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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/22/2014	.	
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The Committee on Appropriations (Bradley) recommended the following:

1 **Senate Substitute for Amendment (798384) (with title**
2 **amendment)**

3
4 Between lines 3509 and 3510
5 insert:

6 Section 44. Paragraphs (c) through (g) of subsection (3) of
7 section 1009.22, Florida Statutes, are amended to read:

8 1009.22 Workforce education postsecondary student fees.—

9 (3)

10 (c) Unless otherwise provided in the General Appropriations



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11 Act, effective July 1, 2014 ~~2011~~, for programs leading to a
12 career certificate or an applied technology diploma, the
13 standard tuition shall be \$2.33 ~~\$2.22~~ per contact hour for
14 residents and nonresidents and the out-of-state fee shall be
15 \$6.99 ~~\$6.66~~ per contact hour. For adult general education
16 programs, a block tuition of \$45 per half year or \$30 per term
17 shall be assessed for residents and nonresidents, and the out-
18 of-state fee shall be \$135 per half year or \$90 per term. Each
19 district school board and Florida College System institution
20 board of trustees shall adopt policies and procedures for the
21 collection of and accounting for the expenditure of the block
22 tuition. All funds received from the block tuition shall be used
23 only for adult general education programs. Students enrolled in
24 adult general education programs may not be assessed the fees
25 authorized in subsection (5), subsection (6), or subsection (7).

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



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40 ~~year. In the event the percentage change is negative, the~~
41 ~~tuition and out-of-state fee shall remain at the same level as~~
42 ~~the prior fiscal year.~~

43 (d)~~(e)~~ Each district school board and each Florida College
44 System institution board of trustees may adopt tuition and out-
45 of-state fees that may vary no more than 5 percent below and 5
46 percent above the combined total of the standard tuition and
47 out-of-state fees established in paragraph (c).

48 (e)~~(f)~~ The maximum increase in resident tuition for any
49 school district or Florida College System institution during the
50 2007-2008 fiscal year shall be 5 percent over the tuition
51 charged during the 2006-2007 fiscal year.

52 (f)~~(g)~~ The State Board of Education may adopt, by rule, the
53 definitions and procedures that district school boards and
54 Florida College System institution boards of trustees shall use
55 in the calculation of cost borne by students.

56 Section 45. Subsection (3) of section 1009.23, Florida
57 Statutes, is amended to read:

58 1009.23 Florida College System institution student fees.—

59 (3) (a) Unless otherwise provided in the General
60 Appropriations Act, effective July 1, 2014 ~~2011~~, for advanced
61 and professional, postsecondary vocational, developmental
62 education, and educator preparation institute programs, the
63 standard tuition shall be \$71.98 ~~\$68.56~~ per credit hour for
64 residents and nonresidents, and the out-of-state fee shall be
65 \$215.94 ~~\$205.82~~ per credit hour.

66 (b) Unless otherwise provided in the General Appropriations
67 Act, effective July 1, 2014 ~~2011~~, for baccalaureate degree
68 programs, the following tuition and fee rates shall apply:



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69 1. The tuition shall be \$91.79 ~~\$87.42~~ per credit hour for
70 students who are residents for tuition purposes.

71 2. The sum of the tuition and the out-of-state fee per
72 credit hour for students who are nonresidents for tuition
73 purposes shall be no more than 85 percent of the sum of the
74 tuition and the out-of-state fee at the state university nearest
75 the Florida College System institution.

76 ~~(c) Beginning with the 2008-2009 fiscal year and each year~~
77 ~~thereafter, the tuition and the out-of-state fee shall increase~~
78 ~~at the beginning of each fall semester at a rate equal to~~
79 ~~inflation, unless otherwise provided in the General~~
80 ~~Appropriations Act. The Office of Economic and Demographic~~
81 ~~Research shall report the rate of inflation to the President of~~
82 ~~the Senate, the Speaker of the House of Representatives, the~~
83 ~~Governor, and the State Board of Education each year prior to~~
84 ~~March 1. For purposes of this paragraph, the rate of inflation~~
85 ~~shall be defined as the rate of the 12-month percentage change~~
86 ~~in the Consumer Price Index for All Urban Consumers, U.S. City~~
87 ~~Average, All Items, or successor reports as reported by the~~
88 ~~United States Department of Labor, Bureau of Labor Statistics,~~
89 ~~or its successor for December of the previous year. In the event~~
90 ~~the percentage change is negative, the tuition and the out-of-~~
91 ~~state fee per credit hour shall remain at the same levels as the~~
92 ~~prior fiscal year.~~

93 Section 46. Paragraphs (a), (b), and (e) of subsection (4)
94 and paragraph (b) of subsection (16) of section 1009.24, Florida
95 Statutes, are amended, to read:

96 1009.24 State university student fees.-

97 (4) (a) Unless otherwise provided in the General



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98 Appropriations Act, effective July 1, 2014 ~~2011~~, the resident
99 undergraduate tuition for lower-level and upper-level coursework
100 shall be \$105.07 ~~\$103.32~~ per credit hour.

101 ~~(b) Beginning with the 2008-2009 fiscal year and each year~~
102 ~~thereafter, the resident undergraduate tuition per credit hour~~
103 ~~shall increase at the beginning of each fall semester at a rate~~
104 ~~equal to inflation, unless otherwise provided in the General~~
105 ~~Appropriations Act. The Office of Economic and Demographic~~
106 ~~Research shall report the rate of inflation to the President of~~
107 ~~the Senate, the Speaker of the House of Representatives, the~~
108 ~~Governor, and the Board of Governors each year prior to March 1.~~
109 ~~For purposes of this paragraph, the rate of inflation shall be~~
110 ~~defined as the rate of the 12-month percentage change in the~~
111 ~~Consumer Price Index for All Urban Consumers, U.S. City Average,~~
112 ~~All Items, or successor reports as reported by the United States~~
113 ~~Department of Labor, Bureau of Labor Statistics, or its~~
114 ~~successor for December of the previous year. In the event the~~
115 ~~percentage change is negative, the resident undergraduate~~
116 ~~tuition shall remain at the same level as the prior fiscal year.~~

117 (d) ~~(e)~~ The sum of the activity and service, health, and
118 athletic fees a student is required to pay to register for a
119 course may ~~shall~~ not exceed 40 percent of the tuition
120 established in law or in the General Appropriations Act. No
121 university shall be required to lower any fee in effect on the
122 effective date of this act in order to comply with this
123 subsection. Within the 40 percent cap, universities may not
124 increase the aggregate sum of activity and service, health, and
125 athletic fees more than 5 percent per year, or the same
126 percentage increase in tuition authorized under paragraph (a)



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127 ~~(b)~~, whichever is greater, unless specifically authorized in law
128 or in the General Appropriations Act. A university may increase
129 its athletic fee to defray the costs associated with changing
130 National Collegiate Athletic Association divisions. Any such
131 increase in the athletic fee may exceed both the 40 percent cap
132 and the 5 percent cap imposed by this subsection. Any such
133 increase must be approved by the athletic fee committee in the
134 process outlined in subsection (12) and may not ~~cannot~~ exceed \$2
135 per credit hour. Notwithstanding ~~the provisions of~~ ss. 1009.534,
136 1009.535, and 1009.536, that portion of any increase in an
137 athletic fee pursuant to this subsection which ~~that~~ causes the
138 sum of the activity and service, health, and athletic fees to
139 exceed the 40 percent cap or the annual increase in such fees to
140 exceed the 5 percent cap may ~~shall~~ not be included in
141 calculating the amount a student receives for a Florida Academic
142 Scholars award, a Florida Medallion Scholars award, or a Florida
143 Gold Seal Vocational Scholars award. Notwithstanding this
144 paragraph and subject to approval by the board of trustees, each
145 state university may ~~is authorized to~~ exceed the 5 percent ~~5-~~
146 ~~percent~~ cap on the annual increase to the aggregate sum of
147 activity and service, health, and athletic fees for the 2010-
148 2011 fiscal year. Any such increase may ~~shall~~ not exceed 15
149 percent or the amount required to reach the 2009-2010 fiscal
150 year statewide average for the aggregate sum of activity and
151 service, health, and athletic fees at the main campuses,
152 whichever is greater. The aggregate sum of the activity and
153 service, health, and athletic fees may ~~shall~~ not exceed 40
154 percent of tuition. Any increase in the activity and service
155 fee, health fee, or athletic fee must be approved by the



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156 appropriate fee committee pursuant to subsection (10),
157 subsection (11), or subsection (12).

158 (16) Each university board of trustees may establish a
159 tuition differential for undergraduate courses upon receipt of
160 approval from the Board of Governors. The tuition differential
161 shall promote improvements in the quality of undergraduate
162 education and shall provide financial aid to undergraduate
163 students who exhibit financial need.

164 (b) Each tuition differential is subject to the following
165 conditions:

166 1. The tuition differential may be assessed on one or more
167 undergraduate courses or on all undergraduate courses at a state
168 university.

169 2. The tuition differential may vary by course or courses,
170 campus or center location, and by institution. Each university
171 board of trustees shall strive to maintain and increase
172 enrollment in degree programs related to math, science, high
173 technology, and other state or regional high-need fields when
174 establishing tuition differentials by course.

175 3. For each state university that has total research and
176 development expenditures for all fields of at least \$100 million
177 per year as reported annually to the National Science
178 Foundation, the aggregate sum of tuition and the tuition
179 differential may ~~not~~ be increased by no more than 6 ~~15~~ percent
180 of the total charged for the aggregate sum of these fees in the
181 preceding fiscal year. For each state university that has total
182 research and development expenditures for all fields of less
183 than \$100 million per year as reported annually to the National
184 Science Foundation, the aggregate sum of tuition and the tuition



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185 differential may not be increased by more than 6 ~~15~~ percent of
186 the total charged for the aggregate sum of these fees in the
187 preceding fiscal year.

188 4. The aggregate sum of undergraduate tuition and fees per
189 credit hour, including the tuition differential, may not exceed
190 the national average of undergraduate tuition and fees at 4-year
191 degree-granting public postsecondary educational institutions.

192 5. The tuition differential may ~~shall~~ not be included in
193 any award under the Florida Bright Futures Scholarship Program
194 established pursuant to ss. 1009.53-1009.538.

195 6. Beneficiaries having prepaid tuition contracts pursuant
196 to s. 1009.98(2)(b) which were in effect on July 1, 2007, and
197 which remain in effect, are exempt from the payment of the
198 tuition differential.

199 7. The tuition differential may not be charged to any
200 student who was in attendance at the university before July 1,
201 2007, and who maintains continuous enrollment.

202 8. The tuition differential may be waived by the university
203 for students who meet the eligibility requirements for the
204 Florida public student assistance grant established in s.
205 1009.50.

206 9. Subject to approval by the Board of Governors, the
207 tuition differential authorized pursuant to this subsection may
208 take effect with the 2009 fall term.

209 Section 47. Subsection (10) of section 1009.98, Florida
210 Statutes, is amended to read:

211 1009.98 Stanley G. Tate Florida Prepaid College Program.—

212 (10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—

213 (a) As used in this subsection, the term:



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214 1. "Actuarial reserve" means the amount by which the
215 expected value of the assets exceeds ~~exceed~~ the expected value
216 of the liabilities of the trust fund.

217 2. "Dormitory fees" means the fees included under advance
218 payment contracts pursuant to paragraph (2) (d).

219 3. "Fiscal year" means the fiscal year of the state
220 pursuant to s. 215.01.

221 4. "Local fees" means the fees covered by an advance
222 payment contract provided pursuant to subparagraph (2) (b)2.

223 5. "Tuition differential" means the fee covered by advance
224 payment contracts sold pursuant to subparagraph (2) (b)3. The
225 base rate for the tuition differential fee for the 2012-2013
226 fiscal year is established at \$37.03 per credit hour. The base
227 rate for the tuition differential in subsequent years is the
228 amount assessed ~~paid by the board~~ for the tuition differential
229 for the preceding year adjusted pursuant to subparagraph (b)2.

230 (b) Effective with the 2009-2010 academic year and
231 thereafter, and notwithstanding the provisions of s. 1009.24,
232 the amount paid by the board to any state university on behalf
233 of a qualified beneficiary of an advance payment contract whose
234 contract was purchased before July 1, 2024 ~~2009~~, shall be:

235 1. As to registration fees, if the actuarial reserve is
236 less than 5 percent of the expected liabilities of the trust
237 fund, the board shall pay the state universities 5.5 percent
238 above the amount assessed for registration fees in the preceding
239 fiscal year. If the actuarial reserve is between 5 percent and 6
240 percent of the expected liabilities of the trust fund, the board
241 shall pay the state universities 6 percent above the amount
242 assessed for registration fees in the preceding fiscal year. If



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243 the actuarial reserve is between 6 percent and 7.5 percent of
244 the expected liabilities of the trust fund, the board shall pay
245 the state universities 6.5 percent above the amount assessed for
246 registration fees in the preceding fiscal year. If the actuarial
247 reserve is equal to or greater than 7.5 percent of the expected
248 liabilities of the trust fund, the board shall pay the state
249 universities 7 percent above the amount assessed for
250 registration fees in the preceding fiscal year, whichever is
251 greater.

252 2. As to the tuition differential, if the actuarial reserve
253 is less than 5 percent of the expected liabilities of the trust
254 fund, the board shall pay the state universities 5.5 percent
255 above the base rate for the tuition differential fee in the
256 preceding fiscal year. If the actuarial reserve is between 5
257 percent and 6 percent of the expected liabilities of the trust
258 fund, the board shall pay the state universities 6 percent above
259 the base rate for the tuition differential fee in the preceding
260 fiscal year. If the actuarial reserve is between 6 percent and
261 7.5 percent of the expected liabilities of the trust fund, the
262 board shall pay the state universities 6.5 percent above the
263 base rate for the tuition differential fee in the preceding
264 fiscal year. If the actuarial reserve is equal to or greater
265 than 7.5 percent of the expected liabilities of the trust fund,
266 the board shall pay the state universities 7 percent above the
267 base rate for the tuition differential fee in the preceding
268 fiscal year.

269 3. As to local fees, the board shall pay the state
270 universities 5 percent above the amount assessed for local fees
271 in the preceding fiscal year.



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272 4. As to dormitory fees, the board shall pay the state
273 universities 6 percent above the amount assessed for dormitory
274 fees in the preceding fiscal year.

275 5. Qualified beneficiaries of advance payment contracts
276 purchased before July 1, 2007, are exempt from paying any
277 tuition differential fee.

278 (c) Notwithstanding the amount assessed for registration
279 fees, the tuition differential fee, or local fees, the amount
280 paid by the board to any state university on behalf of a
281 qualified beneficiary of an advance payment contract purchased
282 before July 1, 2024, may not exceed 100 percent of the amount
283 charged by the state university for the aggregate sum of those
284 fees.

285 (d) Notwithstanding the amount assessed for dormitory fees,
286 the amount paid by the board to any state university on behalf
287 of a qualified beneficiary of an advance payment contract
288 purchased before July 1, 2024, may not exceed 100 percent of the
289 amount charged by the state university for dormitory fees.

290 (e)-(e) The board shall pay state universities the actual
291 amount assessed in accordance with law for registration fees,
292 the tuition differential, local fees, and dormitory fees for
293 advance payment contracts purchased on or after July 1, 2024
294 2009.

295 (f)-(d) The board shall annually evaluate or cause to be
296 evaluated the actuarial soundness of the trust fund.

297 Section 48. Subsection (10) of section 1011.80, Florida
298 Statutes, is amended to read:

299 1011.80 Funds for operation of workforce education
300 programs.—



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301 (10) A high school student dually enrolled under s.
302 1007.271 in a workforce education program operated by a Florida
303 College System institution or school district career center
304 generates the amount calculated for workforce education funding,
305 including any payment of performance funding, and the
306 proportional share of full-time equivalent enrollment generated
307 through the Florida Education Finance Program for the student's
308 enrollment in a high school. If a high school student is dually
309 enrolled in a Florida College System institution program,
310 including a program conducted at a high school, the Florida
311 College System institution earns the funds generated for
312 workforce education funding, and the school district earns the
313 proportional share of full-time equivalent funding from the
314 Florida Education Finance Program. If a student is dually
315 enrolled in a career center operated by the same district as the
316 district in which the student attends high school, that district
317 earns the funds generated for workforce education funding and
318 also earns the proportional share of full-time equivalent
319 funding from the Florida Education Finance Program. If a student
320 is dually enrolled in a workforce education program provided by
321 a career center operated by a different school district, the
322 funds must be divided between the two school districts
323 proportionally from the two funding sources. A student may not
324 be reported for funding in a dual enrollment workforce education
325 program unless the student has completed the basic skills
326 assessment pursuant to s. 1004.91. A student who is coenrolled
327 in a K-12 education program and an adult education program may
328 be reported for purposes of funding in an adult education
329 program. If a student is coenrolled in core curricula courses



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330 for credit recovery or dropout prevention purposes and does not
331 have a pattern of excessive absenteeism or habitual truancy or a
332 history of disruptive behavior in school, the student may be
333 reported for funding for up to two courses per year. Such a
334 student is exempt from the payment of the block tuition for
335 adult general education programs provided in s. 1009.22(3)(c) ~~s.~~
336 ~~1009.22(3)(d)~~. The Department of Education shall develop a list
337 of courses to be designated as core curricula courses for the
338 purposes of coenrollment.

339
340 ===== T I T L E A M E N D M E N T =====

341 And the title is amended as follows:

342 Between lines 4163 and 4164

343 insert:

344 amending ss. 1009.22 and 1009.23, F.S.; revising the
345 standard tuition and out-of-state fees for workforce
346 education postsecondary programs leading to certain
347 certificates and diplomas and certain other programs
348 at Florida College System institutions; deleting a
349 provision relating to an increase in tuition and out-
350 of-state fees at a rate equal to inflation; deleting a
351 requirement that the Office of Economic and
352 Demographic Research annually report the rate of
353 inflation to the Governor, the Legislature, and the
354 State Board of Education; deleting the definition of
355 the term "rate of inflation"; amending s. 1009.24,
356 F.S.; revising the resident undergraduate tuition for
357 lower-level and upper-level coursework; deleting a
358 provision related to an increase of the resident



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359 undergraduate tuition at state universities at a rate
360 equal to inflation; deleting the requirement of the
361 Office of Economic and Demographic Research to
362 annually report the rate of inflation to the Governor,
363 the Legislature, and the Board of Governors; deleting
364 the definition of the term "rate of inflation";
365 conforming provisions to changes made by the act;
366 authorizing a state university board of trustees to
367 increase the aggregate sum of tuition and tuition
368 differential for up to 6 percent of the total charged
369 for the aggregate sum of such fees in the preceding
370 year; amending s. 1009.98, F.S.; redefining the term
371 "tuition differential"; revising the purchase date of
372 an advance payment contract as it relates to the
373 amount paid by the Florida Prepaid College Board to a
374 state university on behalf of a qualified beneficiary;
375 prohibiting the amount of the aggregate sum of
376 registration fees, the tuition differential fee, or
377 local fees paid by the board to a state university on
378 behalf of a qualified beneficiary of an advance
379 payment contract from exceeding a certain percentage
380 of the amount charged by the state university for the
381 aggregate sum of those fees; prohibiting the amount of
382 the dormitory fees paid for by the board to a state
383 university on behalf of a qualified beneficiary of an
384 advance payment contract from exceeding a certain
385 percentage of the amount charged by the state
386 university for those fees; conforming provisions to
387 changes made by the act; amending s. 1011.80, F.S.;



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conforming a cross-reference;