



POLICY STATEMENT 42 STUDENT FEES

POLICY DIGEST

Monitoring Unit: Office of Accounting Services
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I. PURPOSE AND LEGAL FRAMEWORK

This policy is set forth to provide legal background for fees assessed by Louisiana State University; to define the various types of student fees; to establish a process for requesting approval of new fees or increases to existing fees; and to provide guidelines for the administration of fee revenue.

A. Defining Legislation

[Article VII. Section 2.1. \(A\) of the Louisiana Constitution](#) states:

Any new fee or civil fine or increase in an existing fee or civil fine imposed or assessed by the state or any board, department, or agency of the state shall require the enactment of a law by a two-thirds vote of the elected members of each house of the Legislature.

B. Interpretation of the Legislation

In *Louisiana Public Facilities Authority v. All Taxpayers, Property Owners, et al.*¹, the First Circuit Court of Appeal determined “the legislature has evidenced no intent to have oversight over ‘fees’ with respect to LSU, other than those fees directly connected with LSU’s principal governmental function of providing higher education to the citizens of this state.” The court concluded the price charged by LSU for admission to football games in Tiger Stadium is not a “fee” requiring legislative approval under La. Const. Art. 7, Section 2.1.

The First Circuit Court of Appeal adopted the reasoning from two Attorney General Opinions in reaching this decision: La. Atty. Gen. Op. No. 96-353 (October 9, 1996) and La. Atty. Gen. Op. No. 01-165 (May 4, 2001). These two Attorney General opinions, and a third attorney general opinion issued to the Louisiana Legislative Auditor, La. Atty. Gen. Op. No. 06-293 (June 14, 2007), are used as primary guidance for the approval of fees. The Opinions are summarized below:

1. [Atty. General Opinion No. 96-353](#) defines fees by stating: “Charges which are assessed by a governmental entity for the purpose of defraying the costs of providing a governmental

¹ *Louisiana Public Facilities Authority v. All Taxpayers, Prop. Owners, Citizens of State of La. & Nonresidents Owning Prop. or Subject to Taxation Therein*, 2003-2738 (La. App. 1 Cir. 12/23/03), 868 So. 2d 124, 136, *writ denied*, 2004-0213 (La. 3/11/04), 869 So. 2d 801.

service or the costs of regulating a particular area would be considered fees. Those fees or charges for non-governmental functions or products and/or services not in the control of the governmental entity at issue would be exempt from legislative review.”

The AG Opinion further states that LSU “is created and exists for the sole purpose of providing public higher education to the citizens of this State. This is its governmental function. Those charges which are assessed for the provision of higher education to LSU students would be considered fees for purposes of Article 7, Section 2.1. Any charges which are for services or products which are not directly a part of the delivery of an education are not considered fees.”

For purposes of Article 7, Section 2.1, the word *fee* does not include charges for “student housing, food services, bookstore merchandise, medical or veterinary services, and admittance to extracurricular events.”

2. [Atty. General Opinion No. 01-165](#) determined that a charge for the cost of utilities is comparable to a charge for student housing, food services, etc. considered in La. Atty. Gen. Op. No. 96-353. Therefore, higher education management boards may impose a utility surcharge without an approval by a two-thirds vote of the Legislature.
3. [Atty. General Opinion No. 06-0293](#) determined the following:
 - a. Fees imposed prior to the enactment of La. Const. art. VII, § 2.1 in 1995 may continue without the approval of the Legislature unless the fees are increased.
 - b. Fees which were imposed prior to the enactment of La. Const. art. VII, § 2.1 in 1995 and which would require two-thirds vote of the Legislature after the enactment of La. Const. art. VII, 2.1 in 1995, may be renewed and continue without the approval of the Legislature unless the fees are being increased.
 - c. The Building Use Fee, authorized by Act No. 619 of the 1954 Regular Legislative Session and amended by Act No. 15 of the 1967 Regular Legislative Session, is a fee on all students attending institutions of higher education to “construct, acquire, extend, repair or improve any academic facilities suitable for use as classrooms, laboratories, gymnasiums, libraries, student infirmaries, and related facilities.” The Building Use Fee was imposed prior to the enactment of La. Const. art. VII, § 2.1 in 1995; as such, the Building Use Fee may continue to be imposed by a university as long as there is a need for the creation of academic buildings or for repairs to existing infrastructure. Act 15 of the 1967 Regular Legislative Session prohibits an increase of this fee.

It is important to note that other court decisions, statutes, and AG opinions may be relevant to the assessment and administration of certain fees and should be taken into consideration on a case-by-case basis.

II. DEFINITIONS

Required Fees: part of the general tuition and required fees charged to all full-time students, and in some cases to all part-time students. These fees are included in the university’s tuition and fee schedules and are charged to the general student population regardless of the degree program in which a student is enrolled. These fees require approval by two-thirds vote of the Legislature.

Student Recommended (Student Self-Assessed) Fee: a type of required fee initiated by Student Government or another group of students and approved through a campus-wide student referendum to support areas, activities, and services. These fees require approval of the LSU Board of Supervisors. Examples include mass transit, the *Gumbo*, the *Reveille*, etc.

Other Allocated (University Self-Assessed) Fee: a type of required fee approved by the LSU Board of Supervisors and not through a campus-wide student referendum to support various service functions for students. Legislative approval is not required. Examples include the LSU Student Union Renovation Fund, the Auxiliary Enterprise Maintenance Fund, etc.

Course Fee: an additional charge for supplies and/or services to students applied at the course level for consumable expenses directly related to students' participation in a course; are intended to pay for specified course-related costs. Supply and service fees require legislative approval; trip fees do not require legislative approval but require approval by the Executive Vice President for Finance & Administration/CAO and the Executive Vice President & Provost.

Supply/Service Fee: a type of course fee assessed which (1) provides tools, equipment, or products that have a continuing value to the student; (2) provides for pooled purchase of services not normally provided by the institution; (3) provides for consumable supplies, such as art supplies; or (4) for services or products provided by a vendor external to the university that are subsequently provided to students as a requirement of a course. These fees require legislative approval.

Trip Fee: a type of course fee for required travel expenses for students to visit off-campus sites as part of the course. These fees require approval by the Executive Vice President for Finance & Administration/CAO and the Executive Vice President & Provost.

Program Fee: additional fees assessed to students in a particular curriculum, or tuition and fees set for LSU Online in accordance with [La. Rev. Stat. 17:3351.17, Act 426 of the Regular Legislative Session](#). Examples include the MBA Professional Program Fee and the Digital Media Arts & Engineering Program Fee. Establishment of these fees require legislative approval. Adjustments to LSU Online fees require Presidential approval.

Special Service Fee: a type of fee that is not part of required fees or course fees assessed to students for various services including, but not limited to, graduation, diploma, transcript, Greek, late fees, and payment plan fees. These fees require approval by the President.

Optional Service Fee: a type of fee that is not part of required fees or course fees for services a student may voluntarily choose. This includes, but is not limited to, housing, meal plans, admission to extracurricular activities, and parking. These fees require approval by the Executive Vice President for Finance & Administration/CAO and the Executive Vice President & Provost.

III. GENERAL POLICY

A. Required Fees

As part of the general tuition and required fees charged to all full-time students, and in some cases to all part-time students, these fees are charged to the general student population regardless of the degree program in which a student is enrolled. These fees require two-thirds approval by the Legislature.

However, there are two categories of required fees that are not considered a direct part of the delivery of an education and do not require legislative approval. The distinction between the two categories is due to the method by which the fees are approved:

1. Student Recommended Fees, which are initiated by students and approved through a student referendum to support certain areas, activities, and services; and
2. Other Allocated Fees, which are approved by the university to support various service functions for students.

B. Course Fees

Course fees, which are for supplies and/or services to students applied at the course level for consumable expenses directly related to the students' participation in a course, are intended to pay for specified costs related to a course. A course fee should be based on plausible estimates of the anticipated costs or previous records of actual costs and should be kept as low as possible.

An overall goal for the university is to have a minimal number of courses charging an additional course fee. Course fees will be allowable in limited circumstances and only to recover the cost of materials and services consumed during the progress of the course or for items that students take away with them at the end of the course.

There are two types of course fees that may be assessed to students and recovered by the university: (1) supply/service fees, which require approval by a two-thirds vote of the Legislature and (2) trip fees, which require approval of the Executive Vice President for Finance & Administration/CAO and the Executive Vice President & Provost but do not require legislative approval. Examples of costs that may be recovered by assessing each type of course fee (once approved) include:

1. In the case of service/supplies fees, a fee to provide tools, equipment, or products that have a continuing value to the student; (2) a fee to provide for pooled purchase of services that the institution does not normally provide; (3) a fee for consumable supplies such as art supplies; (4) a fee to pay for services or products provided by a vendor external to the university that are subsequently provided to students as a requirement of a course; and
2. In the case of trip fees, a fee for required travel expenses for students to visit off-campus sites as part of the course.

General costs related to the development, instruction, and assessment of offering a course are expected to be borne by the department and the college, including materials related to the mechanics of teaching the course, such as course outlines, syllabi and similar handouts, exams, and the purchase, maintenance, and replacement costs of instructional and other capital equipment. The department is also expected to bear the costs of staffing courses, including personnel employed to aid in the course, such as teaching assistants and guest speakers. Course fees are not intended to replace general operating costs, which are to be paid from the general university tuition and fee revenue.

Course fees charged to students must be set to cover not more than the cost of the goods or services provided. Course fees, when approved, must be separate, unique, and used solely for support of the course involved and for the purposes specified to create the fee. Collection of course fees in the classroom is not permitted. Students must be made aware of course fees prior to registration. Billing and payment of course fees are through standard university business practices through the Office of Bursar Operations.

C. Program Fees

These fees are assessed to students enrolled in certain specific curricula or tuition and fees set for LSU Online in accordance with [La. Rev. Stat. 17:3351.17, Act 426 of the Regular Legislative Session](#). Examples of these fees include those for the MBA Professional Program and the Digital Media Arts & Engineering Program. Adjustments to established LSU Online fees may be approved by the President.

D. Special Service Fees

These fees are assessed to students for various services including, but not limited to, graduation, diploma, transcript, Greek, late fees, and payment plan fees. Special service fees are not part of required fees or course fees. These fees require approval by the President.

E. Optional Service Fees

These fees are not part of required fees or course fees for services a student may voluntarily choose. This includes, but is not limited to, housing, meal plans, and parking. These fees require approval by the Executive Vice President for Finance & Administration/CAO and the Executive Vice President & Provost.

F. Reaffirmation of Course/Program Fees

Course/program fees will be evaluated and reaffirmed during the department's Academic Program Review. These program reviews are scheduled to occur on a seven-year cycle but may be scheduled to coincide with the program's external accreditation process. Notification will be provided to the Office of Bursar Operations regarding any approved changes to course/program fees. However, increases or reinstatement of course/program fees must be submitted for approval as referenced in Section IV of this policy. Reaffirmation or decrease of current fee levels do not require LSU administrative or legislative approval.

IV. PROCEDURES

The following subsections provide for the process for requesting new fees or increases to existing fees. (See Appendix I: Fee Approval Matrix.)

A. Required Fees

The Student Required Fees Advisory Committee (SRFAC) recommends adjustments in Student Required Fees necessary to sustain operational services of the LSU Student Union, Parking & Transportation Services, Student Health Center, Student Media, and University Recreation. The purpose of the committee is to provide these five departments with the ability to adjust the Student Required Fees due to ongoing inflationary costs without requiring a vote

of the student body. The voting members of this committee are made up of six students and four university employees, and they submit fee adjustment recommendations to the university's executive administration for approval. The SRFAC is only authorized to recommend adjustments to student fees based on existing services after reviewing a department's current and future financial condition. The committee does not approve any major changes to services, such as capital outlay projects.

Adjustments for new or additional services require approval through a campus-wide student referendum or approval by the LSU Board of Supervisors. Fees approved by a student referendum also require Board of Supervisors approval. All recommendations to establish or adjust student required fees must be routed through appropriate university administrative channels to the President. The LSU Board of Supervisors may modify Student Required Fees at any time without advanced notice.

B. Course Fees

1. **Supply/Service Fees:** The academic department proposing an adjustment or new course supply/service fee must submit a request including a detailed narrative and budget justifying the fee. The request must include a completed LSU Request for Fee Establishment/Adjustment Form (See Appendix II) and requires approval by the Department Head and Dean. Once approval is obtained from the Dean, the request will be forwarded to the Executive Vice President for Finance & Administration/CAO. If the Executive Vice President approves the request, it will be forwarded to the Executive Vice President & Provost with a recommendation for approval. The Office of Academic Affairs will submit the request to the President with a recommendation to obtain legislative approval, which requires approval by a two-thirds vote of the Legislature. Once the fee is approved by the Legislature, it requires the approval of the LSU Board of Supervisors before being implemented.
2. **Trip Fees:** The academic department proposing an adjustment or new course trip fee must submit a request including a detailed narrative and budget justifying the fee. The request must include a completed LSU Request for Fee Establishment/Adjustment Form (See Appendix II) and requires approval by the Department Head and Dean. Once approval is obtained from the Dean, the request must be routed to the Faculty Senate Courses & Curricula Committee for approval. If this committee approves the addition of a trip and fee as part of the course requirement, the request should be routed to the Executive Vice President for Finance & Administration/CAO. Once the request receives approval from the Executive Vice President it will be forwarded to the Executive Vice President & Provost for final approval.

C. Program Fees

The academic department proposing an adjustment or new program fee must submit a request including a detailed narrative and budget justifying the fee. The request must include a completed LSU Request for Fee Establishment/Adjustment Form (See Appendix II) and requires approval by the Department Head and Dean. Once approval is obtained from the Dean, the request will be forwarded to the Executive Vice President for Finance & Administration/CAO. If the Executive Vice President approves the request, it will be forwarded to the Executive Vice President & Provost with a recommendation to obtain legislative approval (see below for LSU Online fee approval process). The Office of Academic Affairs will submit

the request to the President with a recommendation to obtain legislative approval which requires approval by a two-thirds vote of the Legislature. Once the fee is approved by the Legislature it requires the approval of the LSU Board of Supervisors before being implemented.

[La. Rev. Stat. 17:3351.17, Act 426 of the Regular Legislative Session](#) granted authority to the Board of Supervisors to impose for the Fall 2013 and thereafter “tuition and attendance fees for students enrolled in an academic degree program offered entirely through distance education (i.e. LSU Online) as [defined by the Southern Association of Colleges and Schools Commission on Colleges \(SACSCOC\)](#) when such program is comparable to a program offered through traditional in-person classroom instruction.” Therefore, tuition and fees for LSU Online do not require legislative approval. In addition, the Board of Supervisors approved a resolution to “authorize the President, as they determine to be in the best interests of the university, to approve the tuition and fee increases” associated with LSU Online. Requests for changes to fees for LSU Online programs should be initiated by the academic department to the Vice President for LSU Online & Continuing Education. Once the request is reviewed and approved by LSU Online, it will be forwarded to the Executive Vice President for Finance & Administration/CAO. If the Executive Vice President approves the request, it will be forwarded to the Executive Vice President & Provost with a recommendation for approval of the President.

D. Special Service Fees

These fees are assessed to students for various services including, but not limited to, graduation, diploma, transcript, Greek, late fees, and payment plan fees. Special service fees are not part of required fees or course fees. These fees require approval by the President. A request for special service fees must be submitted by the Dean/Unit Director to the Executive Vice President for Finance & Administration/CAO. If the Executive Vice President for Finance & Administration approves the request, it will be forwarded to the Executive Vice President & Provost with a recommendation for approval. The Office of Academic Affairs will submit the request to the President.

E. Optional Service Fees

These fees are not part of required fees or course fees for services a student may voluntarily choose. This includes, but is not limited to, housing, meal plans, and parking. Requests related to optional service fees are initiated by the Unit Director/Dean through their respective Vice President. The request is then routed to the Executive Vice President for Finance & Administration/CAO for approval. If the Executive Vice President for Finance & Administration approves the request, it will be forwarded to the Executive Vice President & Provost with a recommendation for final approval. Some optional service fees may require additional approvals of committees or associations (i.e., Residence Hall Association).

F. Administration of Course and Program Fee Revenue

The oversight and management of course/program fees are the responsibility of the college/department. Course/program fee revenue and related expenses should not be commingled with other activities of the academic department. To the greatest extent possible, each course/program fee should have a unique account number. There may be instances where fee revenue from multiple courses may be credited to the same account number due to various

reasons. A justification is required to credit fee revenue from multiple courses/programs in one account. The intent of course fees is to cover not more than the cost of the goods or services provided. Therefore, accounts should not accumulate significant balances. The academic department should review revenue accounts with significant balances, and an assessment of a reduction in the fee should be completed. Overdrawn accounts should be reviewed, and consideration should be given to whether the course fee should be increased. Overdrafts are the responsibility of the college/department.

V. SOURCES

- A. [Article VII. Section 2.1. \(A\) of the Louisiana Constitution](#)
- B. [Atty. General Opinion No. 96-353](#)
- C. [Atty. General Opinion No. 01-165](#)
- D. [Atty. General Opinion No. 06-0293](#)
- E. Act 15 of the 1967 Regular Legislative Session
- F. [La. Rev. Stat. 17:3351.17, Act 426 of the Regular Legislative Session](#)
- G. [SACSCOC Distance Education and Correspondence Courses Policy Statement](#)

VI. APPENDICIES

- A. [Fee Approval Matrix](#)
- B. [Request for Fee Establishment/Adjustment Form](#)