

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

DATE: February 1, 2021

REGULATION NUMBER AND TITLE: 7.008, Waiver and Exemptions of Tuition and Fees

SUMMARY:

House Bill 171 amends section 1009.26, Florida Statutes, to require each university board of trustees to waive the transcript fee for a person who is an active duty member or an honorably discharged veteran of the United States Armed Forces and his or her spouse and dependents.

This regulation is being amended to reflect the changes to fee waivers and exemptions made in House Bill 171. It also adds clarifying language addressing the exemption from payment of registration, tuition, and lab fees for students participating in dual enrollment programs in accordance with Board of Governors Regulation 6.006 and university policy.

FULL TEXT OF THE REGULATION IS I

(1) Each university board of trustees is authorized to waive tuition, non-resident tuition and associated fees for purposes that support and enhance the mission of the university. All tuition, non-resident tuition and associated fees waived must be based on regulations that are adopted by the university board of trustees and where applicable, consistent with regulations adopted by the Board of Governors.

(2) Each university shall have an individual designated as the university liaison to handle student issues and/or questions regarding waivers.

(3) The following categories of tuition and fee exemptions and waivers are established pursuant to Florida Statute and are considered mandatory:

(a) Deceased Law Enforcement, Correctional, or Correctional Probation Officers Employed by the State or Political Subdivision thereof – Each university board of trustees shall waive certain educational expenses that the child or spouse of the deceased officer incurs while obtaining an undergraduate education or a postgraduate education if a law enforcement, correctional, or correctional probation officer is accidentally killed or receives accidental bodily injury which results in the loss of the officer's life while engaged in the performance of the officer's law enforcement duties on or after June 22, 1990, or is unlawfully and intentionally killed or dies as a result of

and associated fees for a child or spouse may attend on either a full or part-time basis the benefits provided to a child under this section until the child's 25th birthday. The benefits provided under this subsection must commence within five (5) years of the death and entitlement thereto shall continue until the child's death.

2. Upon failure of any child or spouse who is receiving benefits under this subsection to comply with the requirements regarding discipline and scholarship requirements, such benefits must be withdrawn and no further moneys may be expended for tuition and fees so long as such failure or delinquency continues.
3. Only a student in

good standing in his or her respective university may receive the benefits provided in this subsection.

4. A child or spouse receiving benefits under this subsection must be enrolled according to the customary rules and requirements of the

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benefits provided to a child under this section must continue until the child's 25th birthday. The benefits provided to a spouse under this subsection must commence within five (5) years after the death occurs, and entitlement thereto may continue until the 10th anniversary of that death.

2. Upon failure of any child or spouse who receives a waiver in accordance with this subsection to comply with the ordinary and minimum requirements regarding discipline and scholarship of the institution attended, such benefits to the child or spouse must be withdrawn and no further moneys may be expended for the child's or spouse's benefits so long as such failure or delinquency continues.
3. Only a student in good standing in his or her respective university may receive the benefits provided in this subsection.
4. A child or spouse receiving benefits under this subsection must be enrolled according to the customary rules and requirements of the university attended.

(d) Deceased Teacher or School Administrator Employed by a Florida District school Board – Each university board of trustees shall waive certain educational expenses that the child of the deceased teacher or school administrator incurs while obtaining an undergraduate education or a postgraduate education if the teacher or school administrator is killed or is injured and dies as a result of an unlawful and intentional act, provided such killing or injury inflicted by another person and the motivation for the act is related in whole or part to the fact that the individual is a teacher or school administrator, or such act is inflicted while he or she is engaged in the performance of teaching duties or schooladministration duties while employed by a Florida district school board. The amount waived by the university shall be an amount equal to the cost of tuition and associated fees for a total of 120 credit hours at a university. The child may attend on either a full-time or part-time basis. The benefits provided under this paragraph shall continue until the child's 25th birthday.

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Deceased Active Duty Member of the United State Armed Forces – Each university board of trustees must waive certain educational expenses that the child or spouse of the deceased active duty United States Armed Forces member incurs while obtaining an undergraduate education or a postgraduate education if a member is killed or receives bodily injury while on active duty which results in the loss of the member’s life, provided that such killing is not the result of suicide and that such bodily injury is not intentionally self-inflicted. Members of the Florida National Guard who are killed, or who die as the result of injuries incurred, while on active duty qualify for educational benefits as a member of the United States Armed Forces as provided in this subsection.

The amount waived by the university must be in an amount equal to the cost of tuition and associated fees for a total of 120 credit hours. The child or spouse may attend on either a full-time or part-time basis. The benefits provided to a child under this section must continue until the child’s 25th birthday. The benefits provided to a spouse under this subsection must commence within five (5) years after the death occurs and may continue until the 10th anniversary of that death.

Upon failure of any child or spouse who receives a waiver in accordance with this subsection to comply with the ordinary and minimum requirements regarding discipline and scholarship of the institution attended, such benefits to the child or spouse must be withdrawn and no further moneys may be expended for the child’s or spouse’s benefits so long as such failure or delinquency continues.

Only a student in good standing in his or her respective university may receive the benefits provided in this subsection.

A child or spouse receiving benefits under this subsection shall be enrolled according to the customary rules and requirements of the university attended.

Wrongfully Incarcerated – A university shall waive tuition and associated fees for up to 120 hours of instruction if the wrongfully incarcerated person meets and maintains the regular admission requirement of the university; remains registered and makes satisfactory academic progress as defined by the university in which the person is enrolled. A wrongfully incarcerated person is someone who has had a felony conviction and sentence vacated by a court and the original sentencing court has issued its order finding that the person neither committed the act, nor did not aid, abet or act as an accomplice or accessory to the act or offense.

Acceleration – Each university board of trustees shall exempt from the payment of registration, tuition, and laboratory fees, any student who chooses to participate in dual enrollment programs and who meets eligibility

requirements in accordance with Board of Governors Regulation 6.006 and university policy.

Early admission is a form of dual enrollment through which eligible secondary students enroll in a postsecondary institution on a full-time basis in courses that are creditable toward the high school diploma and the associate or baccalaureate degree.

(h) Florida Department of Children and Families - Each university board of trustees shall exempt from the payment of tuition and associated fees, including lab fees, any student who is or was at the time he or she reached the age of 18 in the custody of the Department of Children and Families or a relative or nonrelative under section 39.5085, Florida Statutes; who was adopted from the Department of Children and Families after May 5, 1997; or after spending at least six (6) months in the custody of the Department of Children and Families after reaching 16 years of age. Additionally, material and supply fees and fees associated with enrollment in career-preparatory instruction shall be exempted. Any student requesting this exemption must provide certification of eligibility from the Department of Children and

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1. Attended a secondary school in this state for three (3) consecutive years immediately before graduating from a high school in this state;
2. Apply for enrollment in an institution of higher education with 24 months after high school graduation; and
3. Submit an official Florida high school transcript as evidence of attendance and graduation.
4. The waiver is applicable for 110 percent of the required credit hours of the

exempt tuition and fees for any student enrolled in an employment and training program under the welfare transition program. The local workforce development board shall pay the state university for costs incurred for welfare transition program participants.

— State Employees – Each university board of trustees shall waive tuition and fees for state employees, subject to approval by an employee’s agency head or the equivalent, to enroll in up to six credit hours of courses per term on a space-available basis. This does not include persons employed by a state university.

(4) The following general categories of tuition and fee exemptions and waivers are established pursuant to Florida Statute and are considered discretionary:

(5) Each university shall rep