



138116

CHAMBER ACTION

Senate

House

.
. .
. .
. .

Floor: AD/2R
5/1/2008 2:11 PM

1 The Conference Committee on CS for SB 1774 recommended the
2 following **amendment**:

3
4 **Conference Committee Amendment (with title amendment)**

5 Delete everything after the enacting clause
6 and insert:

7 Section 1. Paragraphs (c), (d), and (e) of subsection (3)
8 of section 1009.22, Florida Statutes, as amended by chapter 2007-
9 329, Laws of Florida, are amended to read:

10 1009.22 Workforce education postsecondary student fees.--
11 (3)

12 (c) Effective January 1, 2008, standard ~~resident~~ tuition
13 shall be \$1.67 per contact hour for programs leading to a career
14 certificate or an applied technology diploma and 83 cents for
15 adult general education programs. The out-of-state fee per
16 contact hour shall be three times the standard tuition per
17 contact hour.



138116

18 (d) Beginning with the 2008-2009 fiscal year and each year
19 thereafter, the ~~standard resident~~ tuition and the out-of-state
20 fee per contact hour shall increase at the beginning of each fall
21 semester at a rate equal to inflation, unless otherwise provided
22 in the General Appropriations Act. The Office of Economic and
23 Demographic Research shall report the rate of inflation to the
24 President of the Senate, the Speaker of the House of
25 Representatives, the Governor, and the State Board of Education
26 each year prior to March 1. For purposes of this paragraph, the
27 rate of inflation shall be defined as the rate of the 12-month
28 percentage change in the Consumer Price Index for All Urban
29 Consumers, U.S. City Average, All Items, or successor reports as
30 reported by the United States Department of Labor, Bureau of
31 Labor Statistics, or its successor for December of the previous
32 year. In the event the percentage change is negative, the
33 ~~standard resident~~ tuition and out-of-state fee shall remain at
34 the same level as the prior fiscal year.

35 (e) Each district school board and each community college
36 board of trustees may adopt ~~resident~~ tuition and out-of-state
37 fees that may vary no more than ~~is within the range of~~ 5 percent
38 below and to 5 percent above the combined total of the standard
39 tuition and out-of-state fees established in paragraph (c).

40 Section 2. Effective July 1, 2009, and applicable beginning
41 with the fall term of the 2009-2010 academic year, subsection (7)
42 of section 1009.22, Florida Statutes, as amended by chapter 2007-
43 329, Laws of Florida, is amended to read:

44 1009.22 Workforce education postsecondary student fees.--

45 (7) Each district school board and community college board
46 of trustees is authorized to establish a separate fee for
47 technology, not to exceed 5 percent of tuition ~~\$1.80~~ per credit



138116

48 | hour or credit-hour equivalent for resident students and not to
49 | exceed 5 percent of tuition and the out-of-state fee not more
50 | than \$5.40 per credit hour or credit-hour equivalent for
51 | nonresident students, or the equivalent, to be expended in
52 | accordance with technology improvement plans. Revenues generated
53 | from the technology fee shall be used to enhance instructional
54 | technology resources for students and faculty and shall not be
55 | included in any award under the Florida Bright Futures
56 | Scholarship Program. The technology fee may apply only to
57 | associate degree programs and courses. Fifty percent of
58 | technology fee revenues may be pledged by a community college
59 | board of trustees as a dedicated revenue source for the repayment
60 | of debt, including lease-purchase agreements, not to exceed the
61 | useful life of the asset being financed. Revenues generated from
62 | the technology fee may not be bonded.

63 | Section 3. Paragraph (a) of subsection (3), subsection (7),
64 | and paragraphs (a) and (c) of subsection (8) of section 1009.23,
65 | Florida Statutes, as amended by chapter 2007-329, Laws of
66 | Florida, are amended to read:

67 | 1009.23 Community college student fees.--

68 | (3) (a) Effective January 1, 2008, for advanced and
69 | professional, postsecondary vocational, college preparatory, and
70 | educator preparation institute programs, the following tuition
71 | and fee rates shall apply:

72 | 1. The sum of the standard tuition and the technology fee
73 | shall be \$51.35 per credit hour for students who are residents
74 | for tuition purposes.

75 | 2. The sum of the standard tuition and~~7~~ the technology fee
76 | shall be \$51.35 per credit hour~~7~~ and the out-of-state fee shall



138116

77 | be \$154.14 per credit hour for students who are nonresidents for
78 | tuition purposes.

79 | (7) Each community college board of trustees may establish
80 | a separate activity and service fee not to exceed 10 percent of
81 | the tuition fee, according to rules of the State Board of
82 | Education. The student activity and service fee shall be
83 | collected as a component part of the tuition and fees. The
84 | student activity and service fees shall be paid into a student
85 | activity and service fund at the community college and shall be
86 | expended for lawful purposes to benefit the student body in
87 | general. These purposes include, but are not limited to, student
88 | publications and grants to duly recognized student organizations,
89 | the membership of which is open to all students at the community
90 | college without regard to race, sex, or religion. No community
91 | college shall be required to lower any activity and service fee
92 | approved by the board of trustees of the community college and in
93 | effect prior to October 26, 2007, in order to comply with the
94 | provisions of this subsection.

95 | (8) (a) Each community college board of trustees is
96 | authorized to establish a separate fee for financial aid purposes
97 | in an additional amount up to, but not to exceed, 5 percent of
98 | the total student tuition or out-of-state fees collected. Each
99 | community college board of trustees may collect up to an
100 | additional 2 percent if the amount generated by the total
101 | financial aid fee is less than \$500,000 ~~\$250,000~~. If the amount
102 | generated is less than \$500,000 ~~\$250,000~~, a community college
103 | that charges tuition and out-of-state fees at least equal to the
104 | average fees established by rule may transfer from the general
105 | current fund to the scholarship fund an amount equal to the
106 | difference between \$500,000 ~~\$250,000~~ and the amount generated by



138116

107 | the total financial aid fee assessment. No other transfer from
108 | the general current fund to the loan, endowment, or scholarship
109 | fund, by whatever name known, is authorized.

110 | (c) Up to 25 percent or \$600,000 ~~\$300,000~~, whichever is
111 | greater, of the financial aid fees collected may be used to
112 | assist students who demonstrate academic merit; who participate
113 | in athletics, public service, cultural arts, and other
114 | extracurricular programs as determined by the institution; or who
115 | are identified as members of a targeted gender or ethnic minority
116 | population. The financial aid fee revenues allocated for athletic
117 | scholarships and fee exemptions provided pursuant to s.
118 | 1009.25(3) for athletes shall be distributed equitably as
119 | required by s. 1000.05(3)(d). A minimum of 75 percent of the
120 | balance of these funds for new awards shall be used to provide
121 | financial aid based on absolute need, and the remainder of the
122 | funds shall be used for academic merit purposes and other
123 | purposes approved by the boards of trustees. Such other purposes
124 | shall include the payment of child care fees for students with
125 | financial need. The State Board of Education shall develop
126 | criteria for making financial aid awards. Each college shall
127 | report annually to the Department of Education on the revenue
128 | collected pursuant to this paragraph, the amount carried forward,
129 | the criteria used to make awards, the amount and number of awards
130 | for each criterion, and a delineation of the distribution of such
131 | awards. The report shall include an assessment by category of the
132 | financial need of every student who receives an award, regardless
133 | of the purpose for which the award is received. Awards which are
134 | based on financial need shall be distributed in accordance with a
135 | nationally recognized system of need analysis approved by the
136 | State Board of Education. An award for academic merit shall



138116

137 | require a minimum overall grade point average of 3.0 on a 4.0
138 | scale or the equivalent for both initial receipt of the award and
139 | renewal of the award.

140 | Section 4. Effective July 1, 2009, and applicable beginning
141 | with the fall term of the 2009-2010 academic year, subsections
142 | (3) and (10) of section 1009.23, Florida Statutes, as amended by
143 | chapter 2007-329, Laws of Florida, and as amended by this act,
144 | are amended to read:

145 | 1009.23 Community college student fees.--

146 | (3)(a) Effective January 1, 2008, for advanced and
147 | professional, postsecondary vocational, college preparatory, and
148 | educator preparation institute programs, the following tuition
149 | and fee rates shall apply:

150 | 1. The ~~sum of the~~ standard tuition ~~and the technology fee~~
151 | shall be \$51.35 per credit hour for students who are residents
152 | for tuition purposes.

153 | 2. The ~~sum of the~~ standard tuition ~~and the technology fee~~
154 | shall be \$51.35 per credit hour and the out-of-state fee shall be
155 | \$154.14 per credit hour for students who are nonresidents for
156 | tuition purposes.

157 | (b) Effective January 1, 2008, for baccalaureate degree
158 | programs, the following tuition and fee rates shall apply:

159 | 1. The ~~sum of the~~ tuition ~~and the technology fee~~ shall be
160 | \$65.47 per credit hour for students who are residents for tuition
161 | purposes.

162 | 2. The sum of the tuition, ~~the technology fee,~~ and the out-
163 | of-state fee per credit hour for students who are nonresidents
164 | for tuition purposes shall be no more than 85 percent of the sum
165 | of the tuition and the out-of-state fee at the state university
166 | nearest the community college.



138116

167 (c) Beginning with the 2008-2009 fiscal year and each year
168 thereafter, the tuition and the out-of-state fee ~~fees specified~~
169 ~~in paragraphs (a) and (b)~~ shall increase at the beginning of each
170 fall semester at a rate equal to inflation, unless otherwise
171 provided in the General Appropriations Act. The Office of
172 Economic and Demographic Research shall report the rate of
173 inflation to the President of the Senate, the Speaker of the
174 House of Representatives, the Governor, and the State Board of
175 Education each year prior to March 1. For purposes of this
176 paragraph, the rate of inflation shall be defined as the rate of
177 the 12-month percentage change in the Consumer Price Index for
178 All Urban Consumers, U.S. City Average, All Items, or successor
179 reports as reported by the United States Department of Labor,
180 Bureau of Labor Statistics, or its successor for December of the
181 previous year. In the event the percentage change is negative,
182 ~~the sum of the tuition and the technology fee per credit hour and~~
183 ~~the out-of-state fee per credit hour shall remain at the same~~
184 ~~levels as the prior fiscal year.~~

185 (10) Each community college board of trustees is authorized
186 to establish a separate fee for technology, which may not exceed
187 5 percent of tuition ~~\$1.80~~ per credit hour or credit-hour
188 equivalent for resident students and may not exceed 5 percent of
189 tuition and the out-of-state fee ~~not more than \$5.40~~ per credit
190 hour or credit-hour equivalent for nonresident students, ~~to be~~
191 ~~expended according to technology improvement plans.~~ Revenues
192 generated from the technology fee shall be used to enhance
193 instructional technology resources for students and faculty. The
194 technology fee may apply to both college credit and college-
195 preparatory instruction and shall not be included in any award
196 under the Florida Bright Futures Scholarship Program. Fifty



138116

197 | percent of technology fee revenues may be pledged by a community
198 | college board of trustees as a dedicated revenue source for the
199 | repayment of debt, including lease-purchase agreements, not to
200 | exceed the useful life of the asset being financed. Revenues
201 | generated from the technology fee may not be bonded.

202 | Section 5. Subsection (2) of section 1011.52, Florida
203 | Statutes, is amended to read:

204 | 1011.52 Appropriation to first accredited medical school.--

205 | (2) In order for a medical school to qualify under the
206 | provisions of this section and to be entitled to the benefits
207 | herein, such medical school:

208 | (a) Must be primarily operated and established to offer,
209 | afford, and render a medical education to residents of the state
210 | qualifying for admission to such institution;

211 | (b) Must be operated by a municipality or county of this
212 | state, or by a nonprofit organization heretofore or hereafter
213 | established exclusively for educational purposes;

214 | (c) Must, upon the formation and establishment of an
215 | accredited medical school, transmit and file with the Department
216 | of Education documentary proof evidencing the facts that such
217 | institution has been certified and approved by the council on
218 | medical education and hospitals of the American Medical
219 | Association and has adequately met the requirements of that
220 | council in regard to its administrative facilities,
221 | administrative plant, clinical facilities, curriculum, and all
222 | other such requirements as may be necessary to qualify with the
223 | council as a recognized, approved, and accredited medical school;

224 | (d) Must certify to the Department of Education the name,
225 | address, and educational history of each student approved and



138116

226 | accepted for enrollment in such institution for the ensuing
227 | school year; and-

228 | (e) Must enter into an annual operating agreement each
229 | fiscal year with a government-owned hospital that is located in
230 | the same county as the medical school and that is a statutory
231 | teaching hospital as defined in s. 408.07(45). The annual
232 | operating agreement shall provide for the medical school to
233 | maintain the same level of affiliation with the hospital,
234 | including the level of services to indigent and charity care
235 | patients served by the hospital, which was in place in the prior
236 | fiscal year. Documentation of the operating agreement shall be
237 | submitted to the Department of Education prior to the payment of
238 | moneys from the annual appropriation.

239 | Section 6. Except as otherwise expressly provided in this
240 | act, this act shall take effect July 1, 2008.

241 |
242 | ===== T I T L E A M E N D M E N T =====

243 | And the title is amended as follows:

244 | Delete everything before the enacting clause
245 | and insert:

246 | A bill to be entitled
247 | An act relating to postsecondary education; amending s.
248 | 1009.22, F.S.; revising provisions relating to workforce
249 | education postsecondary student fees; specifying the out-
250 | of-state fee per contact hour; authorizing district school
251 | boards and community college boards of trustees to adopt
252 | an out-of-state fee within a specified range; prohibiting
253 | the fee from exceeding a certain percentage of the tuition
254 | per credit hour and the out-of-state fee per credit hour;
255 | requiring that such fees be used to enhance instructional



138116

256 technology resources; prohibiting the fee from being
257 included in any award under the Florida Bright Futures
258 Scholarship Program; amending s. 1009.23, F.S.; providing
259 an exemption relating to establishment of the community
260 college activity and service student fee; authorizing an
261 increase in the amount of fees collected for financial aid
262 purposes; increasing the amount of financial aid fees that
263 may be used to assist students who meet specified
264 criteria; conforming provisions relating to community
265 college student fees to changes made by the act; amending
266 s. 1011.52, F.S.; requiring the first accredited medical
267 school to enter into an annual operating agreement with a
268 government-owned hospital meeting specified criteria;
269 providing for maintenance of the affiliation; requiring
270 submission of documentation of the agreement to the
271 Department of Education prior to payment from an annual
272 appropriation; providing effective dates.