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2005 Legislature CS for CS for SB 2236, 1st Engrossed (ntc)

1
2 An act relating to tuition rates at state
3 colleges and universities; amending s. 1009.24,
4 F.S.; providing that the Legislature has the
5 responsibility to establish tuition and fees;
6 providing that tuition and fees for certain
7 state university resident students are
8 established within the General Appropriations
9 Act or law; requiring each board of trustees to
10 set university tuition and fees under certain
11 circumstances; providing that such tuition and
12 fees may not exceed tuition and fees for
13 corresponding programs at certain public
14 institutions; requiring each university to
15 allocate a certain percentage amount raised by
16 tuition increases to financial aid for
17 students; providing that tuition and fees for
18 certain students are not subject to a cap;
19 creating s. 1009.286, F.S.; requiring students
20 to pay 75 percent of the actual cost per credit
21 hour for credit hours in excess of a specified
22 number for community-college credits and for
23 overall credits applied to a baccalaureate
24 degree; excluding certain credit hours from
25 calculation as hours required to earn a
26 baccalaureate degree; providing for
27 notification of students by a postsecondary
28 institution; providing applicability; providing
29 an effective date.

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

ENROLLED

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1 Section 1. Subsection (3) of section 1009.24, Florida
2 Statutes, is amended to read:

3 1009.24 State university student fees.--

4 (3)(a) The Legislature has the responsibility to
5 establish tuition and fees.

6 (b) Undergraduate tuition and fees for state
7 university resident students are established within proviso in
8 the General Appropriations Act or law.

9 (c) Except as otherwise provided by law, each board of
10 trustees shall set university tuition and fees for graduate,
11 graduate professional, and nonresident students. Tuition and
12 fees for graduate, graduate professional, and nonresident
13 students may not exceed the average full-time tuition and fees
14 for corresponding programs at public institutions that are
15 members of the Association of American Universities. The
16 annual percentage increase in tuition and fees established by
17 each board of trustees pursuant to this paragraph for students
18 enrolled prior to the fall of 2005 shall not exceed the annual
19 percentage increase approved by the legislature for resident
20 undergraduate students. At least 20 percent of the amount
21 raised by tuition increases imposed pursuant to this paragraph
22 shall be allocated by each university to need-based financial
23 aid for students.

24 ~~(d) Within proviso in the General Appropriations Act~~
25 ~~and law, each board of trustees shall set university tuition~~
26 ~~and fees.~~ The sum of the activity and service, health, and
27 athletic fees a student is required to pay to register for a
28 course shall not exceed 40 percent of the tuition established
29 in law or in the General Appropriations Act. The tuition and
30 fees established in paragraph (c) for graduate, graduate
31 professional, or nonresident students are not subject to the

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1 40 percent cap. A ~~No~~ university ~~is not~~ ~~shall be~~ required to
2 lower any fee in effect on the effective date of this act in
3 order to comply with this subsection. Within the 40 percent
4 cap, universities may not increase the aggregate sum of
5 activity and service, health, and athletic fees more than 5
6 percent per year unless specifically authorized in law or in
7 the General Appropriations Act. A university may increase its
8 athletic fee to defray the costs associated with changing
9 National Collegiate Athletic Association divisions. Any such
10 increase in the athletic fee may exceed both the 40 percent
11 cap and the 5 percent cap imposed by this subsection. Any such
12 increase must be approved by the athletic fee committee in the
13 process outlined in subsection (11) and cannot exceed \$2 per
14 credit hour. Notwithstanding the provisions of ss. 1009.534,
15 1009.535, and 1009.536, that portion of any increase in an
16 athletic fee pursuant to this subsection that causes the sum
17 of the activity and service, health, and athletic fees to
18 exceed the 40 percent cap or the annual increase in such fees
19 to exceed the 5 percent cap shall not be included in
20 calculating the amount a student receives for a Florida
21 Academic Scholars award, a Florida Medallion Scholars award,
22 or a Florida Gold Seal Vocational Scholars award. This
23 subsection does not prohibit a university from increasing or
24 assessing optional fees related to specific activities if
25 payment of such fees is not required as a part of registration
26 for courses.

27 Section 2. Section 1009.286, Florida Statutes, is
28 created to read:

29 1009.286 Additional student payment required for hours
30 exceeding graduation requirements.--

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1 (1) It is the intent of the Legislature to discourage
2 undergraduate students in postsecondary education from
3 exceeding the number of credit hours required to complete the
4 students' respective degree programs. Accordingly, a student
5 must pay 75 percent over the in-state tuition rate for any
6 credit hours that the student takes in excess of 120 percent
7 of the number of credit hours required to complete the degree
8 program in which he or she is enrolled.

9 (2) A student who is enrolled in a community college
10 must pay 75 percent over the in-state tuition rate for credit
11 hours that the student takes in excess of 120 percent of the
12 credit hours required to earn an associate degree, except that
13 a community college student who has earned the associate
14 degree need not pay the full cost for a maximum of 24 hours
15 taken while enrolled at a community college which apply to his
16 or her baccalaureate degree.

17 (3) An undergraduate student who is enrolled in a
18 university that is part of the state university system must
19 pay 75 percent over the in-state tuition rate for credit hours
20 that the student takes in excess of 120 percent of the credit
21 hours required to complete the degree program in which he or
22 she is enrolled, regardless of whether those hours were taken
23 while enrolled at a community college, a state university, or
24 any private postsecondary institution if the student received
25 state funds while enrolled at the private postsecondary
26 institution.

27 (4) An undergraduate student who is enrolled in a
28 baccalaureate degree program at a community college must pay
29 75 percent over the in-state tuition rate for credit hours
30 that the student takes in excess of 120 percent of the number
31 of credit hours required to complete the degree program in

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1 which he or she is enrolled, regardless of whether those hours
2 were taken while enrolled at a community college, a state
3 university, or any private postsecondary institution if the
4 student received state funds while enrolled at the private
5 postsecondary institution.

6 (5) Credit hours earned under the following
7 circumstances are not calculated as hours required to earn a
8 degree:

9 (a) College credits earned through an accelerated
10 mechanism identified in s. 1007.27;

11 (b) Credit hours earned through internship programs;

12 (c) Credit hours required for certification,
13 recertification, or certificate degrees;

14 (d) Credit hours in courses from which a student must
15 withdraw due to reasons of medical or personal hardship;

16 (e) Credit hours taken by active-duty military
17 personnel;

18 (f) Credit hours required to achieve a dual major
19 undertaken while pursuing a degree;

20 (g) Remedial and English as a Second Language credit
21 hours; and

22 (h) Credit hours earned in military science courses
23 (R.O.T.C).

24 (6) Each postsecondary institution shall implement a
25 process for notifying students regarding this section. The
26 notice must be provided upon the student's initial enrollment
27 in the institution and again upon the student's having earned
28 the credit hours required to complete the degree program in
29 which he or she is enrolled. The notice must include a
30 recommendation that each student who intends to earn credit
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ENROLLED

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1 hours at the institution beyond those required for his or her
2 enrolled degree program meet with his or her academic advisor.
3 Section 3. Section 1009.286, Florida Statutes, as
4 created by this act, applies to freshmen enrolled in the fall
5 of 2005 and all freshmen thereafter.
6 Section 4. This act shall take effect July 1, 2005.
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