

# FAYETTEVILLE STATE UNIVERSITY

## TUITION AND FEE WAIVERS

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| <b>Authority:</b>                                 | Issued by the Chancellor. Changes or exceptions to administrative policies issued by the Chancellor may only be made by the Chancellor.  |
| <b>Category:</b>                                  | Employment   |
| <b>Applies to:</b>                                | <ul style="list-style-type: none"> <li>● Administrators</li> <li>● Faculty</li> <li>● Staff</li> </ul>   |
| <b>History:</b>                                   | Revised – October 18, 2021<br>Revised – August 28, 2017<br>Revised – August 12, 2015<br>Revised – July 1, 2011<br>Revised – December 12, 2010<br>First Issued – May 15, 2015   |
| <b>Related Policies/<br/>Regulations/Statutes</b> | <ul style="list-style-type: none"> <li>● Regulations on the Waiver of Tuition and Fees for Faculty and Staff [UNC Policy #1000.2.2.1[R]]</li> <li>● Policy on the Waiver of Tuition and Fees for Faculty and Staff [UNC Policy #1000.2.2]</li> <li>● State Supported Institutions of Higher Education Required to Charge Tuition and Fees [NCGS § 116-143(d)]</li> </ul> |
| <b>Contact for Info:</b>                          | Office of Human Resources (910) 672-1477   |

### I. PURPOSE

North Carolina General Statute § 116-143(d) provides for a waiver of tuition and/or fees for Fayetteville State University (University) faculty and staff under certain conditions. This Policy sets out the conditions under which University employees may receive a waiver of tuition.

### II. DEFINITIONS

**A. Employee** shall mean an individual who is an employee employed by an employing institution, who is eligible for participation in either the NC Teacher’s and State Employees’ Retirement System (TSERS) or the UNC Optional Retirement Program (ORP). The term “employee” shall also include the following individuals:

- Personnel of the United States armed forces during the time they are assigned under military orders to a Reserve Officer Training Corps (ROTC) program of a constituent institution of the University of North Carolina as a permanent change of station;

- Civilian personnel federally employed thirty (30) or more hours per week on a continuing basis in a position adjunct to an ROTC program of a constituent institution of the University of North Carolina; and
- Law enforcement officers with a probationary, time-limited, or permanent appointment employed 20 or more hours per week on a continuing basis, regardless of eligibility for participation in either TSERS or the ORP. Temporary staff, including student temporary staff, are not considered law enforcement officers for purposes of this regulation.

**B. Employing institution** shall mean a constituent institution of the University of North Carolina, which is the employer of record, including the North Carolina School of Science and Mathematics, the University of North Carolina Health Care System, and the UNC System.

**C. Enrolling institution** shall mean a constituent institution of the University of North Carolina in which the employee is enrolled and receiving academic credit and to which tuition/fees would be paid if not covered under tuition/fee waiver.

**D. Fees** shall mean those student fees required for the course(s) in which the employee is enrolled.

**E. Normal employment obligations** shall mean those services that the employee is obligated to perform for the employing institution.

**F. Period of normal employment** shall mean that period of time beginning with the effective date of permanent employment as defined in Section II.A. above and ending the effective date of termination or discontinuation of the employment.

**G. Tuition** shall mean the tuition charged for credit instruction, regardless of when the instruction occurs or by what means it is delivered. However, no tuition waivers shall be provided for receipts supported courses. An employee of a constituent institution of the UNC System who is a legal resident of North Carolina shall qualify as a resident for tuition purposes, irrespective of the length of legal residency in the State.

**H. Year** shall mean a fall semester, spring semester and the summer sessions that follow, unless otherwise specified.

### III. TUITION/FEE WAIVER LIMITATIONS

Employees of an employing institution may, during the period of normal employment, enroll in certain courses free of charge of tuition and fees, as described in this Policy, provided the enrollment does not interfere with normal employment obligations.

The waiver of tuition for an employee (except law enforcement officers) shall be limited to three (3) courses per year. Law enforcement officers, excluding student employees who are working as part-time law enforcement officers, may enroll in an unlimited number of courses per year.

Employees must maintain employee status, as defined in Section II.A., for the duration of the course(s). If the employee does not maintain employee status, the employee shall be responsible for payment of all applicable tuition and fees. This payment requirement shall not apply to an employee who is eligible for a waiver at the time of enrollment in a course and is later subject to a reduction-in-force (SHRA) or separated for budgetary reasons (EHRA) prior to completion of the course(s). This exception does not apply to a time-limited or term position that has ended.

Fees associated with a course shall be waived, except for the book rental and proctor fees which must be paid in full by the employee.

#### **IV. EMPLOYING INSTITUTION**

The employee's supervisor shall make an administrative determination that enrollment in course(s) will not interfere with the satisfactory performance of the employee's normal employment obligations.

#### **V. ENROLLING INSTITUTION**

For employees seeking to enroll in courses at the University, the University's Provost and VC for Academic Affairs or designee shall determine whether the employee seeking to enroll under this Policy is academically eligible for admission to the University and whether space is available for the employee's enrollment in the course(s).

#### **VI. EMPLOYEE RESPONSIBILITIES**

Prior to enrolling in a course for which a waiver will be sought, an employee is responsible for the following:

- Completing the application process required to enroll in the enrolling institution and paying appropriate application fee.
- Completing the University's *Application for Faculty/Staff Tuition/Fee Waive* by the deadlines noted below. Tuition Waiver forms will not be accepted for late registration.
  - Fall semester and summer sessions - 2 weeks prior to the first day of class.
  - Spring semester - no later than the last day of classes of the Fall semester.
- Obtaining all required approvals from the employing institution and/or the enrolling institutions. University employees must obtain the following approvals.
  - Non-Law Enforcement Employees
    - Employee's supervisor,
    - Unit Head/Chair, and
    - HR Benefits Manager.
  - Law Enforcement Employees
    - Employee's supervisor,
    - the Police Chief or the Police Chief's immediate supervisor (if the Police Chief is enrolling in the course(s)), and

- HR Benefits Manager.
- Delivering one copy of the completed and approved form to the Benefits Manager for final approval. The Benefits Manager will be responsible for informing the employee if the waiver request is approved. If the University is the enrolling institution, the Benefits Manager will forward copies to the University's Student Accounts/Third Party Billing offices.
- If enrolling in an institution other than the University, the employee must provide an approved copy to the proper authority of the enrolling institution by that enrolling institution's deadlines.
- Register for the course(s) by the enrolling institution's approved process and deadlines.

Any changes to the original application (such as a change in the course, course number, date and time of scheduled courses) made after submitting the original form **must** be submitted on a revised form and be signed by the same individuals mentioned above. Failure to comply with this requirement may result in denial of the tuition waiver benefit and require the employee to pay all costs (tuition and fees) normally associated with attendance.

## **VII. ENROLLING IN COURSES**

Employees will not be allowed to enroll as full-time students during their normal work hours. A full-time student is one who enrolls in twelve (12) hours as an undergraduate student or nine (9) hours as a graduate student.

Employees may enroll in a course during their normal work hours provided the course is **not** offered after working hours. If the course is taken during normal work hours, with permission of their supervisor, the employee may use the employee's lunch hour, accumulated compensatory time, vacation leave, make up time or leave without pay to account for actual work time missed.

## **VIII. POLICY VIOLATION**

Any employee who willfully misrepresents the employee's eligibility for benefits provided under this Policy or who knowingly aids or abets an applicant to misrepresent the applicant's eligibility may be subject to criminal prosecution and/or civil liability.

The University will determine the appropriate sanctions in any situation in which it is found that an employee is enrolled in a course during the employee's work hours, in violation of University policy.

## **IX. TAXABILITY**

Federal law requires that certain employer-provided educational expenses be included in an employee's gross income. Under the Internal Revenue Code, employer-paid tuition (through tuition waivers or educational assistance reimbursements) for courses for which an employee receives academic credit may be considered taxable income if the employee receives more than \$5,250 in assistance in a calendar year. If the course(s) maintain or improve skills needed in the employee's

present work, the educational assistance amount will not be considered taxable, even if it exceeds \$5,250. However, if any of the course(s) taken in the calendar year are part of an advanced-degree program (graduate credit) that will qualify the employee for a new trade or profession (even if the employee does not plan on entering that trade or profession), The University must include the value of the course(s) that exceeds \$5,250 as part of the employee's wages and withhold appropriate taxes from the employee's wages.