OFFICE OF THE GENERAL COUNSEL: USF REGULATIONS

NOTICE: REVISED REGULATION

DATE: FEBRUARY 27, 2009

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<th>Regulation No: USF 4.0095</th>
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Summary of Revisions

The Florida Board of Governors Regulation Development Procedure calls for a university to monitor the effects of new regulations and periodically review existing regulations to ensure they are current and consistent. Amendments to update Regulation USF 4.0095 will become effective, March 16, 2009. Text of amended regulation follows:

(End of Summary)

University of South Florida System Regulation

Number: USF 4.0095

Subject: employee debt collection

(1) Purpose – Pursuant to Section 1010.03 F.S., the University of South Florida (University/USF) USF system is directed to exert every effort to collect all delinquent accounts. The purpose of this regulation rule is to provide procedures for the collection of funds owed to the University/USF system by its employees.

(2) Categories of employee debt, grouped according to the department which has responsibility for collection, are as follows:

(a) Travel Advances/Overpayments.

(b) Accounts Receivable Charges – Tuition and fees, returned checks and fees, physical education equipment, keys, library fines, learning technologies fines/sales, graduation fees, health services, food services, rental fees, housing,
child care, traffic fines, overpayments, copy charges, and other miscellaneous charges.

(c) Loan Repayments – Perkins Loans, USF system student loans, health profession loans, nursing loans, short-term loans, Scholarship and/or grant repayments.

(d) Salary Overpayments.

(3) Preliminary collection procedures:

(a) Travel Advances.

1. All employees who receive travel advances must complete and return an expense report reimbursement voucher immediately upon returning from the trip for which the advance was made.

2. If no voucher expense report is filed within one (1) week 10 days of from the employee’s date of return, a letter of notice that the employee has ten (10) days to file a travel reimbursement voucher will be sent to the employee’s campus address.

3. If no travel voucher expense report is received by Travel by the end of the ten (10) day period within 30 days of returning from a trip, set-off procedures will be implemented.

(b) Accounts Receivable Charges – Set-off procedures may be implemented for an accounts receivable balance over $20 when the charges represented by the balance have gone unpaid more than ten (10) days after the employee was notified to either pay the charges or make arrangements for payment of the charges.
(c) Loan Repayments - Repayment of Perkins Loans, USF system student loans, health profession loans, and nursing loans is made through a billing service contracted by the University USF system. The billing service will send each employee a past due notice at the following intervals after payment is due: fifteen (15) days, forty-five (45) days, sixty (60) days and seventy-five (75) days. At ninety (90) days, the delinquent account is turned over to the University USF system and the borrower is contacted by telephone and advised that repayment must be made. If no contact is made, or no reasonable repayment agreement can be made, employee debtors will be sent a letter at their residence informing them that set-off procedures may be implemented. If the employee does not contact the Accounts Receivable Department of Purchasing and Student Financial Services within ten (10) days after receipt of the above letter, set-off procedures may be implemented as stated below.

(d) Short-Term Loans and Scholarships and/or Grants- Repayment of these accounts are handled entirely by the USF system. The employee responsible for the delinquency will be sent past due notices at the following intervals after payment is due: 5 days, 10 days, and 2 weeks. The past due notice sent two (2) weeks after payment is due will include a warning that if payment is not received within thirty (30) days, set-off procedures will be implemented.

(e) Salary Overpayments.

1. When a department identifies that a salary overpayment has occurred, the Payroll Office is contacted to determine the exact amount of the overpayment. The department is then responsible for providing written notification of the
overpayment to the affected employee. This notification must advise him/ her of the overpayment situation and request a response within ten (10) days.

2. At the expiration of this ten (10) day period, if the overpayment has not been repaid or if no response with a reasonable repayment agreement has been received, the department must notify the Payroll Office for implementation of set-off procedures, stated below.

(4) Set-Off Procedures.

(a) The employee is advised by certified letter (return receipt) that he/ she has twenty-one ten (2110) calendar days to either clear the account, make satisfactory payment arrangements, or submit documentary evidence disputing his/ her debt. The employee is also advised of his/ her right to administrative review of the decision to set-off his/ her debt and deduct sums from the employee’s paycheck.

(b) If no arrangements have been made at the end of twenty-one ten (2110) days, all evidence of the employee’s debt is reviewed.

(c) If, upon review, a determination is made that the debt is in fact due and owing, set-off procedures are implemented and the employee is advised in writing of the amount and duration of the deductions from his/ her salary that are warranted.

(5) Amount of Payroll Deduction.

(a) In the event that the total amount of the debt is less then ten percent (10%) of the employee’s biweekly gross salary, the full amount of the employee’s debt will be deducted in the first or second pay period after the decision to set-off the debt is made.
(b) If the amount of the debt is greater than ten percent (10%) of the employee’s biweekly gross salary, the amount deducted each pay period will be at least ten percent (10%) of the employee’s gross salary and will not exceed twenty percent (20%) of the employee’s net salary after mandatory deductions.

(c) In the event that an employee-debtor is terminated or voluntarily leaves the University USF system’s employ, the entire amount of the debt will be deducted from the employee’s final paycheck.

Specific Authority: Authority Art. IX, Sec. 7, Fla. Constitution and Resolutions issued by the FL Board of Governors.

229.0081(2), 240.291 FS. Law Implemented 240.291 FS. History New 8-29-83,
Formerly 6C4-4.095, Amended 8-19-90, 4-27-94, 7-20-95, 7-31-02

AUTHORITY TO ADOPT/AMEND/REPEAL:
Art. IX, Fla. Constitution and Resolutions issued by the FL Board of Governors.

UNIVERSITY OFFICIAL INITIATING PROPOSED AMENDMENTS:
James A. Hyatt, Sr. Vice President for Business and Finance & CFO.

WRITTEN COMMENTS CONCERNING THIS PROPOSED REGULATION MAY BE SUBMITTED WITHIN 14 DAYS AFTER THE POSTING DATE OF THIS NOTICE TO:

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