

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: SB 1320

INTRODUCER: Senator Cruz

SUBJECT: Postsecondary Fee Waivers

DATE: January 31, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Bouck</u>	<u>Sikes</u>	<u>ED</u>	<u>Pre-meeting</u>
2.	_____	_____	<u>AED</u>	_____
3.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 1320 requires each state university to waive specified fees for a graduate student who has a 0.25 full-time equivalent appointment or greater as a graduate assistant, graduate research assistant, graduate teaching assistant, graduate research associate, or graduate teaching associate.

The Board of Governors of the State University System estimates the fiscal impact to the state universities to be between \$14 million and \$28 million annually.

The bill takes effect on July 1, 2020.

II. Present Situation:

State University Student Fees

Florida law provides that all students enrolled in college credit programs at state universities will be charged fees, except students that are exempt or those whose fees are waived.¹ In addition to tuition charges, the law specifically allows a state university to assess fees, which include:

- A financial aid fee that cannot exceed five percent of the tuition and out-of-state fee.²
- A Capital Improvement Trust Fund fee as established in law.³
- A student activity and service fee.⁴

¹ Section 1009.24(1) and (2), F.S.

² Section 1009.24(7), F.S. The State University System (SUS) average resident graduate student financial aid fee 2019-2020 is \$17.94, nonresident is \$45.18. Board of Governors, *State University System of Florida, Tuition and Required Fees (Fees), 2019-20 (January Update)*, available at <https://www.flbog.edu/wp-content/uploads/2019-2020-SUS-Tuition-and-Fees-Report-January-Update.pdf>.

³ Section 1009.24(8)(a), F.S. The SUS average graduate student Capital Improvement Trust Fund fee is \$6.32. Fees, *supra* note 2.

⁴ Section 1009.24(10)(a). The SUS average graduate student per credit hour activity & service fee is \$14.67. Fees, *supra* note 2.

- A student health fee on the main campus and on any branch campus or center.⁵
- A separate athletic fee on the main campus and on any branch campus or center.⁶
- A technology fee of up to 5 percent of the tuition per credit hour.⁷
- A per-credit-hour distance learning course fee, for students who enroll in a course listed in the statewide distance learning catalog.⁸ The distance learning course fee may not exceed the additional costs of the services provided which are attributable to the development and delivery of the distance learning course.⁹
- Additional miscellaneous fees that may not exceed an amount established in law, including an application fee, orientation fee; a fee for security, access or identification cards; registration fees for audit and zero-hours registration; a service charge for installment payments; a late registration fee; a late-payment fee; fees for transcript and diploma replacements; and an admissions deposit for undergraduate, graduate, and professional degree programs.¹⁰
- Additional miscellaneous fees that may not exceed reasonable costs of services: health-related charges for services provided at cost by the university health center that are not covered by the health fee; materials and supplies fees for consumables; housing rental rates and miscellaneous housing charges; a charge for the reasonable cost of efforts to collect overdue payments; a service charge on university loans in lieu of interest and administrative handling charges; certain fees for off-campus course offerings; fees for duplicating, photocopying, binding, microfilming, copyright services, and standardized tests; fees and fines related to the use, late return and loss and damage of facilities and equipment; a returned check-fee; traffic and parking fines, charges for parking decals, and transportation access fees; an educational research center for child development fee for child care and services offered by the center; and a transient student fee.¹¹

Fee Waivers

Florida law provides for waivers from specified fees to certain students who meet identified criteria.¹² Some waivers are mandatory,¹³ while others are permissive.¹⁴ Each university board of trustees is authorized to waive tuition and out-of-state fees for purposes that support and enhance the mission of the university. All fees waived must be based on policies that are adopted by the university board of trustees pursuant to Board of Governors regulations.¹⁵

⁵ Section 1009.24(11), F.S. The SUS average graduate student per credit hour health fee is \$8.44. Fees, *supra* note 2.

⁶ Section 1009.24(12), F.S. The SUS average graduate student per credit hour athletic fee is \$11.97. Fees, *supra* note 2. Law provides that that the sum of the activity and service, health, and athletic fees a student is required to pay to register for a course may not exceed 40 percent of the tuition established in law or by the Legislature in the General Appropriations Act. Section 1009.24(4)(d), F.S.

⁷ Section 1009.24(13), F.S. The SUS average graduate student technology fee is \$12.69. Fees, *supra* note 2.

⁸ Section 1009.24(17)(a), F.S.

⁹ Section 1009.24(17)(b), F.S.

¹⁰ Section 1009.24(14)(a)-(g), F.S.

¹¹ Section 1009.24(14)(h)-(t), F.S.

¹² Section 1009.26, F.S.

¹³ Section 1009.26 (5), (7)-(8), (12)-(14), F.S.

¹⁴ Section 1009.26 (1)-(4), (6), (9)-(11), (15)-(16), F.S.

¹⁵ Section 1009.26(9), F.S.

Typically, graduate assistants receive tuition waivers and some form of compensation from universities, but fees associated with enrollment are not necessarily waived.¹⁶

III. Effect of Proposed Changes:

The bill requires each state university to waive specified fees for a graduate student who has a 0.25 full-time equivalent appointment or greater as a graduate assistant, graduate research assistant, graduate teaching assistant, graduate research associate, or graduate teaching associate. The waiver includes the:

- Financial aid fee;
- Capital Improvement Trust Fund fee;
- Student activity and service fee;
- Student health fee;
- Athletic fee;
- Technology fee;
- Distance learning course fee; and
- Specified miscellaneous fees.

The required fee waiver may decrease the student fees that certain graduate students are required to pay and may incentivize additional graduate students to seek appointments for which these fees are waived.

The bill takes effect on July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

¹⁶ Board of Governors, *2020 Legislative Bill Analysis* (Jan. 9, 2020), at 1.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Florida university graduate students with a 0.25 full-time equivalent appointment to a position specified in the bill would not be required to pay certain fees, resulting in a lower cost of education for such students.

C. Government Sector Impact:

Graduate student fees as specified in subsections 1009.24(7)-(13), F.S., average approximately \$72 per credit hour across the State University System. For a full-time graduate student, that means the average fees per academic year are around \$1,728; a half-time graduate student would pay approximately \$864 per year. With just under 16,300 graduate students across the system with 0.25 or greater full-time equivalent appointments as graduate assistants, graduate research assistants, graduate teaching assistants, graduate research associates, or graduate teaching associates, the fiscal impact to the state universities is estimated to be between \$14 million and \$28 million annually.¹⁷

Fees as specified in subsections 1009.24(14) and (17), F.S., are established by statute or a state university board of trustees, and are not collected by the Board of Governors office. Therefore, the impact of a fee waiver for these fees is not known. However, it should be noted that subsection 1009.24(14), F.S., includes fees charged for housing and parking which would negatively impact revenue collections pledged in support of debt service and repair and replacement reserves for certain outstanding auxiliary facility bonds issued for the construction of university parking garages and student dormitories.¹⁸

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill requires a waiver from specified fees, including miscellaneous fees in s. 1009.24(14), F.S. Many of these fees are for specified services, such as for transcripts, materials and supplies, photocopying, or housing rentals; or for penalties, such as late payments, returned checks, library fines, fines for damaged or lost equipment, or traffic and parking fines. Because these fees do not apply to all graduate students included in the bill, and because they are directly linked to specified services or penalties incurred by the student, the sponsor may want to consider excluding these fees from the waiver.

¹⁷ Board of Governors, *2020 Legislative Bill Analysis* (Jan. 9, 2020), at 2.

¹⁸ *Id.*

VIII. Statutes Affected:

This bill substantially amends section 1009.26 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
