

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

DATE: September 30, 2009

REGULATION NUMBER AND TITLE: 7.008 – Waiver of Tuition and Fees

SUMMARY: Revisions to Regulation 7.008 are necessary due to actions taken by the Legislature in implementing the tuition differential fee and a technical correction to exemptions for students associated with Linkage Institutes. One of the tuition differential provisions allows universities to waive the tuition differential for students who qualify for the Florida Public School Assistance Grant.

FULL TEXT OF THE REGULATION IS INCLUDED WITH THIS NOTICE.

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

THE BOARD OF GOVERNORS' OFFICIAL INITIATING THE PROPOSED AMENDMENT TO THE REGULATION: Tim Jones, Chief Financial Officer

COMMENTS REGARDING THE PROPOSED AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation on which you are commenting:

General Counsel, Board of Governors, State University System, 325 W. Gaines Street, Suite 1614, Tallahassee, Florida 32399, (850) 245-0466 (phone), (850) 245-9685 (fax), or generalcounsel@flbog.edu.

7.008 Waiver of Tuition and Fees.

(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. ~~Each university shall report the purpose, number, and value of all fee waivers granted annually in a format prescribed by the Board of Governors.~~

(2) Sponsored Credit Institutes and Programs – Each university board of trustees is authorized to waive tuition, associated fees and material and supply fees for participants in sponsored credit institutes and programs.

- (a) Sponsored credit institutes and programs are entities where substantially all the direct costs are paid by the external sponsoring entity, where there is no direct expenditure of Educational and General funds for the conduct of the programs, and where no fees or other assessments are collected from students by the sponsoring entity, the university, or any other entity.
- (b) In determining whether the direct costs are paid by the sponsoring entity, funds paid directly to the participants in a form such as, but not limited to, stipends, travel or book allowances should not be taken into account. "Direct costs" refer to the costs associated with the instruction or training which a participant receives. All funds collected from sponsoring entities for sponsored credit institutes will be remitted to the university's contract and grants trust fund and/or auxiliary trust funds.
- (c) Funds collected from courses offered through continuing education should be budgeted in the Auxiliary Trust Fund.
- (d) Neither the number of participants nor student credit hours in these institutes and programs may be counted for state-funding purposes.

(3) 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 such unlawful and intentional act on or after July 1, 1980, while the officer was employed by a political subdivision of the state.

- (a) 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. The child or

- spouse may attend on either a full-time or part-time basis. The benefits provided to a child under this section shall continue until the child's 25th birthday. The benefits provided to a spouse under this subsection must commence within 5 years after the death occurs, and entitlement thereto shall continue until the 10th anniversary of that death.
- (b) Upon failure of any child or spouse benefited by the provisions of this subsection to comply with the ordinary and minimum requirements of the institution attended, both as to discipline and scholarship, the benefits shall be withdrawn as to the child or spouse and no further moneys may be expended for the child's or spouse's benefits so long as such failure or delinquency continues.
 - (c) Only a student in good standing in his or her respective university may receive the benefits.
 - (d) A child or spouse receiving benefits under this subsection must be enrolled according to the customary rules and requirements of the university attended.

(4) Deceased Firefighters Employed by the State or a Political Subdivision thereof
Each university board of trustees shall waive certain educational expenses that the child or spouse of the deceased firefighter incurs while obtaining an undergraduate education or a postgraduate education if a firefighter is accidentally killed or receives accidental bodily injury which results in the loss of the firefighter's life while engaged in the performance of the firefighter's duties on or after June 22, 1990, or is unlawfully and intentionally killed or dies as a result of such unlawful and intentional act on or after July 1, 1980, while the firefighter was employed by a political subdivision of the state.

- (a) 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. The child or spouse may attend on either a full-time or part-time basis. The benefits provided to a child under this section shall continue until the child's 25th birthday. The benefits provided to a spouse under this subsection must commence within 5 years after the death occurs, and entitlement thereto shall continue until the 10th anniversary of that death.
- (b) Upon failure of any child or spouse benefited by the provisions of this subsection to comply with the ordinary and minimum requirements of the institution attended, both as to discipline and scholarship, the benefits shall be withdrawn as to the child or spouse and no further moneys may be expended for the child's or spouse's benefits so long as such failure or delinquency continues.
- (c) Only a student in good standing in his or her respective university may receive the benefits.

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

(5) Acceleration - Each university board of trustees shall waive tuition and associated fees for students who earn credit in courses toward both a Florida high school diploma and an associate or baccalaureate degree, or students enrolled in a dual enrollment or early admission program

(6) Florida Department of Children and Family Service Adoptions - Each university board of trustees shall waive tuition and associated fees for 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 Family Services or a relative under s. 39.5085; who was adopted from the Department of Children and Family Services after May 5, 1997; or was placed in a guardianship by a court after spending at least 6 months in the custody of the Department after reaching 16 years of age. Additionally, material and supply fees and fees associated with enrollment in career-preparatory communication and computation skills testing programs shall be waived. Any student requesting such a waiver must provide certification of eligibility from the Department of Children and Family Services to the university in which the student seeks to enroll. This waiver shall remain valid up until the time the student reaches the age of 23, and shall be limited to undergraduate degree programs, and shall not exceed 120 credit hours.

(7) School Psychology Training Program - Each university board of trustees shall waive tuition and associated fees for internship credit hours applicable to an internship in the public school system under the supervision of the Florida Department of Education certified school psychologist employed by the school system for any graduate student;

(8) Florida National Guard - certain members of the active Florida National Guard pursuant to Regulation 7.015.

(9) Florida Linkage Institutes - Each university board of trustees shall exempt from ~~waive~~ non-resident tuition and non-resident financial aid fee up to 25 full-time equivalent ~~for any students~~ per year enrolled through the Florida Linkage Institutes Program.

(10) 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 school administration 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.

- (a) Upon failure of any child benefited by the provisions of this paragraph to comply with the ordinary and minimum requirements of the university attended, both as to discipline and scholarship, the benefits shall be withdrawn as to the child and no further moneys may be expended for the child's benefits so long as such failure or delinquency continues.
- (b) A student who becomes eligible for benefits under the provisions of this paragraph while enrolled in an university must be in good standing with the institution to receive the benefits provided herein.
- (c) A child receiving benefits under this paragraph must be enrolled according to the customary rules and requirements of the university attended.

(11) Homeless - Each university board of trustees shall waive tuition and associated fees for a total of 120 credit hours for any student who lacks a fixed, regular, and adequate nighttime residence or whose primary nighttime residence is a public or private shelter designed to provide temporary residence for individuals intended to be institutionalized, or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

(12) Purple Heart Recipients - Each university board of trustees shall waive undergraduate tuition and associated fees for each recipient of a Purple Heart, or another combat decoration superior in precedence which was awarded for valor, and who:

- (a) Is enrolled as a full-time, part-time, or summer-school student in an undergraduate program that terminates in a degree or certificate;
- (b) Is currently, and was at the time of the military action that resulted in the awarding of the Purple Heart or other combat decoration superior in precedence, a resident of this state; and
- (c) Submits to the state university the DD-214 form issued at the time of separation from service as documentation that the student has received a Purple Heart or another combat decoration superior in precedence. In situations where admissions or financial aid application deadlines

preclude providing a DD-214 in time to meet such a deadline, the official (service specific) transmitting correspondence that would normally accompany such an award to a previously discharged service member would suffice until an updated DD-214 could be obtained and presented to the postsecondary institution. However, the updated DD-214 must be submitted to the postsecondary institution by the start of the student's next term of enrollment for continued eligibility for the waiver. In situations where a service member is on active duty and has not been issued a DD-214, the official (service specific) transmitting correspondence that would normally accompany such an award or a certification of the appropriate combat award by the service specific administrative record holder [e.g., Adjutant, G-1 (general staff officer - personnel), or JAG (Judge Advocate General)] would meet the documentation requirement.

- (d) A waiver for a Purple Heart recipient or recipient of another combat decoration superior in precedence shall be applicable for 110 percent of the number of required credit hours of the degree or certificate program for which the student is enrolled. This waiver is considered "countable aid" for student financial aid purposes. Therefore, if this waiver is administered by an office other than the college financial aid office, college officials must notify the Director of Financial Aid that a student has qualified for the waiver. The waiver covers only tuition and fees associated with credit hour instruction provided directly by the university and does not include any additional fees that may be charged for specialized programs or by external organizations. This includes, but is not limited to, flight school, study abroad travel and living expenses, and courses taken elsewhere as a transient student.

(13) State Employees - Each university board of trustees shall waive tuition and associated fees for up to 6 credit hours per term on a space available basis for state employees.

(14) University Employees - Each university board of trustees may allow full-time university employees to enroll up to 6 credit hours of tuition-free courses per term on a space available basis.

(15) Florida residents 60 years of age or older Each university board of trustees may waive any or all application, tuition, and associated fees for persons 60 years of age or older who are residents of this state and who enroll to audit courses being offered for college credit. No academic credit shall be awarded for attendance in classes for which fees are waived under this subsection. This privilege may be granted only on a space-available basis, if such classes are not filled as of the close of registration. A university may limit or deny the privilege

for courses which are in programs for which the Board of Governors has established selective admissions criteria. Persons paying full fees and state employees taking courses on a space-available basis shall have priority over those persons whose fees are waived in all cases where classroom spaces are limited.

(16) Intern Supervisors – Persons who supervise interns for institutions within the State University System may be given one non-transferable certificate (fee waiver) for each full academic term during which the person serves as an intern supervisor. This certificate shall provide for waiver of the basic fee (as defined in Regulation 7.001).

- (a) Certificate holders are entitled to a waiver of tuition for a maximum of six (6) hours credit instruction (including credit through continuing education) during a single term at any state university.
- (b) Certificates shall be valid for three years from date of issuance.
- (c) The following persons may be identified by a state university as eligible to receive Intern Participation Certificates:
 - 1. Persons who engage in the direct supervision of at least one university intern for 300 contact hours, which may be accumulated over multiple semesters provided at least 100 contact hours of direct supervision is provided per semester.
- (d) To be eligible for a Certificate, the internship program must be an essential part of the course of instruction and must be required as part of the degree.
- (e) Each university shall develop procedures and policies to govern the issuance, distribution, security, and redemption of certificates.
- (f) Each university shall maintain accurate data on Intern Participation Certificates and annually submit a report of certificate activity to the Board of Governors according to a prescribed format.

(17) Non-resident students – Non-resident students who are non-degree seeking may be entitled to a waiver of the out-of-state fee if the credit hours generated by such students are non-state fundable and the cost for the program of study is recovered from the fees charged to all students.

(18) Admissions Deposit – A university that establishes an admissions deposit must adopt policies that provide for the waiver of this deposit on the basis of financial hardship.

(19) 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.

(20) A university may waive the tuition differential for students who meet the eligibility requirements for the Florida public assistance grant.

(21) Each university shall report the purpose, number, and value of all fee waivers granted annually in a format prescribed by the Board of Governors.

Authority: Section 7(d), Art. IX, Fla. Const.; History--Former BOR Rule 6C-7.008. History--Formerly 6C-2.53, Amended 7-19-74, Amended and Renumbered 12-17-74, Amended 1-10-78, 9-28-81, 8-11-85, Formerly 6C-7.08, Amended 12-25-86, 9-7-87, 12-9-91, 11-9-92, 9-23-93, 8-1-94, 10-10-95, 4-16-96, 12-15-97, Amended and Renumbered as 7.008 9-25-08, Amended _____.