

## Summary of Proposed University Emergency Regulation 6C2R-ER07-1, Tuition and Fees and Proposed Amendment to University Regulation 6C2R-2.024, Tuition

The proposed regulations are identical in content; the only difference is that the emergency regulation would take effect immediately. The permanent regulation would take effect upon filing after the required notice procedure.

The emergency regulation and companion permanent regulation adopt a schedule of tuition and fees as authorized by the Legislature. Applicable legislation prohibits the university from lowering tuition and out-of-state fees below that in effect for the 2006-2007 fiscal year.

As authorized by law, the proposed regulations increases general graduate tuition by five percent and law school tuition by five percent for continuing students and ten percent for new students. Financial aid fees, tied to these fees, are adjusted proportionally. Local fees were approved by the Board on January 26, 2007.

### **SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE HEALTH, SAFETY OR WELFARE**

Section 1009.24 F.S. requires the Board of Governors, or its designee, to set university tuition and fees to be charged by the University. The Board of Trustees is the Board of Governors' designee. On May 24, 2006, the 2007 General Appropriations Bill, Laws of Florida 2007-72, was signed by the Governor and filed with the Secretary of State, to be effective July 1, 2007. Certain provisions of the tuition provisions adopted by the Legislature were vetoed requiring the Board of Trustees to revisit the issue of tuition and fees. It did so on June 14, 2007, having previously reviewed and adopted certain tuition and out-of state fee policies on May 11, 2007.

Because the normal Regulation adoption procedure will take longer than the time before which tuition and fee bills must be assessed, an emergency regulation, as specifically authorized by Board of Governors procedures, is required and in the best interest of the public to maintain the crucial funding of university operations for the 2007-2008 academic year. Section 1009.24, Florida Statutes specifically requires that "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."

The Emergency Regulation will be backed by an identical permanent regulation adopted under the normal procedure.

### **REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES**

Adequate notice of the proposed action by the Board of Trustees was included in the published agenda of their May and June, 2007 meetings.

**AUTHORITY FOR THE PROPOSED UNIVERSITY REGULATION**

The authority for the proposed regulation is as follows: Florida Board of Governors Regulation Development Procedure for State University Boards of Trustees, 2007 General Appropriations Bill, Laws of Florida 2007-72 and Sections 1001.74(11) and 1009.24, Florida Statutes.

**UNIVERSITY OFFICIAL INITIATING THE REGULATION**

Ralph Alvarez, Associate Vice President for Finance and Administration

**PROCEDURE FOR PROVIDING COMMENTS ON THE PROPOSED UNIVERSITY REGULATION**

Any person may submit written comments concerning the proposed regulation within 14 days of the date of this notice to:

Arthur R. Wiedinger, Jr.

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