

**FLORIDA ATLANTIC UNIVERSITY  
NOTICE OF PROPOSED REGULATION AMENDMENT**

Date: March 3, 2023

**REGULATION TITLE AND NUMBER:** Health Insurance for International Students and Scholars and English Language Proficiency (4.009)

**SUMMARY:** The University seeks to amend FAU Regulation 4.009, Health Insurance for International Students and Scholars and English Language Proficiency. The purpose of this amendment is to reflect compliance with Board of Governors' Regulation 6.009, Admission of International Students to State University System Institutions, and to update the University's insurance requirements for international students. The proposed changes are summarized as follows:

1. Updates the name of the regulation to International Students and Scholars.
2. Requires that international students and international scholars are obligated to follow the laws and regulations of the United States Citizenship and Immigration Services of the United States Department of Homeland Security and the United States Department of State.
3. Requires that international students must be academically eligible for admission to the program at the level of entrance requested and demonstrate the required level of academic preparation as evidenced by official copies of any academic records needed to ascertain the comparability of the level and quality of the student's previous education and achievement to that required for other students. FAU may use departmental examinations to validate students' claims when official documents are unavailable or insufficient.
4. Requires that academic documents must be translated into English and evaluated by a reputable credential evaluator.
5. Requires an international applicant to provide documentation showing sufficient resources to cover tuition, fees, books, room and board, health insurance, and other living expenses while enrolled at the University, in order for the University to issue a Certificate of Eligibility (Form I-20 or a DS 2019).
6. Provides that eligible international students may be accepted at the appropriate level subject to enrollment, space, and fiscal limitations.
7. Updates the insurance requirements to provide that:

- a. J visa holders and their accompanying spouse and dependents demonstrate adequate medical insurance;
  - b. Basic Benefits be paid at 80% or more of usual, customary, reasonable charge per accident or illness, after deductible is met, for in-network, and 70% for out-of-network;
  - c. coverage includes inpatient/outpatient prescription medication coverage of at least \$1,000 per policy year;
  - d. Exclusions for pre-existing conditions must not exceed the first six months of the policy period; and
  - e. Preventive care must be included.
8. Requires that prior to enrollment a health history form including proof of immunizations must be submitted to the University.
  9. Removes the term Non-Native English Speakers.

**FULL TEXT OF THE AMENDED REGULATION:** The full text of the proposed amended regulation is attached below to this Notice. The full text of the existing regulation is posted on FAU's website at [www.fau.edu/regulations](http://www.fau.edu/regulations). In addition, the full text of the proposed amended regulation and current regulation are available upon request to the Office of the General Counsel, which can be contacted at (561) 297-3007 or [GeneralCounsel@fau.edu](mailto:GeneralCounsel@fau.edu).

**AUTHORITY TO AMEND THE REGULATION:** Article IX of the Florida Constitution and the Board of Governors Regulation Development Procedure dated July 21, 2005.

**UNIVERSITY OFFICIAL INITIATING THE REGULATION AMENDMENT:** David L. Kian, General Counsel and Vice President for Legal Affairs.

**COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW.** In response, the University may solicit additional written comments, schedule a public hearing, withdraw or modify the proposed regulation amendment in whole or in part after notice, or proceed with adopting the regulation amendment. The comments must identify the regulation(s) on which you are commenting.

**THE PERSON TO BE CONTACTED REGARDING THE REGULATION AMENDMENT IS:** Mrs. Cassandra Rey, Office of the General Counsel, 777 Glades Road, Boca Raton, Florida, 33431, (561) 297-3007 (phone), (561) 297-2787 (fax), [GeneralCounsel@fau.edu](mailto:GeneralCounsel@fau.edu).

# Florida Atlantic University

## Regulation 4.009 ~~Health Insurance for~~ International Students and Scholars ~~and English Language Proficiency~~

(1) International Students and International Scholars are obligated to follow the laws and regulations of the United States Citizenship and Immigration Services of the United States Department of Homeland Security and the United States Department of State.

(2) International Students must be academically eligible for admission to the program at the level of entrance requested and demonstrate the required level of academic preparation as evidenced by official copies of any academic records needed to ascertain the comparability of the level and quality of the student's previous education and achievement to that required for other students. The University may use departmental examinations to validate students' claims when official documents are unavailable or insufficient. Academic documents must be translated into English and evaluated by a reputable credential evaluator.

(3) In order for the University to issue a Certificate of Eligibility (Form I-20 or a DS 2019) to an International Applicant, the applicant must provide documentation showing sufficient resources to cover tuition, fees, books, room and board, health insurance, and other living expenses while enrolled at the University.

(4) Eligible International Students may be accepted at the appropriate level subject to enrollment, space, and fiscal limitations.

(5) The University sponsors International Students and International Scholars in the F and J non-immigrant visa categories ~~with permission from the U.S. Department of Homeland Security and the U.S. Department of State.~~ International Students and International Scholars sponsored by the University must comply with health insurance requirements of the Florida Board of Governors (BOG) (F/J students), the U.S. Department of State (all J visa holders), and the University Board of Trustees ~~in order~~ to maintain eligibility for the non-immigrant visa programs in which they participate. ~~Authority to establish procedures for verifying compliance is delegated to the Office of New Student Transitions and Family Engagement and the Office of International Services.~~ Failure to maintain the required insurance coverage will result in termination of participation in University ~~Programs~~programs, including restriction or withdrawal of University registration.

(6) Definitions:

*Exchange Visitor:* A citizen of a foreign country who is sponsored or hosted by the University under the J-1 Exchange Visitor Program as a degree/non-degree student, student intern, professor, researcher, short-term scholar, specialist, or other category of exchange visitor status as defined by the Exchange Visitor Program.

*Exchange Visitor Program:* A program administered by the U.S. Department of State that provides qualified foreign nationals with opportunities to participate in educational and cultural exchange programs under a J-1 Exchange Visitor visa. The University is designated by the U.S. Department of State to sponsor Exchange Visitors in the following J-1 visa categories: Professor, Research Scholar, Short-Term Scholar, Specialist, Student Intern or Student.

*International Applicant:* A prospective International Student who seeks admission to the University and who requires a student visa or other non-immigrant temporary immigration status.

*International Student:* An enrolled student sponsored or hosted by the University who is not a U.S. citizen or permanent resident of the U.S. and who holds a temporary U.S. non-immigrant visa (e.g., F visa or J-1 Student designation).

*International Scholar:* A J-1 Exchange Visitor who is sponsored or hosted by the University under the J-1 Exchange Visitor Program in a category of the Exchange Visitor Program other than Student.

~~*Non-Native English Speaker:* A prospective student whose native language is not English, or for whom English was not the language of instruction from the primary grades.~~

~~(4)(7)~~ All International Students in F or J non-immigrant status and, in the case of J visa holders, any accompanying spouse and dependents, shall be required to demonstrate that the student (and any accompanying spouse and dependents, as applicable) has adequate medical insurance coverage for illness or accidental injury. Adequate medical insurance coverage must meet or exceed the requirements of Board of Governors Regulations and include the following:

- ~~(a)~~ Basic Benefits: Room, board, hospital services, physician fees, surgeon fees, ambulance, outpatient services, and outpatient customary fees must be paid at 80% or more of usual, customary, reasonable charge per accident or illness, after deductible is met, for in-network, and 70% or more of usual, customary, and reasonable charge for out-of-network providers per accident or illness.
- ~~(b)~~ Inpatient/Outpatient Prescription Medication: Must include coverage of \$1,000 or more per policy year.
- ~~(c)~~ Exclusion for Pre-existing conditions: First six months of policy period, at most.
- ~~(a)(d)~~ Preventive care must be included. Policy must have a maximum \$50 deductible per occurrence if treatment or services are rendered at the Student Health Center and a maximum \$100 deductible per occurrence if the treatment or services are rendered at an off-campus ambulatory care or hospital emergency department facility; and
- ~~(b)(e)~~ Policy must have a minimum coverage of \$200,000 for covered injuries/illnesses per accident or illness per policy year with no internal caps or limitations for covered injuries or illnesses.

~~(2)~~(8) All International Students will be automatically enrolled in and billed for the University Student Health Insurance Plan (SHIP) upon enrollment at the University, and are responsible for paying all health care costs associated with the SHIP. International Students may seek waiver of the SHIP requirements by providing proof of adequate coverage prior to the University's published deadlines for the payment of fees. Failure to provide proof of adequate coverage will result in Student's continued enrollment in the SHIP, and the student will remain responsible for all associated costs.

(9) All International Scholars and ~~all-any~~ accompanying spouse and dependents on J-2 visas are required to have health insurance coverage during their period of stay on the University's J-1 program. The health insurance must meet or exceed the minimum requirements set forth in [22 C.F.R. § 62.14](#).

Prior to enrollment, all International Students must submit a health history form including proof of immunizations required by the University.

(10)

~~(3)~~(11) International Applicants ~~and Non-Native-English-Speakers~~ seeking admission at the University must demonstrate adequate English language proficiency in compliance with Board of Governors Regulations. The University will assess English language proficiency utilizing one of the following:

- (a) University-approved standardized English language proficiency tests commonly used in U.S. university admissions including, but not limited to, TOEFL, IELTS, [Duolingo](#), Cambridge and PTE, as published in the University Catalog. Selection of standardized English language proficiency tests shall be consistent with Board of Governors Regulations and University admission standards.
- (b) Successful completion of Level VI in the Academic Track of the University's Intensive English Institute (or equivalent language preparation program):-

~~(4)~~ ~~Non-Native-English-Speakers are not required to submit proof of English language proficiency if they meet one of the following:~~

(c) Completion of at least three years of secondary education from a high school based in the United States or abroad with full curriculum of instruction in English.

(d)

Completion of at least three years of secondary education from a high school based in a country where English is the majority native-speaking language, or where English is the primary language of instruction starting in the primary grades.

~~(e)~~

(e) ~~For undergraduate applicants only~~C, completion of at least thirty (30) post-secondary credits, including ENC 1101 and ENC 1102, or the equivalent, with a grade of C or higher, from a U.S. regionally accredited post-secondary institution or from a recognized post-secondary institution abroad with full curriculum of instruction in English.

~~(f)~~

~~(g)~~(f) Completion of at least sixty (60) post-secondary credits or an associate degree or higher from a U.S. regionally accredited postsecondary institution or from a recognized post-secondary institution abroad with full curriculum of instruction in English.

~~(5)~~(12) Minimum English language proficiency requirements, including minimum scores for any approved standardized language proficiency tests, must be published annually in the University Catalog.

*Specific Authority: Article IX of the Florida Constitution, 1001.706, F.S., Board of Governors Regulations 1.001 and 6.009; and [22 C.F.R. § 62.14](#). History—New 4-19-82, Formerly 6C5-4.10. Formerly 6C5-4.010. Amended 3-10-11; 6-4-19; ~~xx-xx-2023~~.*