

FLORIDA BOARD OF GOVERNORS
NOTICE OF PROPOSED REGULATION AMENDMENT

DATE: September 18, 2012

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

SUMMARY: This fall universities will begin considering potential new fees to be implemented for fall 2013. The current regulation requires notification in the fall of potential fees that are being considered with final submissions in January. The Budget and Finance Committee then meets in February to consider new fees with the full Board acting upon any Committee recommendations at the next scheduled meeting.

At the June 2012 Committee meeting a modified regulation was presented that:

- x Moved the submission date from January to March. This would mean that fee considerations would be held at the June Committee meeting.
- x Clarified that the new fee should be for new services or activities that are not currently supported by educational and general funds.

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 Registration and Admissions Fee (a \$50) 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 assi

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.

(4) 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

(8) Housing Rental Rates – Basic rates for housing rental shall be set by each university board of trustees. In addition, the university board of trustees is

administered by the Department of Homeland Security for F-Visa and J-Visa degree seeking students.

(21) Excess Hour Fee –This fee shall be budgeted in the Student and Other Fee Trust Fund.

- (a) All state university undergraduate students who entered a postsecondary undergraduate program at any Florida public institution of higher education for the first time in fall 2009 or thereafter and prior to fall 2011 shall pay an excess hour fee equal to 50 percent of the undergraduate tuition identified in Regulation 7.001(3) for each credit hour in excess of 120 percent of the number of credit hours required to complete the baccalaureate degree program in which the student is enrolled.
- (b) All state university undergraduate students who entered a postsecondary undergraduate program at any Florida public institution of higher education for the first time in fall 2011 or thereafter shall pay an excess hour fee equal to 100 percent of the undergraduate tuition identified in Regulation 7.001(3) for each credit hour in excess of 115 percent of the number of credit hours required to complete the baccalaureate degree program in which the student is enrolled.
- (c) All state university undergraduate students who entered a postsecondary undergraduate program at any Florida public institution of higher education for the first time in fall 2012 or thereafter shall pay an excess hour fee equal to 100 percent of the undergraduate tuition identified in Regulation 7.001(3) for each credit hour in excess of 110 percent of the number of credit hours required to complete the baccalaureate degree program in which the student is enrolled.
- (d) Each university shall implement a process for notifying students of this fee upon a student's initial enrollment. A second notice must be provided to the student when the student has attempted the number of credit hours needed to complete the baccalaureate degree program in which the student is enrolled. The second notice must include a recommendation that each student who intends to earn credit hours at the university in excess of the credit hours required for the baccalaureate degree program in which the student is enrolled meet with the student's academic advisor.
- (e) All credit hours for courses taken at the university from which the student is seeking a baccalaureate degree shall be included when calculating the number of hours taken by a student, including:
 1. Failed courses.

2. Courses dropped or withdrawn from after the university's advertised last day of the drop and add period, except as provided for in subparagraph (22)(e).
 3. Repeated courses, except repeated courses for which the student has paid the full cost of instruction as provided in Regulation 7.001(11).
 4. All credit hours earned at another institution and accepted for transfer by the university and applied toward the student's baccalaureate degree program.
- (f) All credit hours earned under the following circumstances shall not be calculated as hours required to earn a baccalaureate degree:
1. College credits earned through an articulated accelerated mechanism.
 2. Credit hours earned through internship programs.
 3. Credit hours required for certification

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) The fee cannot be an extension of, or cover the same services, as an existing statutory fee.
- (g) The fee cannot be utilized to create additional bonding capacity in an existing fee.
- (h) The fee should support a new service or activity that is not currently supported or should be supported. ~~The fee cannot be used to support services or activities that have been paid for with education and general funds (state and tuition).~~
- (i) The fee shall not supplant revenue from other sources that are currently used or have been used to support a service or activity.
- (j) The fee should support a service or activity in which a majority of students is able to participate or from which derive a benefit.
- (k) Once the Board approves a fee under this section, a university fee committee shall be established similar to other existing fee committees.
- (l) The Board will act upon the budget committee recommendation at the next scheduled meeting.
- (m) 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.
- (n) 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.