

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

Date: March 20, 2020

REGULATION TITLE AND NUMBER: Exceptional Circumstances Withdrawal (4.013).

SUMMARY: The Division of Student Affairs seeks to amend FAU Regulation 4.013, Exceptional Circumstances Withdrawals (ECW). The ECW Regulation outlines the process and procedure for a student to request a withdrawal from the University, without adverse academic consequences, for exceptional circumstances including but not limited to incidents of physical or mental illness or injury, death of an immediate family member, military duty, incidents in which the student is the victim of a crime, or the student's service as a primary care-giver to an immediate family member. The proposed changes are summarized as follows:

1. Defines an immediate family member, consistent with Board of Governors Regulation 7.002, as a parent, step-parents, spouse, child, sibling, or grandparents.
2. Authorizes a refund of 100 percent of a student's tuition and associated fees when an exceptional circumstance withdrawal is granted, as required by Board of Governors Regulation 7.002.

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: Dr. Larry Faerman, Acting Vice President, Student Affairs & Enrollment Management.

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.

Florida Atlantic University

Regulation 4.013 Exceptional Circumstances Withdrawals

(1) **PURPOSE.**

The purpose of this regulation is to outline the process and procedure for a student to request a withdrawal from the University for Exceptional Circumstances.

(2) The Exceptional Circumstances Withdrawal (ECW) Committee is comprised of the following persons:

- (A) Associate Vice President (AVP)/Dean of Students or designee (chairperson)
- (B) Representative from Student Health Services
- (C) Representative from Counseling and Psychological Services
- (D) Representative from Student Accessibility Services
- (E) Other campus administrators may be invited to participate at the invitation of the AVP/Dean of Students.

(3) Meetings will be held weekly or as needed. A minimum of three (3) committee members must be present to hold a meeting or recommend action. The ECW committee will meet to review and discuss ECW applications and recommend action to the AVP/Dean of Students.

(4) Process for requesting an Exceptional Circumstances Withdrawal

(A) A student who finds it necessary to withdraw from the University for an exceptional circumstance after the official drop/add of courses without consequences deadline must request to do so in writing to the AVP/Dean of Students.

(B) Acceptable Reasons for Exceptional Circumstances Withdrawals include:

- 1. Physical illness or injury
- 2. Mental illness
- 3. Death of an immediate family member (parent, step-parents, spouse, child, sibling, or grandparents)
- 4. Call to active military duty
- 5. Victim of a crime
- 6. Primary caregiver to immediate family member
- 7. Other reasons, on a case-by-case basis

- (C) An Exceptional Circumstances Withdrawal is for all classes during the current semester, not for any individual course(s).
- (D) The application for Exceptional Circumstances Withdrawal must be filed with all documentation attached within the semester for which the withdrawal is requested. Complete applications received after the semester ends, but within six (6) months of the occurrence of one of the events listed under paragraph (4)(B) herein may be considered at the AVP/Dean of Students' sole discretion if the student's documents demonstrate that it was not possible 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's transcript will reflect a "WM" for all courses attempted during that semester, which indicates that the student withdrew from all of their classes because of exceptional circumstances. "WM" notations do not affect the student's grade point average.
- (G) An Exceptional Circumstances Withdrawal that is granted will authorize a refund of 100 percent of the tuition and associated fees assessed for the applicable semester, adjusted for waivers and financial aid. ~~may include a refund of applicable tuition but will not include a refund of fees.~~ Students receiving financial aid are encouraged to speak with a representative from the Office of Student Financial Aid. Students residing on campus are encouraged to speak with a University Housing representative regarding their housing. Students with a meal plan are encouraged to speak with a Business Services representative.

(5) PROCEDURE

- (A) Complete and submit the online Exceptional Circumstances Withdrawal Form.
- (B) Submit a brief narrative explaining and justifying the reason for the request.
- (C) Submit supporting documentation as outlined in Section (6).
- (D) Submit all forms and documentation online to the AVP/Dean of Students Office two weeks prior to the first day of final exams.
- (E) The student will be notified of the decision via their FAU email address.

(6) Documentation Guidelines for Exceptional Circumstances Withdrawal Applications

- (A) Physical Illness or Injury
 - 1. Medical Certification Form including all required information.
 - a. Must clearly state the presence of a physical illness or injury, which is diagnosed and documented by an appropriately licensed medical professional.
 - 2. Release of Medical Information Form.
 - 3. Any supplemental documentation must be on the official letterhead of the treating licensed health care provider and dated.

- (B) Mental Illness
 - 1. Medical Certification Form including all required information.
 - a. Must clearly state presence of a mental disorder classifiable under the current American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM) or International Statistical Classification of Diseases and Related Health Problems (ICD). Such disorder must be diagnosed and documented by an appropriately licensed mental health professional. Stress and mild clinical depression are examples of conditions that do not qualify for Exceptional Circumstances Withdrawal.
 - 2. Release of Medical Information Form.
 - 3. Any supplemental documentation must be on the official letterhead of the treating licensed health care provider and dated.

- (C) Death of an Immediate Family Member
 - 1. For the purposes of this Regulation, an Immediate Family Member is defined as the ~~P~~parent, step-parents, ~~S~~spouse, ~~C~~child, ~~S~~sibling or ~~G~~grandparents of the student.
 - 2. Request must be accompanied by a death certificate or legal death notice/obituary, and verification of relationship of deceased to the student.

- (D) Call to Active Military Duty.
 - 1. Copy of Military Orders.

- (E) Victim of a Crime
 - 1. Letter from Victim Advocate and/or Police Report.
 - 2. The reason(s) the crime prevents the student's successful completion of all coursework.

- (F) Primary Caregiver to Immediate Family Member.
 - 1. Letter from medical provider detailing the student's role in the care of the immediate family member.

2. The reason(s) the family member's condition prevents the student's successful completion of all course work.

(G) Other Reasons

1. Official appropriate documentation to substantiate and/or verify the request.
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- (7) Students who are denied Exceptional Circumstances Withdrawal may appeal the decision in writing to the Vice President for Student Affairs, postmarked or received within ten (10) academic days of the emailing of the ECW decision letter. The Vice President for Student Affairs may, within a reasonable timeframe, uphold or reverse the original decision. The decision of the Vice President for Student Affairs is considered final agency action.
 - (8) Submitted documents shall remain in the AVP/Dean of Students 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, or mental illness, a Student Affairs registration hold shall be placed on the student's record and the student may be prohibited from enrolling for subsequent semesters following the Exceptional Circumstances Withdrawal. In order for the Student Affairs hold to be lifted, the student must submit a Re-enrollment Questionnaire completed by their treating licensed health care professional confirming that the student is medically and/or psychologically fit to return to school. The documentation will be reviewed by the ECW committee, which will make a recommendation to the AVP/Dean of Students or designee, as to whether to continue the student's 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 students with disabilities 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 528-08, Amended 7-22-09; 6-4-19, 4-21-2020.