

# **NEW COLLEGE OF FLORIDA REGULATIONS MANUAL**

## **Chapter 3—Administrative Affairs**

### **3-4024 NCF Set-Off Procedures**

This regulation provides guidelines and procedures for the collection of funds owed to NCF by its employees, including final action determination and set-off procedures.

Under the provisions of section 1010.03, Florida Statutes, NCF, through its Controller's Office, is directed to exert every effort to collect all delinquent accounts. This legislative directive includes the duty of collecting all monies owed NCF by its employees. Recognizing the difficulties that may arise in repaying debts to NCF, the Controller's Office has established a policy that affords NCF personnel ample time and opportunity to clear their debts. However, in light of NCF's statutory duty to clear delinquent accounts, this policy also recognizes that at some terminal point in the collection process there is the necessity for final action to be taken on effecting repayment. Under this regulation, final action may include deducting a percentage of the employee's debt to NCF from his/her paycheck each pay period until the entire debt is cleared.

(1) Categories of Debts. There are four main categories of employee debts, grouped according to the department which has responsibility for their collection.

(a) Travel advance repayment

(b) Student Financial Services

1. National Direct Student Loans
2. New College of Florida Student Loans
3. Short-term Loans
4. Scholarship and/or grant repayments

(c) Cash Collections

1. Returned checks and Service Fees
2. Accounts Receivable
  - a. Tuition and Fees
  - b. Physical Education Equipment
  - c. Keys
  - d. Library Fines
  - e. Learning Technologies Fines/Sales
  - f. Graduation Fee

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g. Health Services

h. Food Services

i. Rental Fees

j. Housing

k. Traffic Fines

l. Overpayments

m. Copy Charges

n. Miscellaneous

(d) Payroll. Salary Overpayments

(2) Preliminary Collection Procedures. The following policies and procedures are followed in effecting repayment prior to the terminal point at which time set-off procedures may be instituted:

(a) Travel (travel advance repayment)

1. All employees who receive travel advances must complete and return a Reimbursement Voucher immediately upon returning from the trip for which the advance was made.
2. If no voucher is filed within ten (10) calendar days 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 is received by Travel at the end of this ten (10) day period, set-off procedures will be implemented. (See III.C.).

(b) Student Financial Services

1. New College of Florida Student Loans and Health Profession Loans.
  - a. Repayment on the above loans is made through a billing service employed by NCF.
  - b. 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.
  - c. At ninety (90) days the delinquent account is turned over to NCF and the borrower is contacted by telephone and advised that repayment must be made. If no contact is made,

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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.

d. If Student Financial Services is not contacted within ten (10) days after receipt of the above letter, set-off procedures will be implemented. (See III. C.).

### **2. Short-Term Loans and Scholarships and/or Grants**

a. Repayment of the above accounts are handled entirely by the College. 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.

b. 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. (See III. C.).

### **(c) Cash Collections**

#### **1. Returned Checks and Service Fees**

a. When a check is returned to the College, the following notice will be sent:

(1) A Notice Letter will be sent to the employee's home address immediately upon receipt of the bad check advising the employee of the situation and requesting a response within ten (10) days.

(2) If the account is not cleared at the expiration of this ten (10) day period, set-off procedures will be implemented. (See III. C.).

#### **2. Accounts Receivable**

a. Employees will be placed on the accounts receivable system after conventional attempts by the College to obtain payment are unsuccessful (example, no response to fine notice from Library.)

b. Once the charges are put on the accounts receivable system, the employee will be billed monthly if the outstanding debt is \$5 or more.

c. If payment is not received within six (6) months of the date of the first billing, the employee will be notified that if arrangements are not made in ten (10) days, set-off procedures will be implemented on his/her debt. (See III.C.).

### **(d) Payroll - Salary Overpayments**

1. Department personnel shall notify the Payroll Department when a salary overpayment has occurred. The Payroll Department calculates the exact amount of the overpayment and sends a

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letter to the employee notifying them of the overpayment, that they have ten (10) days before set-off begins, their right to an administrative review, and that they can make repayment arrangements.

2. If no repayment arrangement has been made by the end of the ten (10) day period, the Payroll Department will take the next step in the set-off procedure. (See III.C.).

**(6) Set-Off Procedures.**

(a) When the procedures above have been exhausted and no satisfactory arrangements for repayment have been made by the employee, set-off procedures will be implemented. This process includes the following steps:

1. The employee is advised by certified letter (return receipt) that he/she has ten (10) 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 (Florida Statutes, 120.57).

2. If no arrangements have been made at the end of ten (10) days, all evidence of the employee's debt is reviewed.

3. 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 warrant.

**(7) Amount of Payroll Deduction**

(a) In the event that the total amount of the debt is less than 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 College's employ, the entire amount of the debt will be deducted from the employee's final paycheck. However, at no time shall the amount deducted from an employee-debtor's final paycheck result in the employee being paid below the current minimum wage threshold.

*Authority: Article IX, Sec. 7, Fla. Constitution; Fla. Stat. 1010.03; Fla. Board of Governors Regulation 1.001.*

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