



MEMORANDUM

**TO: Council of Academic Vice Presidents
Council of Administrative and Financial Affairs
University Registrars
University General Counsels**

**FROM: Tim Jones, Vice Chancellor of Finance and Administration
Vikki Shirley, General Counsel**

DATE: December 14, 2015

RE: Tuition and Fee Exemptions and Waivers

This is to advise that we are in the process of reviewing Board of Governors Regulation 7.008 relating to waivers and exemptions of tuition and fees to ensure that the regulation more closely tracks the statutory tuition and fee exemptions and waivers in sections 1009.25 and 1009.26, Florida Statutes.

In some areas, such as the exemption for students who were in the custody of the Department of Children and Families or students who lack a fixed, regular, and adequate nighttime residence or whose primary nighttime residence is a public or private shelter, the regulation limits the application of the exemption to 120 credit hours. Notably, section 1009.25 is silent as to whether the exemptions apply solely to undergraduate degrees or whether the Legislature intended for these exemptions to be more expansive. Consequently, legislative clarification is needed as to the intended scope of these exemptions. In the interim, however, the exemptions should not be limited to 120 credit hours as currently stated in the Board's regulation.

Additionally, it was recently brought to our attention that a student seeking the waiver of the out-of-state fee under section 1009.26(12) had graduated from high school with sufficient postsecondary credits such that the student was entering the university as a graduate student. Based on the criteria in section 1009.26(12) that requires a student to apply for enrollment within 24 months of high school graduation and the limited applicability of the waiver for 110 percent of the required credit hours for the degree or certificate program in which the student is enrolled, we interpreted the language to limit the waiver to undergraduate students. However, while the factual scenario stated

above is likely to be an unusual situation, we wanted you to be aware that the waiver would apply under these facts.

If you have any questions, please feel free to contact us.

c: Marshall Criser III, Chancellor