

FLORIDA BOARD OF GOVERNORS  
NOTICE OF PROPOSED AMENDED REGULATION

DATE: June 30, 2022

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

SUMMARY:

Senate Bill 7044 added to statute the constitutional requirement from section 7(e), Article 9 of the State Constitution, that any proposal by a university to raise, impose, or authorize any fee, must be approved by at least nine affirmative votes of the Board of Trustees and 12 affirmative votes of the Board of Governors. The bill also adds new requirements for the noticing of any proposed changes to tuition and fees.

Also removes the requirement of a fall submission on potential new or increased fees being considered by the university. The spring submission will remain in effect.

FULL TEXT OF THE REGULATION IS INCLUDED WITH THIS NOTICE.

AUTHORITY TO PROPOSE REGULATION(S): Section 7(d), Art. IX, Fla. Const.;  
Board Regulation Development Procedure dated March 23, 2006.

THE BOARD OF GOVERNORS' OFFICIAL INITIATING THE PROPOSED  
REGULATION: Tim Jones, Vice Chancellor Finance and Administration

(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) All tuition and fees described in this section, and any proposed changes to such tuition and fees, must be prominently posted on the sti06.2 .66003 ref197es, 5 nivct14 his regity' efsted

before its consideration for a vote taken at a board of trustees meeting. The notice must:

- (a) Include the date and time of the meeting at which the proposal will be considered.
- (b) Specifically outline the details of existing tuition and fees, including how such tuition and fees are expended, the rationale and necessity for the proposed change, and how the funds from the proposed change will be used.
- (c) Be posted on the university's website and issued in a press release, which must also be enclosed in an e-mail sent to all enrolled students.

~~(1)~~(3) Pursuant to section 7(e), Article IX of the State Constitution, any proposal or action of a constituent university to raise, impose, or authorize any fee, as authorized by law, except for tuition, must be approved by at least 9 affirmative votes of the members of the board of trustees of the constituent university, if approval by the board of trustees is required by law, and at least 12 affirmative votes of the members of the Board of Governors, if approval by the Board of Governors is required by law, in order to take effect.

~~(2)~~(4) 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)

- (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.
- (h) 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.
- (i) 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 Student and Other Fee Trust Fund. Provisions may be made to waive the application fee as specified by the university.

~~(j)~~(j) \_\_\_\_\_ Late Registration Fee -- Universities shall assess a Late Registration Fee to students who fail to register before the end of the regular registration period. This fee may also be assessed to students reinstated after their course schedules were cancelled due to non-payment of fees. The fee shall be not less than \$50 nor more than \$100 with a minimum of 50 percent budgeted to the Student and Other Fee Trust Funds and the balance budgeted in an Auxiliary Trust Fund. Provisions may be made to waive the Late Registration Fee as specified by the university.

~~(j)~~(k) \_\_\_\_\_ Late Payment Fee -- Universities may assess a Late Payment Fee to students who fail to pay, or make appropriate arrangements for payment (installment payment, deferment, or third-party billing), of tuition and associated fees by the deadline set by each university. The fee shall be not less than \$50 nor more than \$100 with a minimum of 50 percent budgeted to the Student and Other Fee Trust Fund and the balance budgeted in an Auxiliary Trust Fund. Provisions may be made to waive the Late Payment Fee as specified by the university.

~~(3)~~(5) Before the board's last meeting of each calendar year, the university board of trustees shall notify the board of any potential increases in fees outlined in sub-paragraph ~~(4)~~. A university board of trustees may then submit a proposal for an increase in that fee to the Board of Governors' budget committee for consideration by the committee during a June meeting.

- (a) The proposal shall be submitted in a format designated by the chancellor and include at a minimum:
  1. The current and proposed increase to the fee and a description of the process used to determine the need for the increase, including any student involvement.
  2. The service or operation currently being funded by the fee.
  3. An analysis of whether the service or operation can be performed more efficiently to alleviate the need for any increase.
  4. The additional or enhanced service or operation to be implemented.
  5. Identification of other resources that could be used to meet this need.
  6. The financial impact on students, including those with financial need.
  7. The current revenue collected and expenditures from the current fee.

8. The estimated revenue to be collected and expenditures for the fee increase.
- (b) The board will act upon the budget committee recommendation at the next scheduled meeting.
  - (c) An increase in these fees can only be implemented with the fall term.

Every five years the university board of trustees shall review the fee increase 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.

~~(4)~~(6) 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 to be used only for the purpose of paying and securing debt on projects approved pursuant to section 1010.62, Florida Statutes and pursuant to a written agreement approved by the Board of Governors. The amount transferred may not exceed the amount authorized for annual debt service pursuant to section 1010.62, Florida Statutes.



~~(10)~~(12) Transportation Access Fee - Each university board of trustees is authorized to establish a transportation

subsection, the amount carried forward, the criteria used to make awards, the amount and number of awards for each criterion, and 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.

~~(19)~~(20) 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.
- ~~(d)~~
- (e) Fees and fines relating to the use, late return, and loss and damage of facilities and equipment.
- (f) Distance Learning Fee - Universities may assess a distance learning fee to any student enrolled in a course listed in the distance learning catalog. The average distance learning fee amount assessed by a state university may not exceed \$30 per credit hour.

(21) 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.

(20)(22) Each university board of trust

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.

- (c) All state university undergraduate students who entered a postsecondary undergraduate program at any Florida public institution of higher education as a first-time-in-college student in fall 2011 and prior to fall 2012 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.

All state university undergraduate students who entered a postsecondary undergraduate program at any Florida public institution of higher education as a first-time-in-college student in fall 2012 through the 2019 spring term 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. For the 2019 summer term and thereafter, an excess hour surcharge equal to 100 percent of the tuition rate for each credit hour in excess of 120 percent shall be paid. Effective July 1, 2018 each university shall refund the excess hour surcharge assessed for up to 12 credit hours to any first-time-in-college student who completes a baccalaureate degree program within four years after their initial enrollment in a university.

- (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. The excess hours' determination shall be based on the baccalaureate degree program in which the student is enrolled. If a student changes degree programs, the excess hours' threshold shall be adjusted to the new program's required hours. Pursuant to Regulation 7.002(1), the university shall establish regulation procedures for the implementation of this section.

- (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.

1.

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 (21)(f).
3. Repeated courses, except repeated courses for which the student has paid the full cost of instruction as provided in Regulation 7.001(~~120~~).
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, 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. Credit hours earned in military science courses that are part of the Reserve Officers' Training Corps program.
8. Credit hours earned or taken for the civics literacy competency requirement.

~~(22)~~(24) 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.

~~(23)~~(25) ~~Before the Board of Governors' 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 for consideration by the committee during a June meeting. The deadline for submission of a proposal shall be determined by the Board Office.~~

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

(a)

- ~~1.~~ 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

- (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)

Authority: Section 7(d), Art. IX, Fla. Const.; History—Formerly BOR Rule 6C-7.003. 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, 11-4-10, 9-15-11, 6-21-12, 11-08-12, 11-21-13, 9-22-16, 11-8-18, 10-30-2019, 9-1-2021, X-X-2022.