Florida Gulf Coast University Board of Trustees
June 15, 2010

SUBJECT: 2010-2011 Special Fees

PROPOSED BOARD ACTION

(1) Approve amendments to permanent FGCU Regulation FGCU-PR7.003, Special Fees; (2) to adopt Emergency Regulation FGCU-ER7.003, Special Fees; (3) authorize the University to promulgate the Special Fees regulations under the Florida Board of Governors Regulation Development Procedure for State University Boards of Trustees.

BACKGROUND INFORMATION

The regulation, Special Fees, is being updated to provide consistency between regulation and practice.

Regulation FGCU-PR7.003, Special Fees, references Returned Check Fee for Unpaid Checks, as authorized by Florida Statute 832.07(1). When a student check is returned uncollected it is considered to be a delinquent account with the University and a hold is placed on the student’s account. This prevents the student from receiving grades, transcripts and/or diploma and the student’s registration for future terms until the account has been satisfied. The University recently expanded payment options which include the acceptance of electronic payments (ACH.) Therefore, a methodology for assessing and providing an electronic payment return (ACH) fee is being proposed under the authority of BOG Regulation 1.001.

This proposal would require that returned electronic payments (ACH or other electronic transfer payments) be processed in the same manner as a returned check following Florida Statute 832.07(1).

The text and fee structure set forth in FGCU Emergency Regulations FGCU-ER7.003, Special Fees is identical to the above-described permanent regulations. In accordance the regulation development procedure, the
Permanent Regulation changes will become effective upon approval of the Board of Governors or sixty (60) days after being submitted to the Board of Governors for approval, whichever is earlier, unless the Board of Governors disapproves the regulations. The Board of Governors has already been provided with a copy of the proposed amendments to the regulations.

In accordance with the Emergency Regulations, of the emergency development procedure, the emergency regulations will become effective upon approval, as stated in the emergency regulation notice. Emergency regulations remain effective for a period no longer than ninety (90) days.

Supporting Documentation Included: (1) Notice and Text Special Fees Permanent Regulation (FGCU-PR7.003), and (2) Notice and Text Special Fees Emergency Regulation (FGCU-ER7.003)

Prepared by: Assistant Vice President for Administrative Services / Controller Linda Bacheler

Legal Review by: General Counsel Vee Leonard (May 14, 2010)

Submitted by: Vice President for Administrative Services and Finance Joe Shepard
REGULATION TITLE:
Special Fees

REGULATION NO.:
FGCU-ER7.003

SUMMARY:
This emergency regulation is created to ensure charges related to tuition and fees may be assessed for the 2010-2011 academic year, prior to the approval of the permanent regulation by the Board of Governors. This emergency regulation is only effective for ninety (90) days.

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at http://www.fgcu.edu/generalcounsel/promulgation.asp

LAW IMPLEMENTED:
Section 832.07(1), Florida Statutes

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:
Linda Bacheler, Assistant Vice President for Administrative Services/Controller

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:
Dr. Joseph Shepard, Vice President for Administrative Services and Finance

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:
Diane St. John, Administrative Assistant, dstjohn@fgcu.edu; 239.590.7466 (Phone), 239.590.7470 (Facsimile); 10501 FGCU Blvd. S, Fort Myers, FL 33965-6565.

ANY COMMENTS REGARDING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED IN WRITING ON OR BEFORE May 28, 2010 BY 5:00 P.M. THE COMMENTS MUST IDENTIFY THE REGULATION ON WHICH YOU ARE COMMENTING.

THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: MAY 14, 2010.
REGULATION: FGCU-ER7.003

SPECIAL FEES

(Emergency)

The fees listed in this section will be assessed by the University.

Fee | Amount
--- | ---
(a) 1. Non-Refundable Application Fee | $30.00
(b) 2. Non-Refundable Orientation Fee | $35.00
(c) 3. Security, Access or Identification Cards: | 
  - Annual Fee for Card | $10.00
  - Fee for Replacement Card | $15.00
(d) 4. Fee for Transcripts | $10.00
(e) 5. Fee for Diploma Replacement | $10.00
(f) 6. Course-related Fee for Materials and Supplies consumed during instructional activities | Cost
(g) 7. Overdue Library Material Fee (per day) | 
  - $0.25
(h) 8. Overdue Library Reserve Material Fee – per item, per hour | $0.25
(i) 9. Interlibrary Loan Fee | Cost
(j) 10. Literature Search Fee | Cost
(k) 11. Damaged/Lost Library Materials | Cost
(l) 12. Late Return of Equipment Fee (per day) | $5.00
(m) 13. Equipment or Facilities Use, Damage or Loss | Cost
(n) 14. Duplicating, Photocopying, Binding Microfilming and Copyrighting Fees | Cost
(o) 15. Standardized Testing Fees | Cost
(p) 16. Returned Check Fee for Unpaid Checks as authorized by Section 832.07(1), F.S. as follows:
  i. Service charge of $25.00, if the face value of the check is $50.00 or less;
  ii. Service charge of $30.00, if the face value of the check is between $50.01 and $300.00; or
  iii. Service charge of $40.00, if the face value of the check exceeds $300.00, or an amount of up to 5% of the face amount of the check, whichever is greater.
17. Returned Electronic Payment Fee for Unpaid ACH or other electronic payments shall be processed in the same manner as a returned check following Florida Statute 832.07(1) as follows:
   i. Service charge of $25.00, if the face value of the electronic payment is $50.00 or less;
   ii. Service charge of $30.00, if the face value of the electronic payment is between $50.01 and $300.00; or
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18. Miscellaneous Health-Related Charges for Services at the Health Center

19. Fee for Collection of Overdue Accounts

20. Additional Fee for Off-Campus Course

2.B. The term “cost” as used in this provision includes those increased costs to the University that are reasonable, specific, identifiable and directly related to the goods or services.

Action by Florida Gulf Coast University Board of Trustees:
Approved: ____________

Action by the Florida Board of Governors:
Approved: ____________

Specific Authority:
1001.706(3)(c), 1001.74(3)(c)FS, BOG Regulation Development Procedure. BOG Regulation 1.001

Law Implemented:
2007-08 General Appropriations Act, SB 2800, SB2802, 1001.706(3)(c), 1001.74(3)(c), 1009.24(12)FS Section 832.07(1), Florida Statutes.

Effective Date of Regulation:
July 1, 2007__________

History of Regulation:
New 11-13-05, Amended 06-29-06, _______________

History of Predecessor Rule:
New 01-26-03, Amended 09-04-03, 09-28-04.
FLORIDA GULF COAST UNIVERSITY
NOTICE OF REGULATORY ACTION

May 14, 2010

REGULATION TITLE:
Special Fees

REGULATION NO.:
FGCU-PR7.003

SUMMARY:
This regulation is being amended to provide a fee for returned electronic payments.

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at http://www.fgcu.edu/generalcounsel/promulgation.asp

LAW IMPLEMENTED:
Section 832.07(1), Florida Statutes

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### SPECIAL FEES

Finance and Accounting Regulation

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