trustees also may
12 establish, for all or a portion of its instate graduate and
13 professional students and for all or a portion of its
14 out-of-state undergraduate, graduate, and professional
15 students, block tuition within an established range of credit
16 hours. The board of trustees shall set such block tuition at a
17 level equivalent to the cost of the median number of credit
18 hours within the established range. The university shall
19 retain the tuition and the graduate and professional
20 matriculation that it collects and shall deposit those moneys
21 into separate funds.

22 (13) Each board of trustees may waive tuition and
23 matriculation for purposes that support and enhance the
24 mission of the university. Each university shall annually
25 report the purpose, number, and value of all waivers granted,
26 in a format prescribed and reviewed by the Board of Governors.
27 Each board of trustees also may waive any fees that a student
28 is required to pay to register for a course.

29 (14)(11) Each board of trustees shall establish
30 university fees pursuant to ss. 1009.24 and 1009.26.

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1 Section 2. Section 1009.24, Florida Statutes, is
2 amended to read:

3 1009.24 State university student fees.--

4 (1) This section applies to students enrolled in
5 college credit programs at state universities.

6 (2) All students shall be charged fees except students
7 who are exempt from fees or students whose fees are waived.

8 ~~(3) Within proviso in the General Appropriations Act~~
9 ~~and law, each board of trustees shall set university tuition~~
10 ~~and fees. The sum of the activity and service, health, and~~
11 ~~athletic fees a student is required to pay to register for a~~
12 ~~course shall not exceed 40 percent of the matriculation~~
13 ~~tuition established in law or in the General Appropriations~~
14 ~~Act. No university shall be required to lower any fee in~~
15 ~~effect on the effective date of this act in order to comply~~
16 ~~with this subsection. Within the 40 percent cap, universities~~
17 ~~may not increase the aggregate sum of activity and service,~~
18 ~~health, and athletic fees more than 5 percent per year unless~~
19 ~~specifically authorized in law or in the General~~
20 ~~Appropriations Act. This subsection does not prohibit a~~
21 ~~university from increasing or assessing optional fees related~~
22 ~~to specific activities if payment of such fees is not required~~
23 ~~as a part of registration for courses.~~

24 ~~(4) A university that has a service area that borders~~
25 ~~another state may implement a plan for a differential~~
26 ~~out-of-state fee.~~

27 (4)(5) Students who are enrolled in Programs in
28 Medical Sciences are considered graduate students for the
29 purpose of enrollment and student fees.

30 (5)(6) A university board of trustees is authorized to
31 collect for financial aid purposes an amount not to exceed 5

1 percent of the matriculation and tuition ~~and out-of-state fee~~.
2 The revenues from fees are to remain at each campus and
3 replace existing financial aid fees. Such funds shall be
4 disbursed to students as quickly as possible. A minimum of 75
5 percent of funds from the student financial aid fee for new
6 financial aid awards shall be used to provide financial aid
7 based on absolute need. ~~A student who has received an award~~
8 ~~prior to July 1, 1984, shall have his or her eligibility~~
9 ~~assessed on the same criteria that were used at the time of~~
10 ~~his or her original award.~~ The Board of Governors ~~State Board~~
11 ~~of Education~~ shall develop general criteria for making
12 financial aid awards. Each university shall report annually to
13 the Board of Governors ~~Department of Education~~ on the revenue
14 collected pursuant to this subsection, the amount carried
15 forward, the criteria used to make awards, the amount and
16 number of awards for each criterion, and a delineation of the
17 distribution of such awards. The report shall include an
18 assessment by category of the financial need of every student
19 who receives an award, regardless of the purpose for which the
20 award is received. Awards which are based on financial need
21 shall be distributed in accordance with a nationally
22 recognized system of need analysis approved by the Board of
23 Governors ~~State Board of Education~~. An award for academic
24 merit shall require a minimum overall grade point average of
25 3.0 on a 4.0 scale or the equivalent for both initial receipt
26 of the award and renewal of the award.

27 (6)~~(7)~~ The Capital Improvement Trust Fund fee is
28 established as \$2.44 per credit hour per semester. The
29 building fee is established as \$2.32 per credit hour per
30 semester.

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1 ~~(7)(8)~~ Each university board of trustees is authorized
2 to establish separate activity and service, health, and
3 athletic fees. When duly established, the fees set by a
4 university board of trustees shall be collected as component
5 parts of matriculation tuition and fees and shall be retained
6 by the university and deposited into separate ~~paid into the~~
7 ~~separate activity and service, health, and athletic funds.~~

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

27 (b) The student activity and service fees shall be
28 expended for lawful purposes to benefit the student body in
29 general. This shall include, but shall not be limited to,
30 student publications and grants to duly recognized student
31 organizations, the membership of which is open to all students

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

26 (9)~~(10)~~ Each university board of trustees shall
27 establish a student health fee on the main campus of the
28 university. The university board of trustees may also
29 establish a student health fee on any branch campus or center.
30 Any subsequent increase in the health fee must be recommended
31 by a health committee, at least one-half of whom are students

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

14 (10)~~(11)~~ Each university board of trustees shall
15 establish a separate athletic fee on the main campus of the
16 university. The university board may also establish a separate
17 athletic fee on any branch campus or center. Any subsequent
18 increase in the athletic fee must be recommended by an
19 athletic fee committee, at least one-half of whom are students
20 appointed by the student body president. The remainder of the
21 committee shall be appointed by the university president. A
22 chairperson, appointed jointly by the university president and
23 the student body president, shall vote only in the case of a
24 tie. The recommendations of the committee shall take effect
25 only after approval by the university president, after
26 consultation with the student body president, with final
27 approval by the university board of trustees. An increase in
28 the athletic fee may occur only once each fiscal year and must
29 be implemented beginning with the fall term. The Board of
30 Governors State Board of Education is responsible for

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1 promulgating the rules or policies and timetables necessary to
2 implement this fee.

3 ~~(12) Each university board of trustees is authorized~~
4 ~~to establish the following fees:~~

5 ~~(a) A nonrefundable application fee in an amount not~~
6 ~~to exceed \$30.~~

7 ~~(b) An orientation fee in an amount not to exceed \$35.~~

8 ~~(c) A fee for security, access, or identification~~
9 ~~cards. The annual fee for such a card may not exceed \$10 per~~
10 ~~card. The maximum amount charged for a replacement card may~~
11 ~~not exceed \$15.~~

12 ~~(d) Registration fees for audit and zero-hours~~
13 ~~registration; a service charge, which may not exceed \$15, for~~
14 ~~the payment of tuition in installments; and a~~
15 ~~late-registration fee in an amount not less than \$50 nor more~~
16 ~~than \$100 to be imposed on students who fail to initiate~~
17 ~~registration during the regular registration period.~~

18 ~~(e) A late-payment fee in an amount not less than \$50~~
19 ~~nor more than \$100 to be imposed on students who fail to pay~~
20 ~~or fail to make appropriate arrangements to pay (by means of~~
21 ~~installment payment, deferment, or third-party billing)~~
22 ~~tuition by the deadline set by each university. Each~~
23 ~~university may adopt specific procedures or policies for~~
24 ~~waiving the late-payment fee for minor underpayments.~~

25 ~~(f) A fee for miscellaneous health-related charges for~~
26 ~~services provided at cost by the university health center~~
27 ~~which are not covered by the health fee set under subsection~~
28 ~~(10).~~

29 ~~(g) Materials and supplies fees to offset the cost of~~
30 ~~materials or supplies that are consumed in the course of the~~
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1 ~~student's instructional activities, excluding the cost of~~
2 ~~equipment replacement, repairs, and maintenance.~~

3 ~~(h) Housing rental rates and miscellaneous housing~~
4 ~~charges for services provided by the university at the request~~
5 ~~of the student.~~

6 ~~(i) A charge representing the reasonable cost of~~
7 ~~efforts to collect payment of overdue accounts.~~

8 ~~(j) A service charge on university loans in lieu of~~
9 ~~interest and administrative handling charges.~~

10 ~~(k) A fee for off-campus course offerings when the~~
11 ~~location results in specific, identifiable increased costs to~~
12 ~~the university.~~

13 ~~(l) Library fees and fines, including charges for~~
14 ~~damaged and lost library materials, overdue reserve library~~
15 ~~books, interlibrary loans, and literature searches.~~

16 ~~(m) Fees relating to duplicating, photocopying,~~
17 ~~binding, and microfilming; copyright services; and~~
18 ~~standardized testing. These fees may be charged only to those~~
19 ~~who receive the services.~~

20 ~~(n) Fees and fines relating to the use, late return,~~
21 ~~and loss and damage of facilities and equipment.~~

22 ~~(o) A returned-check fee as authorized by s. 832.07(1)~~
23 ~~for unpaid checks returned to the university.~~

24 ~~(p) Traffic and parking fines, charges for parking~~
25 ~~decals, and transportation access fees.~~

26 ~~(q) An Educational Research Center for Child~~
27 ~~Development fee for child care and services offered by the~~
28 ~~center.~~

29 ~~(r) Fees for transcripts and diploma replacement, not~~
30 ~~to exceed \$10 per item.~~

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