

Memorandum Number 02-56

November 15, 2002

**MEMORANDUM**

**TO:** Community College Presidents  
**FROM:** J. David Armstrong, Jr.  
**SUBJECT:** State Employee Tuition Waivers

Effective January 7, 2003, Section 1009.265, Florida Statutes, pertaining to “state employee fee waivers,” expands benefits of tuition-free postsecondary education coursework to approved full-time state employees attending state universities and community colleges. A component of the School Code rewrite, the statute states:

(1) As a benefit to the employer and employees of the state, subject to approval by an employee’s agency head or the equivalent, each state university and community college shall waive tuition and fees for state employees to enroll for up to 6 credit hours of courses per term on a space-available basis.

Several issues related to the implementation of the statute involve action at the state or local level. For example, because the statute does not provide a definition, it is the responsibility of your college board of trustees to adopt a policy defining “space-available basis.” Some colleges have chosen the first or second day of class as the cutoff point, while others have defined the day after drop/add as the point at which courses become open to state employees utilizing tuition-free provisions.

As clarified by the Department’s General Counsel, the “six credit hours of courses per term” should be interpreted broadly to include credit toward a credential. This interpretation includes college-credit instruction, instruction toward a degree, and credit toward a postsecondary vocational certificate. However, courses and programs not considered eligible for purposes of the policy include those offered on a contract basis, and continuing workforce education (i.e., stand-alone

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instructional credit not intended as credit toward a credential). Your local board policy should clarify this distinction between the courses and programs that are eligible and those that are not eligible for purposes of the state employee tuition waiver program.

Tallahassee Community College's Dr. Mary Coburn is involved in discussions with my staff and staff of the Department of Education and the Comptroller's Office to delineate subsection (2) requirements related to the development of a standard employee request/approval form and verification of state employment. We also plan to identify dates during the year by which state employees would notify colleges of their "intent to enroll," therefore allowing college planning time and adequate time for agency notification and approval. For this first semester of implementation, it may be necessary to be flexible with those notification dates. We are further involving Tallahassee Community College representatives in the development of procedures related to cost assessments and determination of administrative costs (subsections (3) and (4)).

One other college inquiry we are researching involves identification of the "executive, legislative, and judicial" state agencies whose employees are eligible for the benefit (subsection 5). This information would be helpful to institutions wishing to implement an outreach program. If you visit the MyFlorida.com web site and look at the directory, you will find a listing of all state agencies <http://www.myflorida.com/myflorida/directory.html>.

Our goal is to develop guidelines and procedures that serve both the intent of the law and the needs of the colleges and universities responsible for its implementation. We will continue working through the Council of Student Affairs, the Council of Business Affairs, Registrars, and the Council of Presidents in the implementation of this law.

We will keep you updated on our progress. If you have further questions, please feel free to contact Dr. Heather Sherry at Suncom 278-1721 or (850) 488-0555, extension 111, or e-mail at [Heather.Sherry@FLDOE.org](mailto:Heather.Sherry@FLDOE.org).

JDA/tkj

c: Secretary Jim Horne  
Larry Wood  
Council of Student Affairs  
Council of Business Affairs