

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

Date: July 6, 2012

REGULATION TITLE AND NUMBER: Fee Assessment and Remittance (8.002).

SUMMARY: Regulation 8.002 currently addresses tuition and fee assessment and remittance. Regulation 8.004 currently addresses fee deferrals and Regulation 4.010 currently addresses the payment and refund of tuition and fees. In order to avoid confusion and duplication, all three regulations (and their corresponding provisions) have now been updated and consolidated into Regulation 8.002, which more closely aligns with the format of Board of Governors Regulation 7.002. The regulation amendments also address the implementation of the FAU Medical School tuition and fee assessments. This regulation amendment shall be effective August 6, 2012.

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. 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.

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 Kian, General Counsel.

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: David Kian, Office of the General Counsel, 777 Glades Road, Boca Raton, Florida, 33431, (561) 297-3007 (phone), (561) 297-2787 (fax), GeneralCounsel@fau.edu.

PROPOSED

Florida Atlantic University

Regulation ~~4.010~~ ~~Payment~~ 8.002 Tuition and Fee Assessment, Remittance, and Refund of Tuition and Registration Fees. ~~Refunds~~

~~(1)~~

(1) Tuition and Fee Assessment.

(a) Registration shall be defined as consisting of these components:

~~_____~~

1. Provision of appropriate background information;

~~_____~~ 2. Provision of course and schedule information; and

~~_____~~ 3. Fee payment or other ~~appropriate~~ university approved arrangements for fee payment (installment payment, deferment, or third party billing).

~~_____~~ (b) Tuition and Fee liability shall be incurred at the point that the student has completed registration as defined above, including ~~fee~~ payment or other appropriate arrangements for ~~fee~~ payment. The registered student shall be held liable for all courses that remain on the student's schedule at the end of the applicable drop/add period. ~~as defined in the University Academic Calendar.~~

~~(2)~~

(c) Independent and/or external degree programs. All independent and/or external degree programs must be approved by the Provost. Any credit instruction undertaken through such programs shall be charged and funds remitted in the same manner as other credit instruction, except as otherwise provided by regulation or written agreement.

(d) Course Classification. Tuition shall be assessed on the basis of course classification: courses numbered through 4999 shall be assessed at the undergraduate level, courses numbered

5000-8999 shall be assessed at the graduate level, and courses provided by the Florida Atlantic University Medical Program shall be assessed at the approved Medical School tuition rate.

(e) All or any part of the tuition and registration fees may be waived by the University when deemed appropriate provided that provisions for such waiver are included in ~~the rules of the Board of Regents.~~University Regulations and are consistent with Board of Governors Regulation 7.008 and 1009.26, F.S.

(2) Remittance.

(a) If payment of tuition and fees or other appropriate arrangement approved by the university has not been made by the deadline set by the University as defined in the University Academic Calendar, a student's enrollment will be cancelled. Appropriate arrangements include but are not limited to: an installment payment plan, a third party guarantee, an emergency loan, or a University deferment based on granted financial aid as described in subsection (2)(f) below. The University will reinstate a student's enrollment once payment is made in full, or appropriate arrangements for payment have been made. The University will suspend further academic progress in lieu of canceling a student's enrollment in those cases where the student has partially paid tuition and the University guarantees full payment from an authorized and existing fund. Suspension of academic progress for purposes of this paragraph prohibits a student from receiving grades, transcripts, or a diploma, and shall prohibit registration for future terms until the student's account has been settled in full.~~(3)(a) Payment of Fees in Installments. The University President has established a procedure for the payment of registration and tuition fees in installments. Such procedure requires the payment of at least 50% of the fee liability by the end of the drop/add period and the balance shall be paid no later than the beginning of the second half of the academic term. Students will be required to sign a note indicating that they understand their fee liability and that all Florida Atlantic University refund and withdrawal procedures are applicable. Students canceled for non-payment of the second half payment may be required to petition the Academic Petitions Committee to be reinstated for grade purposes.~~

(b) The President, University Controller, or other appropriate ~~designees~~designee may establish other appropriate arrangements for fee payment under special hardship or emergency conditions upon written request of the student. These limited arrangements will be in writing and will contain an explanation of the circumstances, the date payment is promised, current student information and a signature of the student acknowledging that debt for collection purposes. Students ~~canceled~~cancelled for non-payment of special arrangements may be required to petition the Academic Petitions Committee to be reinstated for grade purposes.

(c) Installment Payment Plan. Students unable to make full payment of assessed tuition and fees by the fee payment deadline established by the University, may select an established installment payment plan. The University will charge an administrative fee of \$15.00 for all installment payments plans. Payments must be made in accordance to the payment due dates or subject to a late payment fee. ~~The installment payment plan is not available for summer semesters.~~—(4

(d) The President, ~~Provost~~, University Controller or other appropriate designees may choose to temporarily suspend further academic progress in lieu of canceling student registrations. Students who have not made arrangements for payment of their tuition and fees shall be precluded from receiving grades, transcripts or a diploma. ~~Registration~~When registration opens for ~~future terms~~a given term, any outstanding balance will ~~be denied~~prevent registration, transcripts or a diploma until all accounts have been ~~settled~~paid in full.

—(5

(e) The President, University Controller or other appropriate designees may extend the deadline for individual fee payment or waive the late fee when payment is delayed due to University actions.

~~—(6) Students who drop a class or withdraw from the University during the drop/add period shall receive a full refund.~~

~~—(7)(a) Students who drop a class after the drop/add period will not receive a refund unless the drop takes place due to exceptional circumstances, such as death, illness, military conscription or University error. Job changes or home relocation are not considered exceptional circumstances.~~

~~—(b) If a student drops a class after the drop/add period due to exceptional circumstances, a 100% refund may be granted upon the student's filing of a petition for refund with the office of the University Controller. The refund will not be granted until the exceptional circumstances have been verified by the Office of the Dean of Students or the University Controller.~~

~~—(8)(a) Students who withdraw from the University after the drop/add period due to exceptional circumstances such as death, illness, military conscription or University error, may receive a 100% refund, upon the student's filing of a petition for refund with the office of the University Controller. The refund will not be granted until the exceptional circumstances have been verified by the office of the Dean of Students or the University Controller.~~

~~—(b) Students who withdraw from the University for purposes other than exceptional circumstances during weeks two through four shall receive a 25% refund less nonrefundable fees. No refunds for withdrawal other than for exceptional circumstances will be granted after the fourth week of classes.~~

~~—(9) Approval or disapproval of refund will be determined and announced by the Office of the Controller.~~

~~Regulation 8.004 Deferred Payment of Fees.~~

~~The University will~~

~~(f) Deferred payment. The University may~~ approve a deferred payment plan for students who have been awarded and have accepted financial aid where financial aid is delayed due to circumstances beyond the student's control.

~~Regulation 8.002 Fee Assessment and Remittance.~~

~~(1) The Matriculation Fee, Non-Resident Fee, Application Fee, 50 percent of the Late Payment Fee, and 50 percent of the Late Registration Fee shall be remitted to the appropriated Student Fee Trust Fund or appropriate local fund.~~

~~(2) The Building Fee and Capital Improvements Fee shall be remitted to the appropriate fund and utilized as provided in Sections 1010.86, 1011.48 and 1013.74, F.S.~~

~~(3) Student Financial Aid Fees—The Student Financial Aid fees shall be remitted to the appropriate fund at the University. The University will use up to 15 percent of the fees collected to pay for administrative costs associated with administration of financial aid programs.~~

~~(4) Independent and/or external degree programs—All independent and/or external degree programs must be approved by the Florida Atlantic University Provost. Any credit instruction undertaken through such programs shall be charged and funds remitted in the same manner as other credit instruction, except as provided in subsection 8.003(25).~~

~~(5) Course Classification—Tuition shall be assessed on the basis of course classification: courses numbered through 4999 shall be assessed at the undergraduate level, courses numbered 5000-8999 shall be assessed at the graduate level, and those courses identified by the Florida Atlantic University Medical Partnership Program shall be assessed at the graduate level.~~

~~(6) If payment of tuition and fees has not been made by the deadline set by the University, which shall be no later than the end of the second week of classes, a student's enrollment will be cancelled unless an appropriate arrangement for payment has been made. Appropriate arrangements include but are not limited to: a promissory note, a third party guarantee, an installment payment plan, an emergency loan, or a University deferment based on granted financial aid pursuant to Regulation 8.004. The University will reinstate a student's enrollment once payment or appropriate arrangements for payment have been made. The University will extend the deadline for fee payment when payment by the student is delayed due to University actions. The University will suspend further academic progress in lieu of canceling a student's enrollment in those cases where the student has partially paid tuition and the University guarantees full payment from an authorized and existing fund. Suspension of academic progress for purposes of this paragraph prohibits a student from receiving grades, transcripts, or a diploma, and shall prohibit registration for future terms until the student's account has been settled in full.~~

~~(7) Installment Payment Plan—Students unable to make full payment of assessed tuition and fees by the payment deadline established by the University, may request approval to pay in~~

~~installments. Approval of this request will require a minimum payment of 50 percent of the tuition and fees by the end of the drop/add period and the execution of a promissory note for the balance due. The remaining balance shall be paid by the date(s) established by the University. The University will charge an administrative fee of \$15.00 for installment payments plans.~~

(3) Refunds.

~~The installment payment plan is not available for summer semesters.~~

~~(8) Tuition Refund/Release of Liability.~~

(a) Tuition (the full amount, adjusted for waivers, minus non-refundable fees), will be refunded upon request to a student who officially withdraws from the University prior to the end of the drop/add period.

_____ (b) Tuition (in an amount not to exceed 25%, adjusted for waivers, minus ~~non-refundable~~nonrefundable fees), will be refunded upon request to a student who officially withdraws from the University ~~prior to the end of the fourth week of classes,~~by the established deadline or as designated by the University~~for summer sessions.~~.

(c) Tuition (adjusted for waivers minus non-refundable fees), will be refunded upon request to a student who withdraws or drops one or more credit courses due to circumstances determined by the University to be exceptional and beyond the control of the student,~~including but not limited to:~~ through the Exceptional Circumstance Withdrawal Process. Requests for Exceptional Circumstance Withdrawal must be filed with the Dean of Students during the semester for which the refund is requested. This process includes but is not limited to:

1. Illness of a student of such severity or duration, as confirmed in writing by a physician, to preclude completion of the course(s),
2. Death of the student or death in the immediate family (parent, stepparents, spouse, child, sibling, or grandparents), or
3. Involuntary call to active military duty,~~or.~~

~~4. A~~

_____ (d) Tuition (adjusted for waivers minus non-refundable fees), will be refunded upon request involving a situation in which the University determines that it is in error.~~Requests for~~

~~Exceptional Circumstance Withdrawal must be filed with the Dean of Students during the semester for which the refund is requested.~~

~~(9)~~

(e) A ~~written request~~petition for a refund, or other adjustment, other than as provided in ~~paragraph (8)~~subsection (3)(c), above, must be submitted to the University within six (6) months of the close of the semester to which the refund is applicable. - The student is required to file a fee petition along with supporting documentation.

~~Specific Authority 100.74(4) FS. Law Implemented 1001.74(11), 1009.24, 1010.86 FS. History– New 12-31-02, Amended 10-14-03. Formerly 6C5-8.002.~~

Specific Authority: Article IX of the Florida Constitution, 1001.706, F.S., Board of Governors Regulations 1.001 and 7.002. History– New 12-31-02, Amended 10-14-03. Formerly 6C5-8.002, 6C5-8.004, and 6C5-4.010. Amended 5-24-12.