

SOUTH DAKOTA BOARD OF REGENTS

Budget and Finance
Consent

AGENDA ITEM: 5 – V (2)
DATE: December 9, 2020

SUBJECT

BOR Policy 5:5:4 – Tuition and Fees: Fees (Second Reading)

CONTROLLING STATUTE, RULE, OR POLICY

BOR Policy 5:5:4 – Tuition and Fees: Fees

BACKGROUND/DISCUSSION

For the purposes of this policy change, BOR Policy 5:5:4 is specifically looking at Section 1.7, International Fees.

An international student fee is assessed to all international students on F-1 and J-1 visas who are enrolled on campus for credit at a South Dakota public university in the fall and spring semesters. For FY21, that fee is \$150.00. The primary purpose of the international student fee is to cover universities’ expenses associated with international students, including the federal tracking requirements for international students through the Student and Exchange Visitor System (SEVIS program). As noted on the [US Immigration and Customs Enforcement](#) website:

SEVIS is “a web-based system for maintaining information on international nonimmigrant students and exchange visitors in the United States. It is the core technology for the DHS in this critical mission. SEVIS implements Section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, which requires DHS to collect current information from nonimmigrant students and exchange visitors continually during their course of stay in the United States. In addition, the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act; Public Law 107-56, amended Section 641) mandated implementation of SEVIS prior to Jan. 1, 2003.

(Continued)

DRAFT MOTION 20201209_5-V(2):

I move to approve the second and final reading of the proposed revisions to BOR Policy 5:5:4, as presented in Attachment I.

The international student fee has been charged only during the academic year, excluding the summer, since the first year of its implementation in fall 2012, which was noted on the SDBOR tuition and fees schedule. Students are not required to enroll during the summer term by federal law and therefore, do not require tracking in SEVIS. The exception to this is for students who are enrolling for the first time in the summer term, which is not common. When students are not required to be tracked in SEVIS, they are also not charged the fee. This policy change reflects the actual practice or the application of the fee.

IMPACT AND RECOMMENDATION

System international student staff members submitted the policy revisions which are intended to clarify fee assessment and compliance with federal tracking requirements. This policy has been forwarded for review to our system accounts receivable staff member, has been reviewed by the Academic Affairs Council and the Business Affairs Council. The recommendation from these councils is that the Board of Regents approve the policy clarification/change.

There have been no additional edits made since the first reading of the policy at the October Board meeting.

ATTACHMENTS

Attachment I – Proposed Revisions to BOR Policy 5:5:4

SOUTH DAKOTA BOARD OF REGENTS**Policy Manual****SUBJECT:** Tuition and Fees: Fees**NUMBER:** 5:5:4

A. PURPOSE

To identify the fees and charges assessed by the universities.

B. DEFINITIONS

1. **Charge(s):** Charges relate to an elected activity and cannot be mandated by the university. Miscellaneous field trip expenses and services from an outside vendor are the only acceptable charges related to courses.
2. **Fee(s):** The surcharge beyond tuition, whether per credit hour, per semester, or annual, necessary to cover the costs associated with a course above and beyond tuition. There are four classes of fees: Mandatory Fees, Fees for Service, Discipline Fees, and Off-Campus Delivery Fees.
3. **Discipline Fee:** A per credit hour or semester fee to support high cost disciplines.
4. **Mandatory Fees:** Fees charged to all students on-campus on a per credit or semester basis.
5. **Fees for Service:** A fee charged for a specific service performed at the request of a student.
6. **Off-Campus Delivery Fees:** A fee that supports the costs of delivering a program offered via distance or at an off-campus location.

C. POLICY**1. Fees**

The Board has authorized the universities to assess certain fees and to retain the revenue for the specified uses. An institution shall not assess any fee for any special purpose unless authorized by the Board. Information about approved fees shall be available on the Board's webpage and on the university websites.

1.1. General Activity Fee (GAF)

The general activity fee is a mandatory fee that supports student functions related to the co-curricular activities and operations and payment of debt incurred for the construction, maintenance, repair, and equipping of student unions, athletic facilities and wellness facilities as approved by the Board. Examples of activities funded by GAF are student organizations, cultural events, homecoming, student government, yearbooks, student newspapers, campus radio and television stations, child care,

student activities, athletics, intramurals, student health services, and the operational and debt expenses for student unions.

1.1.1. Student Representation on General Activity Fee Committee: There shall be at least a simple majority of students on the committees that recommend to the president the rates and allocation of the general activity fee. The president of the institution has the approving authority for the final recommendation to the Board.

1.1.2. A request above inflation for a GAF fee increase should include the following:

- Open student hearings that include the proposed annual cost increase and an explanation of what the funds will be used for.
- An explanation of student reaction and level of support based on student body surveys for the fee increase.

1.1.3. The general activity fee shall be assessed on all on-campus credit hours.

1.1.3.1. Universities are authorized to waive the general activity fee for anyone enrolled in a workshop.

1.2. Computer Lease Fees

The computer lease fee is used to cover the cost to lease laptops/tablets for full-time on-campus students.

1.2.1. Undergraduate students attending DSU will pay a per semester computer lease fee. 1.2.2. Undergraduate students attending SDSM&T will pay a per semester computer lease fee.

1.3. Discipline Fees

1.3.1. Discipline fees shall be used to purchase instructional equipment and supplies and pay other operating costs for high cost disciplines. The funds are also available to supplement salaries for faculty within the discipline. The dollars should be used such that they benefit the students enrolled in that discipline

A complete listing of approved discipline fees shall be available on the Board's webpage, each university's website, and at the Executive Director's Office. All discipline fees must be approved by the Board.

1.4. Undergraduate Application Fee

Students will be assessed the application fee for each university to which they apply as a degree-seeking student. Students taking courses as a non-degree seeking student will not be assessed the application fee until they are accepted as a degree seeking student.

1.4.1. Military personnel that have dropped out due to a call to active duty for a period exceeding the three previous terms are eligible for a waiver.

1.4.2. Any student that attended a Regental institution in the three terms prior to the term of the application is eligible for a fee waiver.

1.5. Graduate Application Fee

The fee will be assessed once when a student applies to the graduate school. The student will have to pay again if he/she switch institutions and/or he/she dropped out for more than three terms and have to reapply. Students attending as non-degree seeking students will not be assessed the application fee until accepted as a degree seeking student.

1.6. Transcript Fee

Students shall be assessed the transcript fee for each official copy of their academic record. The revenues will be used to cover the cost of the e-transcript processing center as well as to cover local processing costs. Students have the ability to generate unofficial copies of their transcript or will be provided one at no charge. Campuses may charge to cover postage or for multiple copies.

1.7. International Student Fee

All F-1 and J-1 international students enrolled on campus for credit at a South Dakota public university shall be charged the International Student Fee each academic term in which they are enrolled, excluding the summer term. The fee will be assessed to degree-seeking students, exchange and visiting students, English as a Second Language (ESL) students, and any international students enrolled under a cooperative agreement with a foreign institution. Students in F1 or J1 status are not required to be full-time in the summer term and therefore no federal tracking is required. In the event an international student with an F1 or J1 visa enrolls via distance from another state, or for a single course, such as a field camp, we have no tracking responsibility for the student, and the fee will not be assessed.

1.8. Northern State University Exchange Program Fee

Beginning with summer 2016 term, foreign exchange students attending NSU under any agreement will pay the exchange program fee in addition to the General Activity Fee (GAF).

1.9. Housing and Food Service

The Board shall approve all food service plans and housing plans for standard semesters and the weekly summer room rates.

1.10. Off-Campus Delivery Fees

Universities may assess approved off-campus delivery fees to support the incremental costs of additional equipment, support staff, space or facilities, student services, business services or library, and related services for all courses in a program offered via distance or at an off-campus location.

2. Charges

2.1. Incidental Charges

The universities may assess students incidental charges for elective miscellaneous services the university has been granted authority to administer, provided that the services do not have a direct or specific relationship to a course offering. The services must be elected by the students and not mandated by the university.

2.2. Course Charges

Students enrolled in certain courses for which the services of an outside vendor are required may be assessed a charge for the course. Students enrolled in programs requiring malpractice or other insurance may be assessed a charge to recover payments made on their behalf. Course charge shall be noted in the course description published in the university catalog.

2.3. Field Trips

2.3.1. The universities may assess students incidental charges for field trips. This charge can be assessed provided that the costs are for the field trip only (transportation, meals and lodging, price of admission, etc.).

2.3.2. Any funds collected for field trips shall be collected by the same university offices that are responsible for the collection of tuition and fees.

2.4. Study Tours

The universities may assess students a study tour charge to cover the costs of studying abroad for Board approved study tour programs. The costs may include student transportation, meals, lodging, and other incidental costs. The charge may also include the allocated costs for faculty overhead (transportation, meals, lodging, etc.). Salary costs for faculty members that will teach portions of the program can only be included if no tuition revenues will be collected for the associated credits.

2.5. Assessment Charges or Testing Fees

Unless a fee is specifically approved by the Board, only certain assessment costs can be charged to students according to the following criteria:

- The initial cost of system-wide exams mandated by the Board will be covered with tuition revenues paid by students. The cost of retests will be borne by the student.
- The cost of exams required for admittance into a field of study will be paid for by students taking the exam.
- The cost of major field assessment exams or exit-exams will be covered by tuition revenues paid by all students.
- The cost of licensing exams required by external agencies for various programs will be covered by the students taking the exams.

3. International Exchange Agreements

Students participating under Board approved international exchange agreements pay tuition and mandatory fees to their home campus.

3.1. Outbound Students on Exchange Agreements

Outbound students from South Dakota Regental institutions on exchange agreements will pay tuition and the general activity fee for each credit hour enrolled. Students will also pay for any required insurance. Tuition will be assessed according to the student's residency and student type and the current tuition rates. Students should be registered in an Exchange course for 12 credit hours.

3.2. Inbound Students on Exchange Agreements

Inbound students participating in reciprocal exchange agreements will pay all applicable incidental charges, the international student fee, appropriate housing and food service fees, and will not be charged the GAF or discipline fees, provided the exchange is in balance and the outgoing BOR student receives a similar waiver of all academic fees.

An international student who enrolls in an off-campus course will pay all off-campus tuition and off-campus delivery fees associated with the course.

FORMS / APPENDICES:

None

SOURCE:

BOR October 2004; June 2007; October 2008; June 2009; December 2009; May 2010; June 2011; August 2012; April 2016; October 2017; December 2018; BOR December 2020.