

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Nuñez offered the following:

2
3 **Substitute Amendment for Amendment (059821) (with title**
4 **amendment)**

5 Remove lines 334-490 and insert:

6 (11) ~~Once a student has been classified as a resident for~~
7 ~~tuition purposes, an institution of higher education to which~~
8 ~~the student transfers is not required to reevaluate the~~
9 ~~classification unless inconsistent information suggests that an~~
10 ~~erroneous classification was made or the student's situation has~~
11 ~~changed. However, the student must have attended the institution~~
12 ~~making the initial classification within the prior 12 months,~~
13 ~~and the residency classification must be noted on the student's~~
14 ~~transcript.~~ The Higher Education Coordinating Council shall

216795

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Amendment No.

15 consider issues related to residency determinations and make
16 recommendations relating to efficiency and effectiveness of
17 current law.

18 (12) Each institution of higher education shall establish
19 a residency appeal committee comprised of at least three members
20 to consider student appeals of residency determinations, in
21 accordance with the institution's official appeal process. The
22 residency appeal committee must render to the student the final
23 residency determination in writing. The institution must advise
24 the student of the reasons for the determination.

25 (13) The State Board of Education shall adopt rules, and
26 the Board of Governors shall adopt regulations, ~~rules~~ to
27 implement this section.

28 Section 2. Paragraph (d) of subsection (3) of section
29 1009.22, Florida Statutes, is amended to read:

30 1009.22 Workforce education postsecondary student fees.—

31 (3)

32 (d) ~~Beginning with the 2008-2009 fiscal year and each year~~
33 ~~thereafter~~, The tuition and the out-of-state fee per contact or
34 credit hour shall increase at the beginning of each fall
35 semester at a rate ~~equal to inflation~~, ~~unless otherwise provided~~
36 in the General Appropriations Act. If the rate is not provided
37 in the General Appropriations Act ~~The Office of Economic and~~
38 ~~Demographic Research shall report the rate of inflation to the~~
39 ~~President of the Senate, the Speaker of the House of~~
40 ~~Representatives, the Governor, and the State Board of Education~~

216795

Approved For Filing: 3/18/2014 4:22:53 PM

Amendment No.

41 ~~each year prior to March 1. For purposes of this paragraph, the~~
42 ~~rate of inflation shall be defined as the rate of the 12-month~~
43 ~~percentage change in the Consumer Price Index for All Urban~~
44 ~~Consumers, U.S. City Average, All Items, or successor reports as~~
45 ~~reported by the United States Department of Labor, Bureau of~~
46 ~~Labor Statistics, or its successor for December of the previous~~
47 ~~year. In the event the percentage change is negative, the~~
48 ~~tuition and out-of-state fee shall remain at the same level as~~
49 ~~the prior fiscal year.~~

50 Section 3. Paragraph (c) of subsection (3) of section
51 1009.23, Florida Statutes, is amended to read:

52 1009.23 Florida College System institution student fees.-

53 (3)

54 ~~(c) Beginning with the 2008-2009 fiscal year and each year~~
55 ~~thereafter,~~ The tuition and the out-of-state fee shall increase
56 at the beginning of each fall semester at a rate ~~equal to~~
57 ~~inflation, unless otherwise provided in the General~~
58 ~~Appropriations Act. If the rate is not provided in the General~~
59 ~~Appropriations Act The Office of Economic and Demographic~~
60 ~~Research shall report the rate of inflation to the President of~~
61 ~~the Senate, the Speaker of the House of Representatives, the~~
62 ~~Governor, and the State Board of Education each year prior to~~
63 ~~March 1. For purposes of this paragraph, the rate of inflation~~
64 ~~shall be defined as the rate of the 12-month percentage change~~
65 ~~in the Consumer Price Index for All Urban Consumers, U.S. City~~
66 ~~Average, All Items, or successor reports as reported by the~~

216795

Approved For Filing: 3/18/2014 4:22:53 PM

Amendment No.

67 ~~United States Department of Labor, Bureau of Labor Statistics,~~
68 ~~or its successor for December of the previous year. In the event~~
69 ~~the percentage change is negative,~~ the tuition and the out-of-
70 state fee per credit hour shall remain at the same levels as the
71 prior fiscal year.

72 Section 4. Paragraph (b) of subsection (4) and paragraph
73 (b) of subsection (16) of section 1009.24, Florida Statutes, are
74 amended to read:

75 1009.24 State university student fees.—

76 (4)

77 ~~(b) Beginning with the 2008-2009 fiscal year and each year~~
78 ~~thereafter,~~ The resident undergraduate tuition per credit hour
79 shall increase at the beginning of each fall semester at a rate
80 equal to inflation, unless otherwise provided in the General
81 Appropriations Act. If the rate is not provided in the General
82 Appropriations Act ~~The Office of Economic and Demographic~~
83 ~~Research shall report the rate of inflation to the President of~~
84 ~~the Senate, the Speaker of the House of Representatives, the~~
85 ~~Governor, and the Board of Governors each year prior to March 1.~~
86 ~~For purposes of this paragraph, the rate of inflation shall be~~
87 ~~defined as the rate of the 12-month percentage change in the~~
88 ~~Consumer Price Index for All Urban Consumers, U.S. City Average,~~
89 ~~All Items, or successor reports as reported by the United States~~
90 ~~Department of Labor, Bureau of Labor Statistics, or its~~
91 ~~successor for December of the previous year. In the event the~~
92 ~~percentage change is negative,~~ the resident undergraduate

216795

Approved For Filing: 3/18/2014 4:22:53 PM

Amendment No.

93 tuition shall remain at the same level as the prior fiscal year.

94 (16) Each university board of trustees may establish a
95 tuition differential for undergraduate courses upon receipt of
96 approval from the Board of Governors. The tuition differential
97 shall promote improvements in the quality of undergraduate
98 education and shall provide financial aid to undergraduate
99 students who exhibit financial need.

100 (b) Each tuition differential is subject to the following
101 conditions:

102 1. The tuition differential may be assessed on one or more
103 undergraduate courses or on all undergraduate courses at a state
104 university.

105 2. The tuition differential may vary by course or courses,
106 campus or center location, and by institution. Each university
107 board of trustees shall strive to maintain and increase
108 enrollment in degree programs related to math, science, high
109 technology, and other state or regional high-need fields when
110 establishing tuition differentials by course.

111 3. For each state university ~~that has total research and~~
112 ~~development expenditures for all fields of at least \$100 million~~
113 ~~per year as reported annually to the National Science~~
114 ~~Foundation~~, the aggregate sum of tuition and the tuition
115 differential may not be increased by more than 6 ~~15~~ percent of
116 the total charged for the aggregate sum of these fees in the
117 preceding fiscal year. ~~For each state university that has total~~
118 ~~research and development expenditures for all fields of less~~

216795

Approved For Filing: 3/18/2014 4:22:53 PM

Amendment No.

119 ~~than \$100 million per year as reported annually to the National~~
120 ~~Science Foundation, the aggregate sum of tuition and the tuition~~
121 ~~differential may not be increased by more than 15 percent of the~~
122 ~~total charged for the aggregate sum of these fees in the~~
123 ~~preceding fiscal year.~~

124 4. The aggregate sum of undergraduate tuition and fees per
125 credit hour, including the tuition differential, may not exceed
126 the national average of undergraduate tuition and fees at 4-year
127 degree-granting public postsecondary educational institutions.

128 5. The tuition differential shall not be included in any
129 award under the Florida Bright Futures Scholarship Program
130 established pursuant to ss. 1009.53-1009.538.

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

135 7. The tuition differential may not be charged to any
136 student who was in attendance at the university before July 1,
137 2007, and who maintains continuous enrollment.

138 8. The tuition differential may be waived by the
139 university for students who meet the eligibility requirements
140 for the Florida public student assistance grant established in
141 s. 1009.50.

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

216795

Approved For Filing: 3/18/2014 4:22:53 PM

Amendment No.

145 Section 5. Subsection (12) is added to section 1009.26,
146 Florida Statutes, to read:

147 1009.26 Fee waivers.—

148 (12) (a) A state university, Florida College System
149 institution, career center operated by a school district under
150 s. 1001.44, or charter technical career center shall waive out-
151 of-state fees for students, regardless of immigration status,
152 who attend a secondary school in this state for 4 consecutive
153 years immediately before high school graduation, apply for
154 enrollment in an institution of higher education within 24
155 months after graduation, and submit an official Florida high
156 school transcript as documentary evidence of attendance and
157 graduation.

158 (b) Each state university, Florida College System
159 institution, career center operated by a school district under
160 s. 1001.44, or charter technical career center must report to
161 the Board of Governors or the State Board of Education, as
162 applicable, the number and value of all fee waivers granted
163 annually under this subsection.

164 (c) State university students granted fee waivers under
165 this subsection are considered nonresident students for purposes
166 of calculating the systemwide total enrollment of nonresident
167 students as limited by regulation of the Board of Governors.

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170 **T I T L E A M E N D M E N T**

216795

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Amendment No.

171 Remove lines 17-34 and insert:
172 tuition purposes; providing for the adoption of rules
173 and regulations; amending s. 1009.22, F.S.; revising
174 provisions relating to workforce education
175 postsecondary tuition and out-of-state fees; amending
176 s. 1009.23, F.S.; revising provisions relating to
177 Florida College System institution tuition and out-of-
178 state fees; amending s. 1009.24, F.S.; revising
179 provisions relating to state university resident
180 undergraduate tuition; revising the annual percentage
181 increase allowed in the aggregate sum of tuition and
182 the tuition differential at state universities;
183 amending s. 1009.26, F.S.; providing for the waiver of
184 out-of-state fees for students based on certain
185 attendance, graduation, and enrollment requirements;
186 requiring certain reporting;

216795

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