

**FLORIDA BOARD OF GOVERNORS
NOTICE OF PROPOSED REGULATION AMENDMENT**

DATE: September 22, 2010

REGULATION NUMBER AND TITLE: 7.003 – Fees, Fines and Penalties

SUMMARY: This regulation authorizes university boards of trustees to request the Board of Governors to raise the caps on certain statutory fees and establish new fees. In addition, clarification is provided on the implementation of the excess credit hour fee. Finally, the convenience fee implementation has been

7.003 Fees, Fines and Penalties.

(1) The Board of Governors must authorize all fees assessed to students. Accordingly, the specific fees listed in this section, and the tuition and associated fees defined in Regulation 7.001, are the only fees that may be charged for state fundable credit hours without the specific approval of the Board, except as authorized in Regulation 8.002. For purposes of clarification, the term "at cost" or "cost" as used in this regulation includes those increased costs that are directly related to the delivery of the goods, services, or programs.

(2) Each university board of trustees is authorized to assess the following fees at the statutory amounts listed:

(a) Security / Access / Identification Card, Duplicate Security / Access / Identification Card, Fee Card, or Passbook:

1. Annual – cost up to \$10.00.

2. All duplicates – cost up to \$15.00

(b) Orientation Fee – up to \$35.00.

(c) Admissions Deposit – Up to \$200. The admissions deposit shall be imposed at the time of an applicant's acceptance to the university and shall be applied toward tuition upon registration and budgeted in the Student and Other Fee Trust Fund. In the event the applicant does not enroll in the university, the admissions deposit shall be budgeted in an auxiliary account of the university and used to expand financial assistance, scholarships, student academic and career counseling services, and admission services at the university.

(d) Transcript Fee – per item; up to \$10.00.

(e) Diploma Replacement Fee – per item; up to \$10.00.

(f) Service Charge – up to \$15.00 for the payment of tuition and fees in installments.

(g) Audit Registration Fees -- Audit registration assures a course space for the student; however, no grade is awarded. This fee is the same as the tuition and associated fees provided in Regulation 7.001. Budgeting of fee proceeds shall be in the Student and Other Fee Trust Fund~~the same as that provided for tuition.~~

(h) ~~(3)~~ Registration of Zero Hours -- Such registration provides for examinations, graduations, use of facilities, etc., when deemed appropriate by the institution. The student is assessed tuition and associated fees for one credit hour. The Zero Credit Fee shall be budgeted in the Student and Other Fee Trust Fund~~same manner as tuition.~~

(i) ~~(4)~~ Application Fee -- Individuals who make application for admission to universities within the State University System shall pay a non-refundable Application Fee of not more than \$30.00. The fee shall be budgeted in the

university board of trustees shall submit its findings to the Board. Any subsequent decreases or continuation in these fees are delegated to the university board of trustees, with notification to the Chancellor.

(47) Each university board of trustees is authorized to establish separate activity and service, health, and athletic fees on the main campus, branch campus, or center.

(a) The fees shall be retained by the university and paid into the separate activity and service, health, and athletic funds. A university may transfer revenues derived from the fees authorized pursuant to this section to a university direct-support organization of the university pursuant to a written agreement approved by the Board of Governors.

(b) The sum of the activity and service, health, and athletic fees a student is required to pay to register for a course shall not exceed 40 percent of the tuition. Within the 40 percent cap, universities may not increase the aggregate sum of activity and service, health, and athletic fees more than 5 percent per year or the same percentage increase in tuition, whichever is higher. unless specifically authorized by the Board of Governors.

(c) A university may increase its athletic fee to defray the costs associated with changing National Collegiate Athletic Association divisions. Any such increase in the athletic fee may exceed both the 40 percent cap and the 5 percent cap imposed by this subsection. Any such increase must be approved by the athletic fee committee in the process outlined in subparagraph (4)(d) Regulation 7.003(7)(b) and cannot exceed \$2 per credit hour.

(d) Increases in the health, athletic, and activity and service fee must be recommended by a fee committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, and approval by the university board of trustees. An increase in these fees may occur only once each fiscal year and must be implemented beginning with the fall term.

~~(a) Health Fee— A student health fee may be established on the main campus, branch campus or center. Increases in the health fee must be recommended by a fee committee, at least one half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The~~

recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, and approval by the university board of trustees. An increase in the health fee may occur only once each fiscal year and must be implemented beginning with the fall term.

(b) Athletic Fee—A student athletic fee may be established on the main campus, branch campus or center. Increases in the athletic fee must be recommended by a fee committee, at least one-half of whom are students—appointed by the student body president. The remainder of the committee—shall be appointed by the university president. A chairperson, appointed—jointly by the university president and the student body president, shall—vote only in the case of a tie. The recommendations of the committee shall—take effect only after approval by the university president, after—consultation with the student body president, and approval by the university board of trustees. An increase in the athletic fee may occur only—once each fiscal year and must be implemented beginning with the fall—term.

(c) ~~(a)~~ Activity and Service Fee—A student activity and service fee may be—established on the main campus, branch campus or center.

1. Increases in the activity and service fee must be recommended by a fee—committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote—only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after—consultation with the student body president, and approval by the—university board of trustees. An increase in the activity and service fee—may occur only once each fiscal year and must be implemented beginning with the fall term.

(e) 2-The student activity and service fee sh

approved if no action is taken within the 15 school days. If any line item or portion thereof within the budget is vetoed, the student government association legislative body shall within 15 school days make new budget recommendations for expenditure

authorized to establish miscellaneous housing charges for services provided by the university at the request of the students.

- | (~~98~~) Parking Fines, Permits and Decals -- Each university board of trustees shall establish charges for parking decals, permits and parking fines.
- | (~~109~~) Transportation Access Fee - Each university board of trustees is authorized to establish a transportation access fee, with appropriate input from students, to support the university's transportation infrastructure and to increase student access to transportation services.
- | (~~110~~) Returned Check Fee -- Each university board of trustees shall assess a service charge for unpaid checks returned to the university.
- | (~~124~~) Collection costs -- Each university board of trustees is authorized to assess a charge representing reasonable cost of collection efforts to effect payment for overdue accounts. Amounts received for collection costs shall be retained by the university.
- | (~~132~~) Service Charge -- Each university board of trustees is authorized to assess a service charge on university loans in lieu of interest and administrative handling.
- | (~~143~~) Educational Research Center for Child Development Fee -- Each university board of trustees is authorized to assess child care and service fees.
- | (~~154~~) Building Fee – Each university board of trustees shall assess \$2.32 per credit hour per semester. No project proposed by a university which is to be funded by this fee shall be submitted to the Board

a delineation of the distribution of such awards. The report shall include an assessment by category of the financial need of every student who receives an award, regardless of the purpose for which the award is received. Awards which are based on financial need shall be distributed in accordance with the federal methodology for determining need. An award for academic merit shall require a minimum overall grade point average of 3.0 on a 4.0 scale or the equivalent for both initial receipt of the award and renewal of the award.

(187) Each university board of trustees is authorized to assess the following fees which will have varied amounts:

- (a) Development Research School Fees – activity fees which shall be discretionary with each university.
- (b) Library Fines – per book or unit, per day; the funds shall be budgeted to the Student and Other Fee Trust Fund.
- (c) Overdue Reserve Library books – per book, per library hour; the funds shall be budgeted to the Student and Other Fee Trust Fund.
- (d) Late Equipment Fee, Physical Education – per item, per day.
- (e) Fees and fines relating to the use, late return, and loss and damage of facilities and equipment.
- (f) Distance Learning Fee.

(198) Each university board of trustees is authorized to assess reasonable fees for incidental non-academic services provided directly to individuals. This could include, but not be limited to, fees for duplicating, lost keys, copyright material, breakage, standardized tests, library loans.

(2019) Each university board of trustees is authorized to assess an international student service fee to cover the university costs associated with reporting requirements of the Student and Exchange Visitor Information System administered by the Department of Homeland Security for F-Visa and J-Visa degree seeking students.

~~(24) Each university board of trustees is authorized to assess the following fees at the established amounts:~~

- ~~(a) Security / Access / Identification Card, Duplicate Security / Access / Identification Card, Fee Card, or Passbook:
 - 1. Annual – cost up to \$10.00.
 - 2. All duplicates – cost up to \$15.00~~
- ~~(b) Orientation Fee – up to \$35.00.~~
- ~~(c) Admissions Deposit – Up to \$200. The admissions deposit shall be imposed at the time of an applicant's acceptance to the university and shall be applied toward tuition upon registration and budgeted in the Student and Other Fee Trust Fund. In the event the applicant does not enroll in the university, the admissions deposit shall be budgeted in an~~

~~_____ auxiliary account of the university and used to expand financial
_____ assistance, scholarships, student academic and career counseling
_____ services, and admission services at the university.~~

~~(d) Transcript Fee— per item; up to \$10.00.~~

1. College credits earned through an articulated accelerated mechanism.
2. Credit hours earned through internship programs.
3. Credit hours required for certification, recertification, or certificate programs.
4. Credit hours in courses from which a student must withdraw due to reasons of medical or personal hardship.
5. Credit hours taken by active-duty military personnel.
6. Credit hours required to achieve a dual major taken while pursuing a baccalaureate degree.
7. Remedial and English as a Second Language credit hours.
8. Credit hours earned in military science courses that are part of the Reserve Officers' Training Corps program.

(22) Convenience fee – Each university board of trustees may establish a convenience fee when accepting payments by credit cards, charge cards, and debit cards. The fee shall not be greater than the cost of providing the service. The fee is not refundable to the payor.

(234) Before the Board's last meeting of each calendar year, the university board of trustees shall notify the Board of any potential new fees that are being considered by the university. A university board of trustees may then submit a proposal for a new fee not currently authorized in Board regulation or statute to the Board of Governors' budget committee by January 15 for consideration by the committee during a February meeting.

(a) The proposal shall be submitted in a format designated by the Chancellor, and include at a minimum:

1. The purpose to be served or accomplished with the fee.
2. The demonstrable student-based need for the fee that is currently not being met through existing university services, operations or another fee.
3. The process used to assure substantial student input or involvement.
4. Any proposed restrictions, limitations, or conditions to be placed on the fee.
5. The financial impact of the fee on students, including those with financial need.
6. The estimated revenue to be collected and proposed expenditures for the new fee.
7. The outcome measures that will be implemented to determine when the purpose of the fee will be accomplished.

(b) The aggregate sum of any fees approved by the Board that a student is required to pay to register for a course shall not exceed 10 percent of tuition. All other fees shall be based on cost.

- (c) The fee can only be implemented in the fall term.
- (d) The revenue generated by this fee may not be transferred to an auxiliary enterprise or a direct-support organization and may not be used to pay or secure debt.
- (e) The university shall account for the revenue and detailed expenditures of this fee in the Annual Report.
- (f) Once the Board approves a fee under this section, a university fee committee shall be established similar to other existing fee committees.
- (g) The Board will act upon the budget committee recommendation at the next scheduled meeting.
- (h) Every five years the university board of trustees shall review the fee to determine if the fee has met its intended outcomes and whether the fee should be increased, decreased or discontinued. The university board of trustees shall submit its findings to the Board. Any subsequent decreases or continuation in these fees are delegated to the university board of trustees, with notification to the Chancellor.
- (h) If a university board of trustees' proposal is denied, within five days the university board of trustees may request reconsideration by the Board's Tuition Appeals Committee, which shall consist of the Chair of the Board and the Chair of each Board committee. The Tuition Appeals Committee will meet within ten days after the Board of Governors denial to consider a university board of trustees request for reconsideration.

Authority: Section 7(d), Art. IX, Fla. Const.; History—Formerly BOR Rule 6C-7.003. ~~History~~—Derived from 6C-2.74 and 6C-2.76, Amended and Renumbered 12-17-74, Amended 2-22-76, 6-22-76, 6-28-76, 11-1-76, 9-8-77, 2-14-79, 9-28-81, 12-7-82, 12-13-83, 10-2-84, Formerly 6C-7.03, Amended 1-8-86, 8-11-86, 12-25-86, 6-2-87, 10-17-89, 4-10-90, 1-7-91, 7-2-91, 9-15-91, 8-4-92, 11-9-92, 4-12-93, 5-30-93, 9-23-93, 8-1-94, 1-24-96, 4-16-96, 12-15-97, 8-28-00, 8-12-01, Amended and Renumbered as 7.003 9-25-08, Amended 12-10-09,_____.