Issue: Amendments to USF Regulation 4.0107, Special Fees, Fines and Penalties.

Proposed action: Approve:
- Extending the Admissions Deposit Fee to admitted applicants to any degree program.
- Increasing the Diploma Replacement Fee to $10.
- A Distance Learning Course User Fee.

Background information:

A Florida Board of Governors (BOG) Resolution adopted 1/7/03 provides that each board of trustees may adopt, amend or repeal regulations to implement the provisions of law conferring duties upon it. Such regulations must be adopted, amended or repealed pursuant to the Board of Governors Regulation Development Procedure (7/21/05) and must be consistent with law and the resolutions and strategic plan of the Board of Governors. The BOG Procedure also calls for a university to monitor the effects of new regulations and periodically review existing regulations to ensure they are current and consistent.

The Board of Governors and Florida Statute 1009.24 authorize each university to charge a $200 non-refundable Admissions Deposit Fee. USF currently charges this fee to first-time freshmen applicants offered admission to USF and proposes to extend a charge up to $200 to applicants admitted to any degree program, effective, Fall 2008. The fee is imposed at the time of an applicant’s acceptance to USF and will be applied toward tuition upon enrollment. In the event the applicant does not enroll in USF, the admissions deposit is retained by the University as provided in Florida Statute 1009.24. Waivers of this fee for admitted students will be based on significant financial hardship as determined by the Financial Aid Office.

USF also proposes to increase the Diploma Replacement Fee to $10, as authorized by BOG regulation and Florida Statute 1009.24.

A bill passed by the FL State Legislature and pending the Governor’s signature (HB 7105), authorizes state universities to assess a per-credit-hour user fee to students who enroll in a course listed in the Higher Education Distance Learning Catalog. This fee will be established in an amount sufficient to cover the additional costs of the
services provided that are attributable to the development and delivery of the
distance learning course. The University currently charges a distance learning fee as
authorized by Off-Campus Course Offerings (section 1009.24 (13)(k) F.S.). The
pending legislation would exclude distance learning courses from section 1009.24
(13)(k) and establish the distance learning course user fee specifically for distance
learning programs. Therefore, USF proposes to establish a Distance Learning
Course User Fee, pending the Governor's approval.

A copy of the amended Regulation follows this summary.

Strategic Goal(s) Item Supports:
Workgroup Review:
Supporting documentation: Amended USF Regulation 4.0107; Florida Statute 1009.24
Prepared by: R.B. Friedlander, Deputy General Counsel; Jodi Adamchak, Associate
General Counsel, Dr. Leellen Brigman, Associate V.P., Enrollment & Planning, Office of the
Provost, Dr. Kathleen Moore, Associate V.P., Academic Affairs & Educational Outreach.
USF 4.0107 - Special Fees, Fines and Penalties

(1) The Board of Trustees, hereinafter referred to as the “Board,” must authorize all fees assessed by the University of South Florida, hereinafter referred to as the “University or USF.” 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 or services. All special fees, fines and penalties collected by the University shall be allocated to the appropriate account as required by Section 1009.24, F.S. or Board Regulation. The Board hereby authorizes the following fees:

(a) Application Fee – Individuals who make application for admission to the University shall pay a non-refundable Application Fee of $30.00. This fee will be waived for applicants who can document that they have received a fee waiver because of economic need as determined by the College Board or the American College Testing Program.

(b) Admissions Deposit Fee – Applicants offered admission to a undergraduate degree program may will be assessed up to a $200.00 Admissions Deposit fee. The Admissions Deposit fee shall be imposed at the time of the applicant’s acceptance to the University and shall be applied toward the applicant’s tuition upon enrollment. The Admissions Deposit fee is non-refundable in the event the applicant fails to enroll. Requests to Waivers of this fee for admitted students will be based on significant financial hardship as determined by the Financial Aid Office.

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The Appeals Review Committee will use the following criteria in determining financial hardship:

• Recipients of SAT or ACT fee waivers.
• Federal Pell Grant Eligibility.
• Federal Tax Returns: (Additional documentation will be considered in instances where the previous year’s federal tax return did not reflect a current hardship).

The Fee will be waived for students participating in the summer Student Support Services (SSS) program and for Pell Grant students who are eligible for the Freshman Summer Institute.
(c) **Audit Registration Fees** – Audit registration assures a course space for the student, however, no grade is awarded. This fee is the same as the Resident tuition provided in Regulation USF4.0102. Depositing of fee proceeds shall be the same as that provided for tuition.

(d) **International Student Administrative Charge** - An International Student Administrative Charge shall be assessed each semester to foreign students enrolled at the University who are not currently U.S. Citizens or Permanent Residents of the United States. This charge, in the sum of $50.00 per semester, shall be assessed only to those students who receive the services of the Office of the International Student and Scholar Services (ISSS). The funds generated by this charge will be used to offset the costs of compliance with the requirements of the Student and Exchange Visitor Information System (SEVIS). The charge will be assessed for both fall and spring semesters, but only once for any summer enrollments for a maximum total charge of $150.00 per calendar year.

(e) **Registration of Zero Hours** – Such registration provides for examinations, graduations, use of facilities, etc., when deemed appropriate by the institution. The student is assessed Resident tuition for one credit hour. The Zero Credit Fee shall be distributed in the same manner as tuition.

(f) **Late Registration Fee** – A Late Registration Fee shall be assessed against students who fail to initiate registration in the regular registration period. The fee shall be $100.

(g) **Late Payment Fee** – A Late Payment Fee will be assessed to students who fail to pay, or make appropriate arrangements for payment (installment payment, deferment, or third-party billing) of tuition by the deadline set by the University, which shall be no later than the end of the second week of classes. The fee shall be $100. Provisions will be made to waive the Late Payment Fee for minor underpayment as specified by the University and as outlined in Regulation USF4.0101.

(h) **Health Fee** – The student Health Fees shall be established pursuant to Subsections 1009.24, F.S., and are set forth in Regulation USF4.0102. The President of the University, hereinafter referred to as the “President,” shall submit requests to change the student Health Fee, to be effective the following fall semester, to the Board for approval at the first Board meeting of the calendar year. In addition, the President, or his or her designee, will assess miscellaneous health-related charges for services provided at cost by the health center which are not covered by the Health Fee.

(i) **Athletic Fee** – The Athletic Fee shall be established pursuant to Subsections 1009.24, F.S. and are set forth in Regulation USF4.0102. The President shall submit requests to change the Athletic Fee, to be effective the following fall semester, to the Board for approval at the first Board meeting of the calendar year.
(j) **Activity and Service Fee** – The Activity and Service Fees are established pursuant to subsections 1009.24, F.S., and are set forth in Regulation USF4.0102. The President shall submit requests to change the Activity and Service Fee, to be effective the following fall semester, to the Board for approval at the first Board meeting of the calendar year.

(k) **Library Fees:**

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<th>Amount</th>
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<tr>
<td>1. Overdue fine per book or unit, per day</td>
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<td>2. Overdue fine on reserve item, per hour</td>
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<td>3. Overdue fine for Interlibrary loan item, per day</td>
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<td>4. Overdue library equipment fee, per hour</td>
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<td>5. Duplicating/Photocopying fee for personal use only, per copy</td>
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<tr>
<td>6. Binding fee, Theses and Dissertations</td>
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<tr>
<td>7. Loss or damage of library material</td>
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<td>8. Loss or damage of library equipment</td>
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(l) **Late Equipment Fee, Physical Education – per item, per day** | $.25 |

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

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<th>Amount</th>
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<tr>
<td>1. One-time fee</td>
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<td>2. Duplicates</td>
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(n) **Standardized Tests – the fee for all standardized tests, (GRE, URE, will consist of the direct costs of administering the tests.**

(o) **Microfilm Fee – Thesis and Dissertation** | Cost |

(p) **Copyright Fee – Dissertation** | Cost |

(q) **Thesis and Dissertation Processing Fee** | Cost |

(r) **Lost Keys (includes cylinder change)** | Cost |

(s) **Facilities/Equipment Use Charge** | Cost |

(t) **Orientation Fee** | $35.00 |

(u) **Transcript Fee, Per item** | $10.00 |

(v) **Diploma Replacement Fee, Per item** | $10.00 |

(w) **Optional Late Graduation Application Fee** | $50.00 |

(x) **Convenience fee option for use of bankcard payments (Charge per transaction)** | $10.00 |

(y) **Marshall Center Use Fee** – All students who enroll at the University of South Florida, Tampa Campus shall pay a non-refundable flat fee of $20.00 per semester and an additional $1.50 per credit hour fee to facilitate the use of student union facilities.

(z) **Off-Campus Educational Course Offerings** – Fees will be charged for off-campus course offerings when the location results in specific, identifiable increased costs to the University. These fees will be in addition to the regular Student Credit Hour fees charged to students enrolling in these courses on-campus. The additional fees charged are for the purpose
of recovering the increased costs resulting from off-campus vis-a-vis on-campus offerings. As used herein, “off-campus” refers to locations other than regular state-funded main campuses, branch campuses, or centers. The University shall use the additional fees collected to cover the increased cost of these courses.

(aa) **Distance Learning Course User Fee** - A per credit hour distance learning course fee will be assessed to students who enroll in courses listed in the Florida Higher Education Distance Learning Catalog. This fee will be established in an amount sufficient to cover the additional costs of the services provided that are attributable to the development and delivery of the distance learning course. The fee will be in addition to the regular Student Credit Hour fees charged to students enrolled in Distance Learning Courses.

(bb) **Material and Supply Fees** – Material and Supply Fees will be charged, but will not exceed the amount necessary to offset the cost of materials or supply items which are consumed in the course of the student’s instructional activities, excluding the cost of equipment and equipment repairs and maintenance.

(cc) **Housing Rental Rates** – Basic rates for housing rental shall be set by the Board. The President shall submit requests to change the basic rates for housing rental, to be effective the following fall semester, to the Board for approval at the first Board meeting of the calendar year. Current housing rental rates for the Tampa Campus are found in the Residence Services brochure: “Live the Campus Life” (Rev. 2008-2009). Copies of the brochure may be obtained from Residence Services, USF Tampa Division of Student Affairs. Housing rental rates for the St. Petersburg Campus are found on the USF St. Petersburg Division of Student Affairs web page: [http://www.stpt.usf.edu/housing/overview.htm](http://www.stpt.usf.edu/housing/overview.htm).

(dd) **Parking Fines and Decals** – A schedule of parking fines and a charge for parking decals, are set forth in Regulation USF4.0023 and the referenced, “Parking at the University of South Florida” brochures.

(ee) **Transportation Access Fee** – Pursuant to the University’s authorization to adopt by regulation a transportation access fee, with appropriate input from students, to support the University’s transportation infrastructure and to increase student access to transportation services, a transportation access fee set in the sum of $3.00 per credit hour, shall be charged.
(ff ee) **Returned Check Fee** – The University shall assess a service charge as authorized by Subsection 832.07(1), F.S., for unpaid checks returned to the University.

(gg ff) **Collection Costs** – The University will assess a charge representing reasonable cost of collection efforts to effect payment for overdue accounts. Collection costs will be assessed to the student for collection of debts owed the University not secured by a promissory note or contract.

(hh gg) **Educational Research Center for Child Development Fee** – The Center shall submit a request to establish or change child care and service fees to the President, who shall make a recommendation to the Board by November 1, of each year, to become effective the subsequent fall semester. Current fees are posted on the Center website: [http://www.coedu.usf.edu/clar/erccd/erccd.htm](http://www.coedu.usf.edu/clar/erccd/erccd.htm)

(2) The Board will establish additional fees in order to meet specific higher education needs identified by the University when special circumstances result in specific, identifiable increased costs of instruction in a course of study. These fees will be in addition to the regular on-campus Student Credit Hour and other fees charged to students enrolled at the University. The additional fees charged shall be sufficient to recover all increased costs of these courses.

*Specific Authority: Art. IX Fla. Const. and Resolutions issued by the FL Board of Governors. 1001.74, 1009.24 FS. History–New 8-31-03; Amended 10-18-04, 08/07/05, 11-10-05, Formerly 6C4-4.0107,F.A.C., Amended Sec. (1)(ff) 11-22-05, Sec. (1)(aa) 5-12-06, 5-3-07, 1-9-08, 4-23-08, ______.*
1009.24 State university student fees.--

(1) This section applies to students enrolled in college credit programs at state universities.

(2) All students shall be charged fees except students who are exempt from fees or students whose fees are waived.

(3) All moneys from tuition and fees shall be deposited pursuant to s. 1011.42.

(4) Except as otherwise provided by law, undergraduate tuition shall be established annually in the General Appropriations Act. The Board of Governors, or the board's designee, may establish tuition for graduate and professional programs, and out-of-state fees for all programs. The sum of tuition and out-of-state fees assessed to nonresident students must be sufficient to offset the full instructional cost of serving such students. However, adjustments to out-of-state fees or tuition for graduate and professional programs pursuant to this section may not exceed 10 percent in any year. 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 established in law or in the General Appropriations Act. No university shall be required to lower any fee in effect on the effective date of this act in order to comply with this subsection. 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 unless specifically authorized in law or in the General Appropriations Act. 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 subsection (11) and cannot exceed $2 per credit hour. Notwithstanding the provisions of ss. 1009.534, 1009.535, and 1009.536, that portion of any increase in an athletic fee pursuant to this subsection that causes the sum of the activity and service, health, and athletic fees to exceed the 40 percent cap or the annual increase in such fees to exceed the 5 percent cap shall not be included in calculating the amount a student receives for a Florida Academic Scholars award, a Florida Medallion Scholars award, or a Florida Gold Seal Vocational Scholars award. This subsection does not prohibit a university from increasing or assessing optional fees related to specific activities if payment of such fees is not required as a part of registration for courses.

(5) A university that has a service area that borders another state may implement a plan for a differential out-of-state fee.

(6) Students who are enrolled in Programs in Medical Sciences are considered graduate students for the purpose of enrollment and student fees.

(7) A university board of trustees is authorized to collect for financial aid purposes an amount not to exceed 5 percent of the tuition and out-of-state fee. The revenues from fees are to remain at each campus and replace existing financial aid fees. Such funds shall be disbursed to students as quickly as possible. A minimum of 75 percent of funds from the student financial aid fee for new financial aid awards shall be used to provide financial aid based on absolute need. A student who has received an award prior to July 1, 1984, shall have his or her eligibility assessed on the same criteria that were used at the time of his or her original award. The Board of Governors shall develop criteria for making financial aid awards. Each university shall report annually to the Board of Governors and the Department of Education on the revenue collected pursuant to this 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 a
nationally recognized system of need analysis approved by the Board of Governors. 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.

(8) The Capital Improvement Trust Fund fee is established as $2.44 per credit hour per
semester. The building fee is established as $2.32 per credit hour per semester.

(9) Each university board of trustees is authorized to establish separate activity and service,
health, and athletic fees. When duly established, the fees shall be collected as component
parts of tuition and fees and shall be retained by the university and paid into the separate
activity and service, health, and athletic funds. Notwithstanding any other provision of law to
the contrary, a university may transfer revenues derived from the fees authorized pursuant to
this subsection 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 s. 1010.62 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 s. 1010.62.

(10)(a) Each university board of trustees shall establish a student activity and service fee on
the main campus of the university. The university board may also establish a student activity
and service fee on any branch campus or center. Any subsequent increase in the activity and
service fee must be recommended by an activity and service 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, with final 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. The Board of
Governors is responsible for adopting the rules and timetables necessary to implement this fee.

(b) The student activity and service fees shall be expended for lawful purposes to benefit the
student body in general. This shall include, but shall not be limited to, student publications
and grants to duly recognized student organizations, the membership of which is open to all
students at the university without regard to race, sex, or religion. The fund may not benefit
activities for which an admission fee is charged to students, except for student-government-
association-sponsored concerts. The allocation and expenditure of the fund shall be
determined by the student government association of the university, except that the president
of the university may veto any line item or portion thereof within the budget when submitted
by the student government association legislative body. The university president shall have 15
school days from the date of presentation of the budget to act on the allocation and
expenditure recommendations, which shall be deemed 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 of the vetoed portion of the fund. If the university president
vetoes any line item or portion thereof within the new budget revisions, the university
president may reallocate by line item that vetoed portion to bond obligations guaranteed by
activity and service fees. Unexpended funds and undisbursed funds remaining at the end of a
fiscal year shall be carried over and remain in the student activity and service fund and be
available for allocation and expenditure during the next fiscal year.
(11) Each university board of trustees shall establish a student health fee on the main campus of the university. The university board of trustees may also establish a student health fee on any branch campus or center. Any subsequent increase in the health fee must be recommended by a health 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, with final 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. The Board of Governors is responsible for adopting the rules and timetables necessary to implement this fee.

(12) Each university board of trustees shall establish a separate athletic fee on the main campus of the university. The university board may also establish a separate athletic fee on any branch campus or center. Any subsequent increase in the athletic fee must be recommended by an athletic 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, with final 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. The Board of Governors is responsible for adopting the rules and timetables necessary to implement this fee.

(13) Each university board of trustees is authorized to establish the following fees:

(a) A nonrefundable application fee in an amount not to exceed $30.

(b) An orientation fee in an amount not to exceed $35.

(c) A fee for security, access, or identification cards. The annual fee for such a card may not exceed $10 per card. The maximum amount charged for a replacement card may not exceed $15.

(d) Registration fees for audit and zero-hours registration; a service charge, which may not exceed $15, for the payment of tuition in installments; and a late-registration fee in an amount not less than $50 nor more than $100 to be imposed on students who fail to initiate registration during the regular registration period.

(e) A late-payment fee in an amount not less than $50 nor more than $100 to be imposed on students who fail to pay or fail to make appropriate arrangements to pay (by means of installment payment, deferment, or third-party billing) tuition by the deadline set by each university. Each university may adopt specific procedures or policies for waiving the late-payment fee for minor underpayments.

(f) A fee for miscellaneous health-related charges for services provided at cost by the university health center which are not covered by the health fee set under subsection (10).

(g) Materials and supplies fees to offset the cost of materials or supplies that are consumed in the course of the student's instructional activities, excluding the cost of equipment replacement, repairs, and maintenance.
(h) Housing rental rates and miscellaneous housing charges for services provided by the university at the request of the student.

(i) A charge representing the reasonable cost of efforts to collect payment of overdue accounts.

(j) A service charge on university loans in lieu of interest and administrative handling charges.

(k) A fee for off-campus course offerings when the location results in specific, identifiable increased costs to the university.

(l) Library fees and fines, including charges for damaged and lost library materials, overdue reserve library books, interlibrary loans, and literature searches.

(m) Fees relating to duplicating, photocopying, binding, and microfilming; copyright services; and standardized testing. These fees may be charged only to those who receive the services.

(n) Fees and fines relating to the use, late return, and loss and damage of facilities and equipment.

(o) A returned-check fee as authorized by s. 832.07 for unpaid checks returned to the university.

(p) Traffic and parking fines, charges for parking decals, and transportation access fees.

(q) An Educational Research Center for Child Development fee for child care and services offered by the center.

(r) Fees for transcripts and diploma replacement, not to exceed $10 per item.

(14) Each university board of trustees is authorized to establish a nonrefundable admissions deposit for undergraduate, graduate, and professional degree programs in an amount not to exceed $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 enrollment. In the event the applicant does not enroll in the university, the admissions deposit shall be deposited in an auxiliary account of the university and used to expand financial assistance, scholarships, and student academic and career counseling services at the university. A university board of trustees that establishes an admissions deposit pursuant to this subsection must also adopt policies that provide for the waiver of such deposit on the basis of financial hardship.

(15) Each university may assess a service charge for the payment of tuition and fees in installments. Such service charge must be approved by the university board of trustees.

(16) The Board of Governors may establish a uniform maximum undergraduate tuition differential that does not exceed 40 percent of tuition for all universities that meet the criteria for Funding Level 1 under s. 1004.635(3), and may establish a uniform maximum undergraduate tuition differential that does not exceed 30 percent of tuition for all universities that meet the criteria for Funding Level 2 under s. 1004.635(3). However, the board shall ensure that the maximum tuition differential it establishes for universities meeting the Funding Level 1 criteria is at least 30 percent greater than the maximum tuition differential the board establishes for universities that meet Funding Level 2 criteria. The tuition differential is subject to the following conditions:
(a) The sum of tuition and the tuition differential may not be increased by more than 15 percent of the total charged for these fees in the preceding fiscal year.

(b) The tuition differential may not be calculated as a part of the scholarship programs established in ss. 1009.53-1009.537.

(c) Beneficiaries having prepaid tuition contracts pursuant to s. 1009.98(2)(b) which were in effect on July 1, 2007, and which remain in effect, are exempt from the payment of the tuition differential.

(d) The tuition differential may not be charged to any student who was in attendance at the university before July 1, 2007, and who maintains continuous enrollment.

(e) The tuition differential may be waived by the university for students who meet the eligibility requirements for the Florida public student assistance grant established in s. 1009.50.

(f) A university board of trustees that has been authorized by the Board of Governors to establish a tuition differential pursuant to this subsection may establish the tuition differential at a rate lower than the maximum tuition differential established by the board, but may not exceed the maximum tuition differential established by the board.

(g) The revenue generated from the tuition differential must be spent solely for improving the quality of direct undergraduate instruction and support services.

(h) Information relating to the annual receipt and expenditure of the proceeds from the assessment of the tuition differential shall be reported by the university in accordance with guidelines established by the Board of Governors.

(17) A state university may not charge any fee except as specifically authorized by law.


1Note.--Redesignated as subsection (12) by s. 133, ch. 2007-217.

2Note.--Redesignated as subsection (11) by s. 133, ch. 2007-217.