

By Senator Fine

19-00826-25

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1                   A bill to be entitled  
2           An act relating to postsecondary education; creating  
3           s. 1004.072, F.S.; prohibiting Florida College System  
4           institutions and state universities that meet  
5           specified criteria from accepting the application of  
6           or admitting an individual who is undocumented for  
7           federal immigration purposes; amending s. 1007.263,  
8           F.S.; conforming a provision to changes made by the  
9           act; making technical changes; amending s. 1009.26,  
10          F.S.; deleting provisions relating to the waiver of  
11          out-of-state fees for certain students; providing an  
12          effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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16           Section 1. Section 1004.072, Florida Statutes, is created  
17           to read:

18           1004.072 Admission of undocumented individuals prohibited.—  
19           A Florida College System institution or a state university with  
20           an acceptance rate less than 85 percent may not accept the  
21           application of or admit an individual who is undocumented for  
22           federal immigration purposes.

23           Section 2. Section 1007.263, Florida Statutes, is amended  
24           to read:

25           1007.263 Florida College System institutions; admissions of  
26           students.—Each Florida College System institution board of  
27           trustees is authorized to adopt rules governing admissions of  
28           students subject to this section, s. 1004.072, and rules of the  
29           State Board of Education. These rules ~~shall~~ include the

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30 following:

31 (1) Admissions counseling must ~~shall~~ be provided to all  
32 students entering college or career credit programs. For  
33 students ~~who are~~ not otherwise exempt from testing under s.  
34 1008.30, counseling must use the tests or alternative methods  
35 established by the State Board of Education under s. 1008.30 to  
36 measure achievement of college-level communication and  
37 computation competencies by students entering college credit  
38 programs. Counseling must measure achievement of basic skills  
39 for career education programs under s. 1004.91. Counseling  
40 includes providing developmental education options for students  
41 whose results, determined under s. 1008.30, indicate that they  
42 need to improve communication or computation skills that are  
43 essential to perform college-level work.

44 (2) Admission to associate degree programs is subject to  
45 minimum standards adopted by the State Board of Education and  
46 must ~~shall~~ require:

47 (a) A standard high school diploma; a State of Florida high  
48 school equivalency diploma awarded under s. 1003.435(2); a high  
49 school equivalency diploma issued by another state which is  
50 recognized as equivalent by State Board of Education rule and is  
51 based on an assessment recognized by the United States  
52 Department of Education; previously demonstrated competency in  
53 college credit postsecondary coursework; or, in the case of a  
54 student who is home educated, a signed affidavit submitted by  
55 the student's parent or legal guardian attesting that the  
56 student has completed a home education program pursuant to the  
57 requirements of s. 1002.41. Students ~~who are~~ enrolled in a dual  
58 enrollment or early admission program pursuant to s. 1007.271

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59 are exempt from this requirement.

60 (b) A demonstrated level of achievement of college-level  
61 communication and computation skills.

62 (c) Any other requirement ~~requirements~~ established by the  
63 board of trustees.

64 (3) Admission to other programs within the Florida College  
65 System institution must ~~shall~~ include education requirements as  
66 established by the board of trustees.

67 (4) A student ~~who has been~~ awarded a certificate of  
68 completion under s. 1003.4282 is eligible to enroll in  
69 certificate career education programs.

70 (5) A student with a documented disability may be eligible  
71 for reasonable substitutions, as prescribed in ss. 1007.264 and  
72 1007.265.

73

74 Each board of trustees shall establish policies that notify  
75 students about developmental education options for improving  
76 their communication or computation skills that are essential to  
77 performing college-level work, including tutoring, extended time  
78 in gateway courses, free online courses, adult basic education,  
79 adult secondary education, or private provider instruction.

80 Section 3. Subsection (12) of section 1009.26, Florida  
81 Statutes, is amended to read:

82 1009.26 Fee waivers.—

83 ~~(12) (a) A state university, a Florida College System~~  
84 ~~institution, a career center operated by a school district under~~  
85 ~~s. 1001.44, or a charter technical career center shall waive~~  
86 ~~out-of-state fees for students, including, but not limited to,~~  
87 ~~students who are undocumented for federal immigration purposes,~~

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88 ~~who meet the following conditions:~~

89 ~~1. Attended a secondary school in this state for 3~~  
90 ~~consecutive years immediately before graduating from a high~~  
91 ~~school in this state;~~

92 ~~2. Apply for enrollment in an institution of higher~~  
93 ~~education within 24 months after high school graduation; and~~

94 ~~3. Submit an official Florida high school transcript as~~  
95 ~~evidence of attendance and graduation.~~

96 ~~(b) Tuition and fees charged to a student who qualifies for~~  
97 ~~the out-of-state fee waiver under this subsection may not exceed~~  
98 ~~the tuition and fees charged to a resident student. The waiver~~  
99 ~~is applicable for 110 percent of the required credit hours of~~  
100 ~~the degree or certificate program for which the student is~~  
101 ~~enrolled. Each state university, Florida College System~~  
102 ~~institution, career center operated by a school district under~~  
103 ~~s. 1001.44, and charter technical career center shall report to~~  
104 ~~the Board of Governors and the State Board of Education,~~  
105 ~~respectively, the number and value of all fee waivers granted~~  
106 ~~annually under this subsection. By October 1 of each year, the~~  
107 ~~Board of Governors for the state universities and the State~~  
108 ~~Board of Education for Florida College System institutions,~~  
109 ~~career centers operated by a school district under s. 1001.44,~~  
110 ~~and charter technical career centers shall annually report for~~  
111 ~~the previous academic year the percentage of resident and~~  
112 ~~nonresident students enrolled systemwide.~~

113 ~~(c) A state university student granted an out-of-state fee~~  
114 ~~waiver under this subsection must be considered a nonresident~~  
115 ~~student for purposes of calculating the systemwide total~~  
116 ~~enrollment of nonresident students as limited by regulation of~~

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117 ~~the Board of Governors. In addition, a student who is granted an~~  
118 ~~out-of-state fee waiver under this subsection is not eligible~~  
119 ~~for state financial aid under part III of this chapter and must~~  
120 ~~not be reported as a resident for tuition purposes.~~

121 ~~(d) A state university, a Florida College System~~  
122 ~~institution, a career center operated by a school district under~~  
123 ~~s. 1001.44, or a charter technical career center shall, within~~  
124 ~~the nonresident student enrollment systemwide, prioritize the~~  
125 ~~enrollment of a veteran who is granted an out-of-state fee~~  
126 ~~waiver pursuant to the Congressman C.W. "Bill" Young Tuition~~  
127 ~~Waiver Act over a student who is granted an out-of-state fee~~  
128 ~~waiver under this subsection.~~

129 Section 4. This act shall take effect July 1, 2025.