

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Nuñez offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 334-490 and insert:

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

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15 recommendations relating to efficiency and effectiveness of
16 current law.

17 ~~(11)-(12)~~ Each institution of higher education shall
18 establish a residency appeal committee comprised of at least
19 three members to consider student appeals of residency
20 determinations, in accordance with the institution's official
21 appeal process. The residency appeal committee must render to
22 the student the final residency determination in writing. The
23 institution must advise the student of the reasons for the
24 determination.

25 ~~(12)-(13)~~ The State Board of Education shall adopt rules,
26 and 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~~

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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~~

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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~~

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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~~

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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.

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145 Section 5. Section 1009.26, Florida Statutes, is amended
146 to read:

147 1009.26 Fee waivers.—

148 (8) A state university, ~~or~~ Florida College System
149 institution, career center operated by a school district under
150 s. 1001.44, or charter technical career center shall waive
151 tuition for undergraduate ~~tuition~~ college credit programs and
152 career certificate programs for each recipient of a Purple Heart
153 or another combat decoration superior in precedence who:

154 (a) Is enrolled as a full-time, part-time, or summer-
155 school student in a ~~an undergraduate~~ program that terminates in
156 an associate or baccalaureate a degree, college credit ~~or~~
157 certificate, or career certificate;

158 (b) Is currently, and was at the time of the military
159 action that resulted in the awarding of the Purple Heart or
160 other combat decoration superior in precedence, a resident of
161 this state; and

162 (c) Submits to the state university, ~~or~~ the Florida
163 College System institution, career center operated by a school
164 district under s. 1001.44, or charter technical career center
165 the DD-214 form issued at the time of separation from service as
166 documentation that the student has received a Purple Heart or
167 another combat decoration superior in precedence. If the DD-214
168 is not available, other documentation may be acceptable if
169 recognized by the United States Department of Defense or the

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170 United States Department of Veterans Affairs as documenting the
171 award.

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173 Such a waiver for a Purple Heart recipient or recipient of
174 another combat decoration superior in precedence shall be
175 applicable for 110 percent of the number of required credit
176 hours of the degree or certificate program for which the student
177 is enrolled.

178 (12) (a) A state university, Florida College System
179 institution, career center operated by a school district under
180 s. 1001.44, or charter technical career center shall waive out-
181 of-state fees for students, regardless of immigration status,
182 who attend a secondary school in this state for 4 consecutive
183 years immediately before high school graduation, apply for
184 enrollment in an institution of higher education within 24
185 months after graduation, and submit an official Florida high
186 school transcript as documentary evidence of attendance and
187 graduation.

188 (b) Each state university, Florida College System
189 institution, career center operated by a school district under
190 s. 1001.44, or charter technical career center must report to
191 the Board of Governors and the State Board of Education,
192 respectively, the number and value of all fees waivers granted
193 annually under this subsection.

194 (c) Students granted fee waivers under this subsection will
195 be considered non-resident students for purposes of calculating

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196 the systemwide total enrollment of non-resident students as
197 limited by regulation of the Board of Governors.

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

Remove lines 17-34 and insert:

tuition purposes; providing for the adoption of rules and
regulations; amending s. 1009.22, F.S.; revising provisions
relating to workforce education postsecondary tuition and out-
of-state fees; amending s. 1009.23, F.S.; revising provisions
relating to Florida College System institution tuition and out-
of-state fees; amending s. 1009.24, F.S.; revising provisions
relating to state university resident undergraduate tuition;
revising the annual percentage increase allowed in the aggregate
sum of tuition and the tuition differential at state
universities; amending s. 1009.26, F.S. relating to fee waivers
for Purple Heart recipients and students who meet certain
attendance, graduation and enrolment requirements;

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