

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

Date: April 29, 2008

REGULATION TITLE AND NUMBER: Exceptional Circumstance Withdrawals (4.013).

SUMMARY: The Division of Student Affairs seeks approval FAU Regulation 4.013, Exceptional Circumstance Withdrawals. This regulation outlines the process and procedure for a student to request a withdrawal from the University for exceptional circumstances. The proposed revision clarifies the role and scope of the committee and better informs students, faculty, and staff when it is appropriate to use this regulation.

The committee, composed of representatives from all campuses, spent several months revising this regulation. It was also reviewed by the General Counsel's Office.

FULL TEXT OF THE REGULATION: The full text of the proposed 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 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: Dr. Charles Brown, Vice President for Student Affairs

COMMENTS CONCERNING THE PROPOSED NEW REGULATION 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 in whole or in part after notice, or proceed with adopting the regulation. The comments must identify the regulation(s) on which you are commenting:

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION IS: Myrlande Dessalines, Paralegal, Office of the General Counsel, 777 Glades Road, Boca Raton, Florida, 33431, (561) 297-3007 (phone), (561) 297-2787 (fax), GeneralCounsel@fau.edu.

- (D) The application for Exceptional Circumstances Withdrawal must be filed with all documentation attached within the semester for which the withdrawal is requested. Applications submitted after the semester ends, but within six (6) months of the illness, injury or death may be considered at the AVP and Dean's sole discretion if student's documents demonstrate that it was not possible for the student to file in a timely manner for reasons outside of the student's control.
 - (E) All documentation must be in English or translated into English, and the translator's signature must be notarized. The translator must be someone other than the student or a relative of the student.
 - (F) If the request for Exceptional Circumstances Withdrawal is granted, the student will receive a "WM" on his/her transcript, which indicates that the student withdrew from all of his/her classes because of Exceptional Circumstances. "WM" notations do not affect the student's grade point average.
 - (G) An Exceptional Circumstances Withdrawal that is granted includes a refund of applicable tuition but does not include a refund of fees. Housing and/or meal plans will be prorated based on the date of approval by the ECW Committee.
- (5) Documentation Guidelines for Reasons for Exceptional Circumstances Withdrawals.
- (A) Physical Illness or Injury Withdrawals.
 - (i) Documentation must be on the official letterhead of the treating licensed health care provider and dated.
 - (ii) Documentation must explain or detail:
 1. Diagnosis of the condition.
 2. Reason the condition prevents successful completion of all course work.
 3. Dates of treatment.
 4. Prognosis.
 5. Date the patient will be able to assume full academic responsibilities.
 - (B) Mental Illness Withdrawals.
 - (i) Documentation must be on the official letterhead of the treating licensed health care provider and dated.
 - (ii) Documentation must explain or detail:
 1. Presence of a mental disorder classifiable under the current American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, such disorder must

be diagnosed and documented by an appropriately licensed mental health professional.

2. The reason the condition prevents successful completion of all course work.
3. Dates of treatment.
4. Prognosis.
5. Stress and mild clinical depression are examples of conditions that do not qualify for Exceptional Circumstances Withdrawal.

(C) Death of an Immediate Family Member.

- (i) For the purposes of this Regulation, an Immediate Family Member is defined as: Parent, Spouse, Child, Sibling or Grandparent.
- (ii) Request must be accompanied by a death certificate or legal death notice.

(D) Involuntary Call to Active Duty.

- (i) Letter from military unit.

(E) Primary Care Giver to Immediate Family Member.

- (i) Letter from Medical Provider detailing the student's role in the care of the Immediate Family Member.
- (ii) The time of demanded care must be in excess on primary care-giver of what a normal relationship would call for.

(F) Other Reasons.

- (i) Official appropriate documentation to substantiate and/or verify the request.

(6) Procedure.

- (A) Complete and sign Exceptional Circumstances Withdrawal Form.
- (B) Complete and sign Release of Medical Information Form, if applicable.
- (C) Submit and attach personal letter explaining and justifying the reason for the request.
- (D) Submit and attach supporting documentation.
- (E) Return all forms and documentation by the appropriate deadline.
- (F) The student will be notified of the decision in writing by mail.

(7) Students who are denied Exceptional Circumstances Withdrawal may appeal the decision to the Vice President for Student Affairs, in writing, within five (5) business days of mailing of ECW decision letter. The Vice President for Student Affairs may, within five (5) academic days, approve, modify, or reject the original decision. The Vice President for Student Affairs' decision will be considered final agency action.

- (8) Submitted documents shall remain in the AVP and Dean of Student Affairs' Office, ensuring confidentiality in accordance to Family Educational Rights and Privacy Act (FERPA) Guidelines.
- (9) When an Exceptional Circumstances Withdrawal is granted due to physical illness or injury, a Student Affairs registration hold may be placed on the student's record and the student may be prohibited from enrolling for the semester following the exceptional circumstance withdrawal. In order for the Student Affairs hold to be lifted, the student must submit documentation from his or her treating licensed health care professional confirming that the student is medically fit to return to school. The documentation will be reviewed by the ECW committee, to make a recommendation to the AVP and Dean of Student Affairs or designee, to continue the student prohibition of enrollment, reinstate the student with conditions, or reinstate the student with no conditions.
- (10) Nothing herein shall reduce the commitment of the University to accommodate the needs of handicapped students who are able to participate in University functions without hazard to themselves or to others.

Specific Authority: Article IX of the Florida Constitution, Florida Board of Governors Resolution dated January 7, 2003, Florida Statutes 1001.74, 1004.07. History–New 5-28-08.