

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative(s) Pickens offered the following:

2

3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Subsections (3), (10), (11), (12), and (13) of  
6 section 1009.22, Florida Statutes, are amended to read:

7 1009.22 Workforce education postsecondary student fees.--

8 (3) (a) ~~The Commissioner of Education shall provide to the  
9 State Board of Education no later than December 31 of each year~~

10 ~~a schedule of fees for workforce development education,~~

11 ~~excluding continuing workforce education, for school districts~~

12 ~~and community colleges. The fee schedule shall be based on the~~

13 ~~amount of student fees necessary to produce 25 percent of the~~

14 ~~prior year's average cost of a course of study leading to a~~

15 ~~certificate or diploma. Except as otherwise provided by law,~~

16 fees for students who are nonresidents ~~not residents~~ for tuition

658905

10/5/2007 10:13:53 AM

Amendment No.

17 purposes must offset the full cost of instruction. Fee-nonexempt  
18 students enrolled in vocational-preparatory instruction shall be  
19 charged fees equal to the fees charged for certificate career  
20 education instruction. Each community college that conducts  
21 college-preparatory and vocational-preparatory instruction in  
22 the same class section may charge a single fee for both types of  
23 instruction.

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

29 (c) Effective January 1, 2008, standard resident tuition  
30 per contact hour shall be \$1.67 for courses leading to a career  
31 certificate or an applied technology diploma and 83 cents for  
32 adult general education courses. ~~The State Board of Education~~  
33 ~~shall adopt a fee schedule for school districts and community~~  
34 ~~colleges that produces the fee revenues calculated pursuant to~~  
35 ~~paragraph (a). The schedule so calculated shall take effect,~~  
36 ~~unless otherwise specified in the General Appropriations Act.~~

37 (d) Beginning with the 2008-2009 fiscal year and each year  
38 thereafter, the standard resident tuition per contact hour shall  
39 increase at the beginning of each fall semester at a rate equal  
40 to inflation, unless otherwise provided in the General  
41 Appropriations Act. The Office of Economic and Demographic  
42 Research shall report the rate of inflation to the President of  
43 the Senate, the Speaker of the House of Representatives, the  
44 Governor, and the State Board of Education each year prior to  
658905

10/5/2007 10:13:53 AM

Amendment No.

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

53 (e) Each district school board and each community college  
54 board of trustees may adopt resident tuition that is within the  
55 range of 5 percent below to 5 percent above the standard  
56 tuition.

57 (f) The maximum increase in resident tuition for any  
58 school district or community college during the 2007-2008 fiscal  
59 year shall be 5 percent over the tuition charged during the  
60 2006-2007 fiscal year.

61 (g)-(d) The State Board of Education shall adopt, by rule,  
62 the definitions and procedures that district school boards shall  
63 use in the calculation of cost borne by students.

64 ~~(10) Each year the State Board of Education shall review~~  
65 ~~and evaluate the percentage of the cost of adult programs and~~  
66 ~~certificate career education programs supported through student~~  
67 ~~fees. For students who are residents for tuition purposes, the~~  
68 ~~schedule adopted pursuant to subsection (3) must produce~~  
69 ~~revenues equal to 25 percent of the prior year's average program~~  
70 ~~cost for college preparatory and certificate level workforce~~  
71 ~~development programs. Fees for continuing workforce education~~  
72 ~~shall be locally determined by the district school board or~~

658905

10/5/2007 10:13:53 AM

Amendment No.

73 ~~community college board. However, at least 50 percent of the~~  
74 ~~expenditures for the continuing workforce education program~~  
75 ~~provided by the community college or school district must be~~  
76 ~~derived from fees. Except as otherwise provided by law, fees for~~  
77 ~~students who are not residents for tuition purposes must offset~~  
78 ~~the full cost of instruction.~~

79 (10)~~(11)~~ Each school district and community college may  
80 assess a service charge for the payment of tuition and fees in  
81 installments. Such service charge must be approved by the  
82 district school board or community college board of trustees.

83 (11)~~(12)~~ Any school district or community college that  
84 reports students who have not paid fees in an approved manner in  
85 calculations of full-time equivalent enrollments for state  
86 funding purposes shall be penalized at a rate equal to 2 times  
87 the value of such enrollments. Such penalty shall be charged  
88 against the following year's allocation from workforce education  
89 funds or the Community College Program Fund and shall revert to  
90 the General Revenue Fund. The State Board of Education shall  
91 specify, in rule, approved methods of student fee payment. Such  
92 methods must include, but need not be limited to, student fee  
93 payment; payment through federal, state, or institutional  
94 financial aid; and employer fee payments.

95 (12)~~(13)~~ Each school district and community college shall  
96 report only those students who have actually enrolled in  
97 instruction provided or supervised by instructional personnel  
98 under contract with the district or community college in  
99 calculations of actual full-time enrollments for state funding  
100 purposes. A student who has been exempted from taking a course  
658905

10/5/2007 10:13:53 AM

Amendment No.

101 or who has been granted academic or technical credit through  
102 means other than actual coursework completed at the granting  
103 institution may not be calculated for enrollment in the course  
104 from which the student has been exempted or for which the  
105 student has been granted credit. School districts and community  
106 colleges that report enrollments in violation of this subsection  
107 shall be penalized at a rate equal to 2 times the value of such  
108 enrollments. Such penalty shall be charged against the following  
109 year's allocation from workforce education funds and shall  
110 revert to the General Revenue Fund.

111 Section 2. Subsections (3) and (4) of section 1009.23,  
112 Florida Statutes, are amended to read:

113 1009.23 Community college student fees.--

114 (3)(a) Effective January 1, 2008, for advanced and  
115 professional, postsecondary vocational, college preparatory, and  
116 educator preparatory programs, the following tuition and fee  
117 rates shall apply:

118 1. The sum of the standard tuition and the technology fee  
119 per credit hour shall be \$51.35 for students who are residents  
120 for tuition purposes.

121 2. The sum of the standard tuition, the technology fee,  
122 and the out-of-state fee per credit hour shall be \$154.14 for  
123 students who are nonresidents for tuition purposes.

124 (b) Effective January 1, 2008, for baccalaureate degree  
125 programs, the following tuition and fee rates shall apply:

126 1. The sum of the standard tuition and the technology fee  
127 per credit hour shall be \$65.47 for students who are residents  
128 for tuition purposes.

658905

10/5/2007 10:13:53 AM

Amendment No.

129        2. The sum of the standard tuition, the technology fee,  
130 and the out-of-state fee per credit hour for students who are  
131 nonresidents for tuition purposes shall be no more than 85  
132 percent of the sum of the tuition and the out-of-state fee at  
133 the state university nearest the community college.

134        (c) Beginning with the 2008-2009 fiscal year and each year  
135 thereafter, the sum of the standard tuition and the technology  
136 fee per credit hour and the out-of-state fee per credit hour  
137 shall increase at the beginning of each fall semester at a rate  
138 equal to inflation, unless otherwise provided in the General  
139 Appropriations Act. The Office of Economic and Demographic  
140 Research shall report the rate of inflation to the President of  
141 the Senate, the Speaker of the House of Representatives, the  
142 Governor, and the State Board of Education each year prior to  
143 March 1. For purposes of this paragraph, the rate of inflation  
144 shall be defined as the rate of the 12-month percentage change  
145 in the Consumer Price Index for All Urban Consumers, U.S. City  
146 Average, All Items, or successor reports as reported by the  
147 United States Department of Labor, Bureau of Labor Statistics,  
148 or its successor for December of the previous year. In the event  
149 the percentage change is negative, the sum of the standard  
150 tuition and the technology fee per credit hour and the out-of-  
151 state fee per credit hour shall remain at the same levels as the  
152 prior fiscal year. The State Board of Education shall adopt by  
153 December 31 of each year a resident fee schedule for the  
154 following fall for advanced and professional, associate in  
155 science degree, and college preparatory programs that produce  
156 revenues in the amount of 25 percent of the full prior year's  
658905

10/5/2007 10:13:53 AM

Amendment No.

157 ~~cost of these programs. Fees for courses in college preparatory~~  
158 ~~programs and associate in arts and associate in science degree~~  
159 ~~programs may be established at the same level. In the absence of~~  
160 ~~a provision to the contrary in an appropriations act, the fee~~  
161 ~~schedule shall take effect and the colleges shall expend the~~  
162 ~~funds on instruction. If the Legislature provides for an~~  
163 ~~alternative fee schedule in an appropriations act, the fee~~  
164 ~~schedule shall take effect the subsequent fall semester.~~

165 (4) Each community college board of trustees shall  
166 establish tuition and out-of-state fees, which may vary no more  
167 than 10 percent below and 15 percent above the combined total of  
168 the standard tuition and fees established in subsection (3) ~~fee~~  
169 ~~schedule adopted by the State Board of Education and the~~  
170 ~~technology fee adopted by a board of trustees, provided that any~~  
171 ~~amount from 10 to 15 percent above the standard tuition and fees~~  
172 ~~established in subsection (3) shall be ~~fee schedule~~ is used only~~  
173 ~~to support safety and security purposes. In order to assess an~~  
174 ~~additional amount for safety and security purposes, a community~~  
175 ~~college board of trustees must provide written justification to~~  
176 ~~the State Board of Education based on criteria approved by the~~  
177 ~~board of trustees, including, but not limited to, criteria such~~  
178 ~~as local crime data and information, and strategies for the~~  
179 ~~implementation of local safety plans. Should a college decide to~~  
180 ~~increase the tuition and fees ~~fee~~, the funds raised by~~  
181 ~~increasing the tuition and fees ~~fee~~ must be expended solely for~~  
182 ~~additional safety and security purposes and shall not supplant~~  
183 ~~funding expended in the 1998-1999 budget for safety and security~~  
184 ~~purposes.~~

658905

10/5/2007 10:13:53 AM

Amendment No.

185 Section 3. Subsection (4) of section 1009.24, Florida  
186 Statutes, is amended to read:

187 1009.24 State university student fees.--

188 (4) (a) Effective January 1, 2008, the resident  
189 undergraduate tuition per credit hour for lower-level and upper-  
190 level coursework shall be \$77.39.

191 (b) Beginning with the 2008-2009 fiscal year and each year  
192 thereafter, the resident undergraduate tuition per credit hour  
193 shall increase at the beginning of each fall semester at a rate  
194 equal to inflation, unless otherwise provided in the General  
195 Appropriations Act. The Office of Economic and Demographic  
196 Research shall report the rate of inflation to the President of  
197 the Senate, the Speaker of the House of Representatives, the  
198 Governor, and the Board of Governors each year prior to March 1.  
199 For purposes of this paragraph, the rate of inflation shall be  
200 defined as the rate of the 12-month percentage change in the  
201 Consumer Price Index for All Urban Consumers, U.S. City Average,  
202 All Items, or successor reports as reported by the United States  
203 Department of Labor, Bureau of Labor Statistics, or its  
204 successor for December of the previous year. In the event the  
205 percentage change is negative, the resident undergraduate  
206 tuition shall remain at the same level as the prior fiscal year.  
207 ~~Except as otherwise provided by law, undergraduate tuition shall~~  
208 ~~be established annually in the General Appropriations Act.~~

209 (c) The Board of Governors, or the board's designee, may  
210 establish tuition for graduate and professional programs, and  
211 out-of-state fees for all programs. The sum of tuition and out-  
212 of-state fees assessed to nonresident students must be

658905

10/5/2007 10:13:53 AM

Amendment No.

213 sufficient to offset the full instructional cost of serving such  
214 students. However, adjustments to out-of-state fees or tuition  
215 for graduate and professional programs pursuant to this section  
216 may not exceed 10 percent in any year.

217       (d) The sum of the activity and service, health, and  
218 athletic fees a student is required to pay to register for a  
219 course shall not exceed 40 percent of the tuition established in  
220 law or in the General Appropriations Act. No university shall be  
221 required to lower any fee in effect on the effective date of  
222 this act in order to comply with this subsection. Within the 40  
223 percent cap, universities may not increase the aggregate sum of  
224 activity and service, health, and athletic fees more than 5  
225 percent per year unless specifically authorized in law or in the  
226 General Appropriations Act. A university may increase its  
227 athletic fee to defray the costs associated with changing  
228 National Collegiate Athletic Association divisions. Any such  
229 increase in the athletic fee may exceed both the 40 percent cap  
230 and the 5 percent cap imposed by this subsection. Any such  
231 increase must be approved by the athletic fee committee in the  
232 process outlined in subsection (12) ~~(11)~~ and cannot exceed \$2  
233 per credit hour. Notwithstanding the provisions of ss. 1009.534,  
234 1009.535, and 1009.536, that portion of any increase in an  
235 athletic fee pursuant to this subsection that causes the sum of  
236 the activity and service, health, and athletic fees to exceed  
237 the 40 percent cap or the annual increase in such fees to exceed  
238 the 5 percent cap shall not be included in calculating the  
239 amount a student receives for a Florida Academic Scholars award,

658905

10/5/2007 10:13:53 AM

Amendment No.

240 a Florida Medallion Scholars award, or a Florida Gold Seal  
241 Vocational Scholars award.

242 (e) This subsection does not prohibit a university from  
243 increasing or assessing optional fees related to specific  
244 activities if payment of such fees is not required as a part of  
245 registration for courses.

246 Section 4. This act shall take effect upon becoming a law.

247

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

249 Remove the entire title and insert:

250 A bill to be entitled

251 An act relating to tuition and fees for higher education;  
252 amending s. 1009.22, F.S., relating to postsecondary  
253 student fees for workforce education; deleting provisions  
254 requiring the State Board of Education to adopt a fee  
255 schedule; providing standard resident tuition for the  
256 career certificate, applied technology diploma, and adult  
257 general education courses; providing for annual tuition  
258 adjustments based on inflation; authorizing district  
259 school boards and community college boards to adopt  
260 tuition within a specified range; limiting the amount of  
261 the increase during the 2007-2008 fiscal year; amending s.  
262 1009.23, F.S., relating to community college student fees;  
263 providing standard tuition and fees for community college  
264 programs for students who are residents or nonresidents  
265 for tuition purposes; deleting provisions requiring the  
266 State Board of Education to adopt a fee schedule in the  
267 absence of a provision in an appropriations act; providing

658905

10/5/2007 10:13:53 AM

HOUSE AMENDMENT

Bill No. CS/SB 8C

Amendment No.

268 for annual tuition and fee adjustments based on inflation;  
269 providing restrictions; amending s. 1009.24, F.S.,  
270 relating to state university student fees; providing an  
271 amount for resident undergraduate tuition; providing for  
272 annual tuition adjustments based on inflation; providing  
273 an effective date.