

# Adult General Education – Questions and Answers on 2011 Florida Statutory Changes

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## Tuition and Fees Assessment (effective July 1, 2011)

### **Q1. What is the amount of block tuition that a district/college is permitted to charge for students classified as residents for tuition purposes?**

The standard block tuition rates are the following: \$45 per half year or \$30 per term only.<sup>1</sup>

Per Section 1009.22(3)(e), Florida Statutes, each district school board and each community/state college board of trustees “may adopt tuition and out-of-state fees that may vary no more than 5 percent below and 5 percent above the combined total of the standard tuition and out-of-state fees.”

### **Q2. What is the amount of block tuition that a district/college is permitted to charge for students classified as non-residents for tuition purposes?**

Non-residents must be assessed the tuition plus an out-of-state fee.

Tuition: \$45 per half year or \$30 per term

Out-of-state Fee: \$135 per half year or \$90 per term<sup>2</sup>

Total Tuition plus Out-of-State Fee: \$180 per half year or \$120 per term

Per Section 1009.22(3)(e), Florida Statutes, each district school board and each community/state college board of trustees may adopt tuition and out-of-state fees that may vary no more than 5 percent below and 5 percent above the combined total of the standard tuition and out-of-state fees.

### **Q3. May a district or college adopt a fee schedule in which some students pay \$30 per term and other students pay \$45 per half year?**

No. The law permits the districts and colleges to adopt either a \$45 per half year or a \$30 per term tuition rate.<sup>3</sup>

### **Q4. What rate is charged for students in vocational preparatory instruction (now known as Applied Academics for Adult Education)?**

Students in these programs must be assessed the adult general education tuition rate.<sup>4</sup>

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<sup>1</sup> s. 1009.22(3)(c), F.S., as amended in Chapter 2011-63, §11, Laws of Florida

<sup>2</sup> s. 1009.22(3)(c), F.S., as amended in Chapter 2011-63, §11, Laws of Florida

<sup>3</sup> s. 1009.22(3)(c), F.S., as amended in Chapter 2011-63, §11, Laws of Florida

<sup>4</sup> s. 1009.22(3)(a), F.S., as amended in Chapter 2011-63, §11, Laws of Florida

**Q5. Is my district/college permitted to charge adult general education students a capital improvement fee, financial aid fee, or technology fee per the sections 1009.22 (5), (6), (7), Florida Statutes?**

No.<sup>5</sup>

**Q6. Is a district or college permitted to charge adult general education students the user fees and fines specified in s. 1009.22(9), F.S.?**

Yes, if the student does not fall under a statutory exemption that includes tuition and fees.<sup>6</sup>

**Q7. If a student is enrolled in Adult Basic Education and English for Speakers of Other Languages, does the tuition rate vary based on the number of programs or scheduled instructional hours?**

No. The block tuition is charged for all students regardless of the number of programs or instructional hours scheduled.

**Q8. Do students enrolled in any type of adult general education program have to pay tuition?**

A student enrolled in any adult general education program, with the exception of the Adult High School Co-enrolled program, must be assessed tuition.<sup>7</sup> Co-enrolled students are exempt from the payment of the block tuition for adult general education programs.<sup>8</sup>

Adult General Education programs for which tuition must be assessed include the following programs (CIP/Program Code):<sup>9</sup>

- Adult Basic Education (1532010200, 9900000)
- Adult High School (1532010202, 9900010)
- GED – General Educational Development (1532010201, 9900020)
- Pre-GED (1532010206, 9900120)
- Literacy Skills for Adult ESOL (1532010303, 9900300)
- Adult English for Speakers of Other Languages – ESOL (1532010300, 9900040)
- ELCATE (1532010301, 9900050)
- Academic Skills for Adult ESOL Learners (1532010302, 9900051)
- Workplace Readiness Skills for Adult ESOL Learners (1532010502, 9900080)
- Citizenship (1533010200, 9900090)
- Adult General Education for Adults with Disabilities Education Plan (1532010204, 9900100)
- Vocational Preparatory Instruction (VPI)/Applied Academics for Adult Education (1532010503, S990001)
- Pre-VPI/Pre-Applied Academics for Adult Education (1532010504, S990000)

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<sup>5</sup> s. 1009.22(3)(c), F.S., as amended in Chapter 2011-63, §11, Laws of Florida

<sup>6</sup> s. 1009.25, F.S.

<sup>7</sup> s. 1009.22(2), F.S.

<sup>8</sup> s. 1011.80(10), F.S., as amended in Chapter 2011-63, §35, Laws of Florida

<sup>9</sup> Rule 6A-6.0571, F.A.C.

**Q9. The effective date for the adult general education block tuition is July 1, 2011. When does a district or college start charging the block tuition? How does this policy affect a student who started a course before July 1 which will not end until after July 1?**

The tuition should be charged to any student who enrolls in an adult general education course after July 1, 2011 which is the effective date for Chapter 2011-63, Laws of Florida (Senate Bill 2150). If a student's course began prior to July 1, the exemption is still in effect. If the student continues into another course that starts after July 1, the block tuition must be assessed.<sup>10</sup>

**Q10. My district has a program in the local jail. Do adult general education students who are enrolled through programs at jails or local detention centers have to be assessed tuition? What about state or federal inmates?**

Yes. All students being served through local jails and detention centers must be assessed tuition.<sup>11</sup>

State funds provided for the operation of postsecondary workforce programs may not be expended for the education of state or federal inmates.<sup>12</sup>

**Q11. My district has an agreement with a local community-based organization through a federal grant to enroll students in our adult general education program and report these students for funding. Are we required to assess the block tuition for these students?**

Yes, if the student is not exempt under the law or provided with a discretionary fee waiver.<sup>13</sup>

## Residency

**Q12. How does a district/college determine the residency status for an adult general education student? Where can I find technical assistance on residency for tuition determinations?**

Districts and colleges must use the criteria identified in s. 1009.21, F.S., to determine residency status for tuition purposes.<sup>14</sup> The Articulation Coordinating Committee produces technical assistance documents. These documents may be accessed by going to the website, <http://facts.org>. Go to the Counselors & Educators section, and then to the Advising Manuals section. There is a link titled "Residency Guidelines."

**Q13. Does a residency determination for tuition purposes need to be done for students who were enrolled in 2010-11 and are continuing their enrollment in 2011-12?**

No. The law is to be applied prospectively. Residency for tuition purposes must be determined based on the requirements in s. 1009.21, F.S., for students whose *initial* enrollment occurs on or after July 1, 2011.

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<sup>10</sup> s. 1009.22(2), F.S., fee exemption for most adult general education students was deleted from s. 1009.25, F.S.

<sup>11</sup> s. 1009.22(2), F.S.

<sup>12</sup> s. 1011.80(7)(b), F.S., as amended in Chapter 2011-63, §35, Laws of Florida

<sup>13</sup> s. 1009.22(3)(a), F.S.; s. 1009.25(1), F.S., as amended in Chapter 2011-63, §14, Laws of Florida; s. 1009.26(1), F.S.

<sup>14</sup> s. 1009.22(3)(a), F.S., as amended in Chapter 2011-63, §11, Laws of Florida

**Q14. Does a residency determination for tuition purposes need to be done for students who were enrolled in 2009-10, were not enrolled in 2010-11, and are re-enrolled in adult general education in 2011-12?**

Yes, if the student has not been enrolled in adult general education for more than 12 months prior to July 1, 2011.<sup>15</sup> In this case, a residency for tuition purposes determination must be made.

### **Tuition Exemptions and Waiver Authority**

**Q15. Are there any statutory exemptions from the payment of the adult general education block tuition?**

Yes. Students in the adult high school co-enrollment program are exempt.<sup>16</sup> In addition, certain workforce education tuition and fees exemptions are provided in s. 1009.25, F.S. These exemptions apply to adult general education programs as well as career and technical programs.

**Q16. Is a district or college permitted to waive the tuition for students?**

Yes, up to a specified limit.<sup>17</sup> For the 2011 General Appropriations Act, school districts and colleges “may grant fee waivers for programs funded through Workforce Development Education appropriations for up to 8 percent of the fee revenues that would otherwise be collected.”<sup>18</sup>

**Q17. Will the residency for tuition purposes determination need to be made for students who are provided with a tuition waiver using the 8 percent authority?**

Yes. The amount of the waiver will be based on the student’s residency for tuition purposes status.<sup>19</sup>

### **Collection and Expenditure of Tuition Funds**

**Q18. Is there a policy on how the funds received through tuition must be used?**

Yes. All funds received from the block tuition shall be used only for adult general education programs.<sup>20</sup>

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<sup>15</sup> s. 1009.21(3)(b), F.S.

<sup>16</sup> s. 1011.80(10), F.S., as amended in Chapter 2011-63, §35, Laws of Florida

<sup>17</sup> s. 1009.26(1), F.S.

<sup>18</sup> Chapter 2011-69, Laws of Florida, Specific Appropriation 96 for districts, Specific Appropriation 99 for colleges

<sup>19</sup> ss. 1009.22(2) and (3)(a), F.S.

<sup>20</sup> s. 1009.22(3)(c), F.S., as amended in Chapter 2011-63, §11, Laws of Florida

**Q19. Is a district or college required to develop local policies and procedures for the adult general education block tuition?**

Yes. According to the amendment to Florida Statutes, “Each district school board and Florida College System institution board of trustees shall adopt policies and procedures for the collection of and accounting for the expenditure of the block tuition. All funds received from the block tuition shall be used only for adult general education programs.”<sup>21</sup>

**Q20. Typically, tuition funds collected from students are deposited into a general fund. Will it be a problem for all tuition funds to be deposited into the general fund?**

The law requires that funds collected for adult general education tuition may only be spent on these programs and the institution must have policies and procedures for the accounting of the expenditure of these funds.<sup>22</sup>

In addition, if a district or college received a federal adult education grant, it will be required to submit information on program income generated by this grant.

**Q21. How will the collection and expenditure of tuition collected be monitored?**

Financial and operational audits will be conducted by the Auditor General. For districts or colleges which are the recipients of federal grants for adult general education, the Division of Career and Adult Education may include this in compliance visits and desk audits.

**Q22. May a district or college use a portion of the funds from the block tuition collected to provide scholarships to pay the tuition for needy students?**

No, all students shall be charged fees except students who are exempt from fees or students whose fees are waived.<sup>23</sup> For other workforce programs, a financial aid fee may be assessed for the purpose of providing scholarships for students with financial need; however, adult general education students may not be assessed a financial aid fee for purposes of funding financial aid (see Q5).

## **Co-enrollment of K-12 Students in Adult High School**

**Q23. What is the policy for the enrollment of students in the Adult High School Co-enrollment program for 2011-12?**

K-12 students may be enrolled in the co-enrollment program offered through district and college workforce education; however, students may only be reported for funding under the following circumstances:<sup>24</sup>

- Permitted for Fiscal Year 2011-12 only (July 1, 2011 to June 30, 2012)

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<sup>21</sup> s. 1009.22(3)(c), F.S., as amended in Chapter 2011-63, §11, Laws of Florida

<sup>22</sup> s. 1009.22(3)(c), F.S., as amended in Chapter 2011-63, §11, Laws of Florida

<sup>23</sup> s. 1009.22(2), F.S.

<sup>24</sup> s. 1011.80(10), F.S., as amended in Chapter 2011-63, §35, Laws of Florida

- Students are limited to two courses per year
- Enrollment is limited to core curricula courses for credit recovery or dropout prevention

**Q24. What does core curricula mean with regard to the co-enrollment program?**

Core curricula courses are defined in s. 1003.01(14)(c), F.S., as adopted in Chapter 2011-55, §14, Laws of Florida (Senate Bill 2120). The following language on core curricula for high school students is provided:

“Courses in grades 9 through 12 in subjects that are measured by state assessment at any grade level and courses that are specifically identified by name in statute as required for high school graduation and that are not measured by state assessment, excluding any extracurricular courses pursuant to subsection (15);”

**Q25. Would a district be allowed to report a student for up to 2 credits of courses, even if those credits are earned over 3 or 4 courses?**

No. The limit is based on courses, not credits.<sup>25</sup>

**Q26. What does credit recovery or dropout prevention mean?**

There is no statutory definition of credit recovery or dropout prevention. If you need guidance on this issue, please contact Tara Goodman in the Division of Career and Adult Education.

**Q27. Are students enrolled in the Adult High School Co-enrolled program required to pay the adult general education block tuition?**

See Q8.

**Other Questions**

**Q28. Are there state-level financial aid resources available to pay the tuition for students?**

There is not a Department of Education financial aid program which would provide financial aid for the students enrolled in adult general education programs.

**Q29. We are a nonprofit (community-based organization) and receive an EL/Civics grant awarded to our organization to fund 120 ESOL students. These funds are federal pass-through dollars, not state revenues. Are we obligated to charge these students served only with federal funds the block tuition?**

No. The block tuition for adult general education only applies to programs funded with state funds through the General Appropriations Act.

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<sup>25</sup> s. 1011.80(10), F.S., as amended in Chapter 2011-63, §35, Laws of Florida

### **Contact Names for Technical Assistance**

District Funding Issues and Data Reporting: Tara Goodman, [tara.goodman@fldoe.org](mailto:tara.goodman@fldoe.org)  
(850) 245-9002

Federal Grants including Corrections: Gloria Spradley-Brown, [gloria.spradley@fldoe.org](mailto:gloria.spradley@fldoe.org)  
(850) 245-9053

Co-enrollment Program for 2011-012: Zelda Rogers, [zelda.rogers@fldoe.org](mailto:zelda.rogers@fldoe.org)  
(850) 245-9906

College Funding Issues: John Holdnak, [john.holdnak@fldoe.org](mailto:john.holdnak@fldoe.org)  
(850) 245-0407

### **Statutory Citations and Bills**

Chapter 2011-69, Laws of Florida (Senate Bill 2000 – General Appropriations Act) -- Specific  
Appropriation 96 for districts, Specific Appropriation 99 for colleges  
Chapter 2011-63, Laws of Florida (Senate Bill 2150 – Higher Education Conforming Bill)

### **Key Statutes**

- s. 1009.22(3)(a) – Amendment to require residency for tuition purposes to be determined as required in s. 1009.21
- s. 1009.22(3)(c) – Amendment to include block tuition for adult general education students
- s. 1009.21 – Residency for tuition purposes
- s. 1011.80(10) – Amendment to permit funding for an adult high school co-enrollment program for 2011-12 only; provide exemption from the block tuition for co-enrolled students