

By the Committee on Commerce and Economic Opportunities; and  
Senator Diaz-Balart

310-2033-00

1                                   A bill to be entitled  
2           An act relating to community colleges; amending  
3           s. 239.117, F.S., relating to workforce  
4           development postsecondary student fees;  
5           decreasing financial aid fee amounts;  
6           conforming provisions relating to fee waivers;  
7           extending technology and student activity  
8           service fees to workforce students; amending s.  
9           240.35, F.S., relating to fees for  
10          college-credit courses; clarifying increased  
11          matriculation fees for safety and security  
12          purposes; providing an effective date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16           Section 1. Subsections (5), (6), (8), and (18) of  
17 section 239.117, Florida Statutes, are amended to read:

18           239.117 Workforce development postsecondary student  
19 fees.--

20           (5) School districts and community colleges may waive  
21 fees for any fee-nonexempt student. The total value of fee  
22 waivers granted by the school district or community college  
23 may not exceed 8 percent of the district's or college's  
24 postsecondary vocational certificate program enrollment hours  
25 or an ~~the~~ amount established annually in the General  
26 Appropriations Act. Any student whose fees are waived in  
27 excess of the authorized amount may not be reported for state  
28 funding purposes. Any school district or community college  
29 that waives fees and requests state funding for a student in  
30 violation of the provisions of this section shall be penalized

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1 at a rate equal to 2 times the value of the full-time student  
2 enrollment reported.

3 (6)(a) The Commissioner of Education shall provide to  
4 the State Board of Education no later than December 31 of each  
5 year a schedule of fees for workforce development education,  
6 excluding continuing workforce education, for school districts  
7 and community colleges. The fee schedule shall be based on the  
8 amount of student fees necessary to produce 25 percent of the  
9 prior year's average cost of a course of study leading to a  
10 certificate or diploma. ~~At the discretion of a school board or~~  
11 ~~a community college, this fee schedule may be implemented over~~  
12 ~~a 3-year period, with full implementation in the 1999-2000~~  
13 ~~school year. In years preceding that year, if fee increases~~  
14 ~~are necessary for some programs or courses, the fees shall be~~  
15 ~~raised in increments designed to lessen their impact upon~~  
16 ~~students already enrolled.~~Fees for students who are not  
17 residents for tuition purposes must offset the full cost of  
18 instruction. Fee-nonexempt students enrolled in  
19 vocational-preparatory instruction shall be charged fees equal  
20 to the fees charged for certificate career education  
21 instruction. Each community college that conducts  
22 college-preparatory and vocational-preparatory instruction in  
23 the same class section may charge a single fee for both types  
24 of instruction.

25 (b) Fees for continuing workforce education shall be  
26 locally determined by the school board or community college.  
27 However, at least 50 percent of the expenditures for the  
28 continuing workforce education program provided by the  
29 community college or school district must be derived from  
30 fees.

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1 (c) The State Board of Education shall adopt a fee  
2 schedule for school districts that produces the fee revenues  
3 calculated pursuant to paragraph (a). The schedule so  
4 calculated shall take effect, unless otherwise specified in  
5 the General Appropriations Act.

6 (d) The State Board of Education shall adopt, by rule,  
7 the definitions and procedures that school boards shall use in  
8 the calculation of cost borne by students.

9 (8) Each school board and community college board of  
10 trustees may establish a separate fee for financial aid  
11 purposes in an additional amount of up to 5 ~~10~~ percent of the  
12 student fees collected for workforce development programs  
13 funded through the Workforce Development Education Fund. All  
14 fees collected shall be deposited into a separate workforce  
15 development student financial aid fee trust fund of the  
16 district or community college to support students enrolled in  
17 workforce development programs. Any undisbursed balance  
18 remaining in the trust fund and interest income accruing to  
19 investments from the trust fund shall increase the total funds  
20 available for distribution to workforce development education  
21 students. Awards shall be based on student financial need and  
22 distributed in accordance with a nationally recognized system  
23 of need analysis as established by each school board or  
24 community college district board of trustees ~~approved by the~~  
25 ~~State Board for Career Education~~. Fees collected pursuant to  
26 this subsection shall be allocated in an expeditious manner.

27 (18) Each district school board and community college  
28 district board of trustees is authorized to establish a  
29 separate fee for technology, not to exceed \$1.80 per credit  
30 hour or credit-hour equivalent for resident students and not  
31 more than \$5.40 per credit hour or credit-hour equivalent for

1 nonresident students, or the equivalent, to be expended in  
2 accordance with technology improvement plans. ~~The technology~~  
3 ~~fee may apply only to associate degree programs and courses.~~  
4 Fifty percent of technology fee revenues may be pledged by a  
5 community college board of trustees as a dedicated revenue  
6 source for the repayment of debt, including lease-purchase  
7 agreements, not to exceed the useful life of the asset being  
8 financed. Revenues generated from the technology fee may not  
9 be bonded.

10 Section 2. Subsections (7) and (10) of section 240.35,  
11 Florida Statutes, are amended to read:

12 240.35 Student fees.--Unless otherwise provided, the  
13 provisions of this section apply only to fees charged for  
14 college credit instruction leading to an associate in arts  
15 degree, an associate in applied science degree, or an  
16 associate in science degree and noncollege credit  
17 college-preparatory courses defined in s. 239.105.

18 (7) Each community college board of trustees shall  
19 establish matriculation and tuition fees, which may vary no  
20 more than 10 percent below and 15 percent above the fee  
21 schedule adopted by the State Board of Community Colleges,  
22 provided that any amount from 10 to 15 percent above the fee  
23 schedule is used only to support safety and security purposes.  
24 In order to assess an additional amount for safety and  
25 security purposes, a community college board of trustees must  
26 provide written justification to the State Board of Community  
27 Colleges based on criteria approved by the local board of  
28 trustees, including but not limited to criteria such as local  
29 crime data and information, and strategies for the  
30 implementation of local safety plans. ~~For 1999-2000, each~~  
31 ~~community college is authorized to increase the sum of the~~

1 ~~matriculation fee and technology fee by not more than 5~~  
2 ~~percent of the sum of the matriculation and local safety and~~  
3 ~~security fees in 1998-1999. However, no fee in 1999-2000 shall~~  
4 ~~exceed the prescribed statutory limit.~~Should a college decide  
5 to increase the matriculation fee to a level between 10 and 15  
6 percent above the standard matriculation fee, the funds raised  
7 by increasing the matriculation fee must be expended solely  
8 for additional safety and security purposes and shall not  
9 supplant funding expended in the prior year's 1998-1999 budget  
10 for safety and security purposes.

11 (10) Each community college district board of trustees  
12 may establish a separate activity and service fee not to  
13 exceed 10 percent of the matriculation fee, according to rules  
14 of the State Board of Education. The student activity and  
15 service fee shall be collected as a component part of the  
16 registration and tuition fees. The student activity and  
17 service fees shall be paid into a student activity and service  
18 fund at the community college and shall be expended for lawful  
19 purposes to directly benefit the student body in general.  
20 These purposes include, but are not limited to, student  
21 publications and grants to duly recognized student  
22 organizations, the membership of which is open to all students  
23 at the community college without regard to race, sex, or  
24 religion.

25 Section 3. This act shall take effect July 1, 2000.  
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1                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
2                   COMMITTEE SUBSTITUTE FOR  
3                   SB 2300

4 The committee substitute differs substantially from Senate  
5 Bill 2300 in that it:

6 -Does not require that at least 75 percent of the average cost  
7 of instruction is to come from state funding; state funding is  
8 to equal 75 percent of the average cost of instruction;

9 -Does not require the local WAGES coalitions to pay to school  
10 districts and community colleges the total costs incurred for  
11 WAGES participants enrolled in workforce development education  
12 programs and receiving college credit instruction; local WAGES  
13 coalitions are to pay costs incurred for these participants;

14 -Does not require that the fee schedule provided by the  
15 Commissioner of Education to the State Board of Education be  
16 based on the amount of student fees necessary to produce up to  
17 25 percent of the prior year's average cost of a course of  
18 study leading to a certificate or diploma; the fee schedule is  
19 to be based on the amount of student fees necessary to produce  
20 25 percent of such prior year's average cost of study;

21 -Changes the source of the nationally recognized system of  
22 need analysis for making awards from a school district's or  
23 community college's workforce development student financial  
24 aid fee trust fund; each school board or community college  
25 board of trustees will establish the system of need analysis  
26 rather than using one approved by the State Board for Career  
27 Education; and

28 -Does not set separate fees established for capital  
29 improvements, technology enhancements, or equipping student  
30 buildings at an amount not to exceed 5 percent of the  
31 matriculation fee for resident students and 5 percent of the  
matriculation and tuition fees for nonresident students; such  
fees remain at \$1 per credit hour or credit-hour equivalent  
for residents and \$3 per credit hour for nonresidents.