

**THE FLORIDA ATLANTIC UNIVERSITY  
DIVISION OF COLLEGES AND UNIVERSITIES  
DEPARTMENT OF EDUCATION  
NOTICE OF PROPOSED EMERGENCY RULE**

RULE TITLE: TUITION, FEE SCHEDULE AND PERCENTAGE OF COST

RULE NO.: 6C5-ER-05-6 (6C5-8.001)

**SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH SAFETY, OR WELFARE:** On May 24, 2005, the Florida Legislature enacted the General Appropriations Act for the fiscal year commencing on July 1, 2005. The Governor signed the Act into law on May 26, 2005. The Florida legislature authorized the Florida Atlantic University (FAU) Board of Trustees to increase tuition and fees for all students by 5 percent and increase the Athletic Fee by \$2.00 per credit hour. The FAU Board of Trustees authorized the increase of the tuition and fees at its June 29, 2005 meeting. Prior to State approval of the Board of Trustees previously passed Tuition and Fee rule, the Board of Governor's passed a new procedure for the filing of rules. Board of Trustees approval now of the Emergency Tuition and Fee rule is required for FAU to be consistent with the new procedures. This action is imperative in order for the University to properly perform budgetary planning and administer its budget for the fiscal year that commences July 1, 2005. Consequently, the University must proceed with the rule authorizing the tuition and fee increases on an emergency basis.

**REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES:** The Finance and Audit Committee of the FAU Board of Trustees recommended the increases in tuition and fees at its meeting on June 1, 2005. At the June 29, 2005 meeting of the full Board, the FAU Board of Trustees approved the tuition of Fee and Athletic Fee increases and authorized the University to promulgate an emergency rule to effectuate the increases in a timely manner and to promulgate an amendment to the permanent rule. The FAU Board of Trustees meeting was publicly noticed and was attended by the Student Government President who is an FAU Trustee. Individuals were permitted an opportunity at the meeting to comment on the proposed increases. The full text of the rule will be posted on FAU's website at [www.fau.edu/admin/fiscal/controller](http://www.fau.edu/admin/fiscal/controller). In addition, the full text of the rule will be available upon request to Kerry Heyward, Associate General Counsel, Office of the University Attorney, who can be contacted at (561) 297-3007, or via e-mail at [kheyward@fau.edu](mailto:kheyward@fau.edu). The University will commence development of a permanent rule in the Fall of 2005.

**SUMMARY OF THE RULE:** The emergency rule increases the tuition and fees of all FAU students by 5 percent and increases the Athletic Fee by \$2.00 per credit hour.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED EMERGENCY RULE IS:** Kerry Heyward, Associate General Counsel, Office of the University Attorney, 777 Glades Rd. Boca Raton, FL, 33431, (tel.) 561-297-3007.

**THE RULE TAKES EFFECT FOR A PERIOD OF NOT MORE THAN 90 DAYS UPON BEING ADOPTED BY THE FLORIDA ATLANTIC UNIVERSITY BOARD OF TRUSTEES AT ITS AUGUST 10, 2005 MEETING.**