

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

Date: March 9, 2016

**REGULATION TITLE AND NUMBER:** Waiver of Tuition and Other Fees (8.006).

**SUMMARY:** The University seeks to amend FAU Regulation 8.006, Waiver of Tuition and Other Fees. Tuition waivers in the State University System are governed by Florida Statute § 1009.26 and Board of Governors Regulation 7.008, each of which identify tuition waivers that are mandatory and those which are authorized at the discretion of the University Board of Trustees. In addition to the waivers specifically identified as mandatory or discretionary, Florida Statute § 1009.26(9) and Regulation 7.008(1) also allow the University Board of Trustees to waive tuition and out-of-state fees for purposes that support and enhance the mission of the university.

As currently written, FAU Regulation 8.006 (2003) contains only a tuition waiver for “sponsored institutes and programs,” which is a waiver authorized by Board of Governor’s Regulation 7.008(3). Consequently, for all other tuition waivers that are authorized but not mandated by Statute or Regulation, the FAU Board of Trustees should specifically articulate the authority given to the institution to waive tuition. The attached amendments are being proposed for your consideration, and include language that would give the President, or the Provost, authority to waive tuition as authorized by Florida Statute or Board of Governors Regulation, and for purposes that support and enhance the mission of the University. In order to ensure University accountability, the proposed amendments would also require the University to provide an annual report to the Board of Trustees specifying the purpose, number, and value of all fee waivers granted.

The goals of the proposed amendments are to clarify the authority delegated by the Board of Trustees and to provide the President and Provost with flexibility in the use of tuition waivers as a tool for advancing the University’s mission. The amendments will also allow for the repeal of Regulation 5.004, as the waivers articulated in that Regulation will be incorporated into the language of Regulation 8.006, and the operational procedures for implementation of each waiver would be developed and maintained through University or Departmental policies.

**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:**  
Tracy Boulukos, Assistant Provost and Director, Student Financial Aid.

**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:** Mr. Daniel Jones, 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 -8.006 Waiver of Tuition and Other Fees.

A. The University waives tuition, non-resident tuition, or associated fees as required by applicable Florida Statutes and Board of Governors Regulations.

B. In addition to the waivers mandated by Florida Statutes and Board of Governors Regulations, the University President, or Provost, may waive tuition, non-resident tuition, or associated fees as authorized by Statute or Board of Governors Regulation. The University President, or Provost, may also waive tuition, non-resident tuition, or associated fees for purposes that support and enhance the mission of the University.

~~A.(1) Sponsored Institutes and Programs—Tuition and other fees will be waived by the University for participants in sponsored institutes and programs where:~~  
~~(a) All the direct costs are paid by the external sponsoring agency, and~~  
~~(b) Where there is no direct expenditure of Educational and General funds to conduct the program, and~~  
~~(c) Where no fees or other assessments are collected from students by the sponsoring agency, or any other entity. In determining whether the direct costs are paid by the sponsoring agency, funds paid directly to the participants in a form such as, but not limited to, stipends, travel or book allowances should not be taken into account. “Direct costs” refers to the costs associated with the instruction or training which a participant receives. All funds collected from sponsoring agencies for sponsored credit institutes will be remitted to the University’s contract and grants trust fund and/or auxiliary trust fund.~~

C. (2) Florida Atlantic University shall waive the activity and service, health, athletic, and material and supply fees, assessed on a per credit hour basis, for credit hours for which the tuition is waived. The University shall waive the activity and service, health, athletic, and material and supply fees assessed on a per student basis only if a student’s tuition is waived for all credit hours. If a student is required to pay any portion of the assessed tuition, that student shall pay the activity and service, health, athletic, material and supply fees, in full, assessed on a per student basis.

D. The University shall report to the Board of Trustees the purpose, number, and value of all fee waivers granted annually in the format prescribed by the Board of Governors.

*Specific Authority 1001.74(4) FS. Law Implemented 1001.74(11), 1009.26 FS. History—New 12-31-02, Repromulgated 10-14-03. Formerly 6C5-8.007. Amended 4-9-16.*