

Office of Superintendent of Schools  
Board Meeting of May 15, 2002

May 2, 2002

Education  
Mercedes Toural, Associate Superintendent

**SUBJECT: PROPOSED AMENDMENT OF BOARD RULE: INITIAL READING 6Gx13-6C-1.08, POSTSECONDARY EDUCATION FEES**

This item is submitted for consideration by the Board due to modifications in the postsecondary fees for postsecondary education students by the Florida Department of Education, Section 239.117, Florida Statutes, and State Board of Education Administrative Rule 6A—6.084, Adult Education Fees in School Districts. Modifications in the Board Rule are required in order to clarify the intended purpose of affiliating agreements, and to update language to match current state statutes.

Attached are the Notice of Intended Action and the rule proposed for amendment. Changes from the current rule are indicated by ~~striking through~~ words to be deleted and underscoring words to be added.

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act for the amendment of Board Rule 6Gx13- 6C-1.08, Postsecondary Education Fees.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend School Board Rule 6Gx13- 6C-1.08, Postsecondary Education Fees.

JHM:mjm

C-21

## NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on May 15, 2002, its intention to amend Board Rule 6Gx13- 6C-1.08, Postsecondary Education Fees, at its meeting of June 19, 2002.

**PURPOSE AND EFFECT:** To implement the provisions of current Florida Department of Education (FDOE), Section 239.117, Florida Statutes, and, State Board of Education Administrative Rule 6A-6.084, Adult Education Fees in School Districts, requirements related to fees for postsecondary education programs.

**SUMMARY:** The rule outlines the procedures the district will follow in order to be in compliance with FDOE requirements on fees in postsecondary education.

**SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED:** 230.22 (2); 230.23(22), F.S.

**LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC:** 228.061(2); 229.053(1); 230.23(4)(h) and (j); 239.117; 239.301; 295.01; 295.016; 295.017; 295.018; 295.019; 295.0195; 409.145(3); 440.16; 446.021 F.S.; 6A-6.084 FAC

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF June 19, 2002, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by June 11, 2002, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

A COPY OF THE PROPOSED AMENDED RULE is available for inspection and copying at cost by the public in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Mr. Joseph H. Mathos  
Supervisor: Ms. Mercedes Toural  
Date: May 2, 2002

Applied Technology, Adult, Career, and Community Education**POSTSECONDARY EDUCATION FEES**

Florida State Board of Education Administrative Rule 6A-6.084, in concurrence with Florida Statute Section 239.117, Florida Statutes, requires that district school boards establish a fee schedule for students enrolled in adult basic, adult secondary, vocational certificate career education, vocational preparatory, supplemental vocational continuing workforce education or other adult programs, who are reported for funding through the Florida Education Finance Program Workforce Development Education Fund. Each year, the Florida legislature establishes fees for the adult and vocational education program in accordance with the General Appropriations Act. In addition, provisions are made in this School Board Rule for financial aid and fee/tuition waivers, disposition of funds collected, community-based organizations, self-supporting classes, private sector instruction, special textbook or supply items, and capital improvements, technology enhancements or equipping buildings.

I. Adult and vocational education services are provided to adults in the following areas:

A. Adult General Education (Adult Secondary and Adult Basic Education)

1. Category I Students:

Students who demonstrate functional literacy skills at or below the eighth grade level and are studying to achieve literacy.

No fees are charged this category of students.

2. Category II Students:

Students earning credit required for a high school diploma or preparing for the Test of General Educational Development (GED).

No fees are charged this category of students.

3. Category III Students:

Students who have a high school diploma and require specific improvement of academic or learning skills before pursuing post-secondary education goals to obtain or maintain employment, or to benefit from postsecondary adult vocational education programs.

Students in this category pay fees as established by the General Appropriations Act. Additionally, the School Board may charge any additional fees authorized by ~~state statute~~ Florida Statute or State Board of Education Administrative Rule.

No fees are charged this category student if the student is determined to be functioning at the eighth grade level or below as documented by state-approved tests.

No fees are charged students between the ages of 16-22 in this category who are dependent children of deceased or disabled veterans pursuant to Sections 295.01, 295.015, 295.016, 295.017, 295.018, 295.019, or 295.0195, F.S., and students who are dependent children of special risk members as defined in Section 121.021(15), F.S.

~~Students who are enrolled in employment and training programs pursuant to Section 409.029 F.S. are exempt from payment of fees. However, such a student may receive a fee exemption only if the student applies for and does not receive financial aid, including JTPA or Family Support Act funds. No fees are charged for a student for whom the state is paying a foster care board payment pursuant to Section 409.145(3), F.S., for whom the permanency planning goal pursuant to Part V of Chapter 39 is long-term care or independent living.~~

No fees are charged students in this category who meet the criteria of mentally handicapped as described in State Board of Education Administrative Rule 6A-6.03011 FAG.

No fees are charged a student who lacks a fixed, regular, and adequate nighttime residence or whose primary nighttime residence is a public or private shelter designed to provide temporary living accommodations, an institution that provides a temporary residence for individuals intended to be institutionalized, or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

4. Category IV Students:

Participants in non-credit courses and activities principally concerned with community problems in the areas of health, safety, human relations, government, child rearing, consumer economics and the environment and not counted for FEFP funding. Course funding is dependent upon appropriations by the School Board and the state Florida legislature.

5. Category V Students:

These students are participants in recreation and leisure skill activities.

~~Students enrolled in FTE generating courses but who are Category V students and not counted for FEEP funding purposes will be assessed fees equal to, but not exceeding, the cost of providing such programs.~~

B. Adult Vocational Education (Applied Technology)

1. ~~Students enrolled as postsecondary adult vocational certificate and supplemental vocational continuing workforce education students pay fees as established by the General Appropriations Act. Additionally, the School Board may charge any additional fees authorized by state statute Florida Statute or State Board of Education Administrative Rule.~~
2. Students taking adult vocational courses for personal or hobby use will pay fees equal to, but not exceeding, the cost of providing such programs.
3. Students taking adult vocational courses as part of an approved high school completion program are charged no fees.
4. ~~Students who are taking postsecondary adult vocational, vocational preparatory, or supplemental vocational certificate and continuing workforce education courses and who meet the criteria of mentally handicapped, as prescribed in State Board of Education Administrative Rule 6A-6.03011 FAG are charged no fees.~~
5. ~~Students who are taking postsecondary adult vocational, vocational preparatory, or supplemental vocational certificate and continuing workforce education courses and who are dependent children of deceased or disabled veterans as stated in Section I.A.3. and or who are dependents of special risk members are charged no fees as stated in Section I.A.3.~~
6. Students who are enrolled in approved apprenticeship programs as defined in Section 446.021, F.S., are charged no fees.
7. ~~Students who are enrolled in employment and training programs, pursuant to Section 409.029 F.S. are charged no fees. Such a student may receive a fee exemption only if the student applies for and does not receive financial aid, including JTPA or Family Support Act funds. No fees are charged for a student for whom the state is paying a foster care board payment pursuant to Section 409.145(3), F.S.~~
8. Students who meet the criteria of homeless as defined in Section I.C 239.117 (4)(e), F.S.; are charged no fees.

II. Adult and vocational education services provided to students as defined in School Board Rule 6Gx13- 5A-1.11 pay fees as non-residents.

III. Financial Aid and Fee/Tuition Waivers

A. Financial Aid

A fee may be assessed adult vocational and adult secondary students to pay in full or in part, the fees of eligible adult vocational and adult secondary students with demonstrated financial need. Each center will maintain documentation as required by State Board of Education Administrative Rule.

Students in area technical centers when eligible may utilize financial aid from federal or state assistance programs. Financial aid information is available through the area technical center counseling offices.

B. Fee/Tuition Waivers

Fee/tuition waivers may be granted by the ~~Associate Superintendent for the Bureau of Community Services and Career Preparation~~ Assistant Superintendent for the Office of Adult/Vocational and Alternative Education or designee when necessary to assure an education opportunity for students who have financial needs which cannot be met by existing sources of student financial aid and as authorized by law or rules of the State Board of Education. No fee waivers are allowed for Category V students and students taking adult vocational classes for strictly personal or hobby use and students identified in Section II of this rule.

Fees shall be waived for students who are the spouses of deceased state employees, when the spouses are eligible under Section 440.16, F.S., for up to 1800 classroom hours of instruction in any area technical center.

~~The Associate Superintendent for the Bureau of Community Services and Career Preparation~~ The Assistant Superintendent for the Office of Adult/Vocational and Alternative Education or designee will allocate such fee waivers as may be available based upon need and requests of the various adult and area technical centers. Allocations will be made for each school term and once depleted no additional waivers will be granted unless additional funds become available. Annual allocations may not exceed the maximum established annually in the General Appropriations Act.

Each center receiving a fee waiver allocation will maintain complete documentation as required by this rule and state law for each waiver issued.

C. Scholarships

The School Board may establish scholarship funds using donations to help students, who need financial assistance to pay fees, who are enrolled in adult secondary, adult life-long learning, and adult vocational education programs.

~~The Bureau of Community Services and Career Preparation Office of Adult/Vocational and Alternative Education~~ will administer any scholarship and/or loan funds received using the same criteria as outlined in Section III (B) of this rule.

D. Deferred Fees/Installment Payments

1. Deferred Fees

Fees for students qualifying for and receiving grants, loans, or scholarships or for whom fees are being paid on their behalf by an employer, association, or governmental agency may be deferred. Students for whom or from whom deferred fees have not been collected by the end of the trimester in which they registered will not be allowed to register for subsequent courses until all financial obligations have been met.

2. Installment Payments

Students in need of installment payments may pay fees for regular courses through an installment payment schedule if they register before the beginning of the course, before the trimester or within 21 calendar days of the beginning of the trimester. At least  $\frac{1}{3}$  of the fee must be paid at the time of registration. All fees must be paid no later than the end of the sixth week in the trimester. Fees must be paid in one lump sum when students register on or after 22 calendar days after the course or trimester has begun.

Students cannot utilize installment payment schedules if registered in short courses.

E. Capital Improvement Fee

A separate fee can be established for capital improvements, technology enhancements, or equipping buildings in accordance with F.S. Section 239.117(16), F.S.

IV. Disposition of Fees Collected

- A. All Category III and V student fees and all adult vocational education fees collected will be deposited in the district general account. All fees will be

retained by the district, and will be distributed according to current State Board of Education Administrative Rule except the portion of the fees collected for financial aid, and will be used by the district for the adult general and adult vocational education program including the expenditure of funds for program promotion and public awareness campaigns. Fees collected for financial aid will be used by the district for that purpose.

- B. All other monies collected at adult education centers shall be properly receipted in accordance with Board Rule 6Gx13- 3D-1.021 and deposited directly into the center's internal funds.

V. Provisions for Community-Based Non-Profit Organizations (CBOs), and Public Agencies, and Private Businesses

- A. Periodically, community-based non-profit organizations (CBOs), and public agencies, and private businesses wish to enter into affiliating agreements with the Miami-Dade County Public Schools for the purpose of providing unique classroom or laboratory instruction for students enrolled by their organizations, that will significantly enhance the employment opportunities of students enrolled in these programs.

The Miami-Dade County Public Schools may cooperate with CBOs, and public agencies, and private businesses to offer educational programs. The Superintendent of Schools or designee is authorized to enter into contracts affiliating agreements with community-based non-profit organizations and public organizations, public agencies, and private businesses to offer such programs. Periodically, information relative to such contracts agreements will be presented to the School Board. The fee schedules as established by the General Appropriations Act plus any additional fees authorized by state statute Florida Statute or State Board of Education Administrative Rule will be used when an affiliating agreement is negotiated with a community-based non-profit organization, or public agency, or private business.

- B. Support services shall be charged on an instructional hour basis when needed for maintaining special records and processing of those special records.
- C. Fees to cover the cost of identification cards, special testing fees, special instructional supplies, and textbooks shall be included when not covered by the school budget.

VI. Private Sector Instruction

Periodically, private businesses/agencies request adult vocational or basic education classes that qualify for FTE-earnings Workforce Development Education Funds but do not have sufficient enrollment to support the class/program. The Miami-Dade County Public Schools may cooperate with



these businesses/agencies with a contract approved by the Superintendent of Schools where the business/agency will pay the difference between projected FTEs Workforce Development Education Funds earned and the ~~minimum FTEs required~~ actual program cost. These contracts will be reported to the Board. All other fees applicable in this rule shall be contracted prior to the operation of such a class/program.

#### VII. Self-Supporting Classes

Students enrolling in non-reimbursed classes will pay a fee to cover the cost of instruction. The amount will be variable depending on the expense for offering the course. In all instances, the salaries, fringe benefits, and supplies furnished will be included in the costs.

#### VIII. Special Textbook or Supply Item

When it is more appropriate to provide a special textbook or a unique supply item, the cost may be collected at the time of registration and deposited into the internal accounts of the center to defray these costs.

Specific Authority: 230.22(2); 230.23(22) F.S.

Law Implemented, Interpreted, or Made Specific: 121.021(15); 228.061(42); 229.053(1); 230.23(4)(h) and (j); ~~236.081(1)(c),(h) and (4)(e)~~; 239.117; 239.301; 295.01; 295.015; 295.016; 295.017; 295.018; 295.019; 295.0195; ~~409.029~~; 409.145(3); 440.16; 446.021 F.S.; 6A-6.03011; 6A-6.084 FAC

History: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

New: 10-6-81

Amended: 8-25-82; 12-8-82; 11-2-83; 9-19-84; 1-23-85; 10-2-85; 6-25-86; 9-17-86; 2-18-87; 9-30-87; 8-23-89; 8-22-90; 8-21-91; 4-1-92; 11-4-92; 7-21-93; 10-9-96