

ADMINISTRATIVE MEMORANDUM

SUBJECT Tuition waiver for persons at least 65 years old

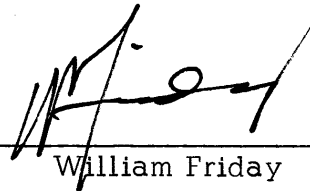
NUMBER 90

DATE October 17, 1977

Under the provisions of Chapter 606, 1975 Session Laws, the Board of Governors at its meeting of September 12, 1975, adopted a resolution establishing rules permitting legal residents of North Carolina who have attained the age of 65 and who meet applicable admissions standards to enroll for courses tuition-free on a space-available basis. The 1977 Session of the General Assembly enacted a law effectively re-establishing, but modifying, this tuition waiver privilege established in the 1975 Session for persons at least 65 years old. The 1977 law (Chapter 981, 1977 Session Laws) modified the 1975 law in two respects:

- (1) it established, rather than merely authorized establishment of, the privilege;
- (2) it required, rather than prohibited, the counting of these students in the computation of enrollment for State funding purposes.

On October 14, 1977, the Board of Governors adopted the attached resolution, thereby implementing the 1977 law through the establishment of new regulations for bestowing tuition waiver on persons at least 65 years old and otherwise eligible for such waiver under the new law. You are requested to effect these regulations at your institution as provided herein. Questions concerning this Administrative Memorandum may be directed to Mr. David Edwards of this office.



William Friday

Attachments
Resolution
Statute

RESOLUTION

WHEREAS the privilege of tuition-free enrollment within The University or North Carolina by persons 65 years of age and older, established by Chapter 606, 1975 Session Laws, has been revised and re-established by Chapter 981, 1977 Session Laws;

WHEREAS Chapter 981, 1977 Session Laws, directs that the Board of Governors of The University of North Carolina promulgate rules and regulations necessary for the implementation of said Chapter 981;

NOW THEREFORE, the Board of Governors hereby establishes the following regulations to implement the tuition waiver privilege of Chapter 981, 1977 Session Laws, with respect to the constituent institutions of The University of North Carolina:

1. "Tuition" shall mean the amount charged for registering for a credit hour of instruction and shall not be construed to mean any other fees or charges or costs of textbooks.
2. "Legal resident" shall mean a domiciliary of North Carolina without respect to duration of domicile. The determination of domicile shall be made in accordance with A Manual to Assist the Public Higher Education Institutions of North Carolina in the Matter of Student Residence Classifications for Tuition Purposes, as amended.

3. The tuition waiver privilege shall apply only to legal residents of North Carolina who are 65 years of age or older prior to the academic term for which tuition waiver is sought.
4. The tuition waiver privilege may apply to courses taken under any student status recognized under institutional policy (e.g., degree candidate, special student, auditor); provided that tuition waiver shall be available only for courses for which a "tuition" charge is set and normally levied.
5. To receive tuition waiver under these regulations for a given course, a person shall first meet all institutional requirements with respect to institutional admission, course enrollment, and any other standards deemed appropriate by the enrolling institution; provided, that institutional requirements for course enrollment tuition-free under these regulations shall include the requirement that there be space available for enrollment tuition-free in the course for which tuition waiver is sought.
6. Persons attending classes under the tuition-waiver privilege of these regulations shall be counted in the computation of institutional enrollment for funding purposes.
7. The Chancellor of each constituent institution, or his delegate, shall have authority to make those determinations required under these regulations for application of the tuition-waiver privilege; and the Chancellor, or his delegate, may require such proof as he deems necessary to insure that a person applying to the respective institution for tuition waiver is eligible for the benefits provided under these regulations for the pertinent course(s).

8. Before a person is accorded tuition waiver pursuant to these regulations, that person shall be informed by the constituent institution to which he or she has applied of the criminal penalties authorized by Chapter 981, 1977 Session Laws, with respect to conviction for willful misrepresentation of eligibility for tuition benefits provided under the act.
9. The regulations of the Board of Governors of September 12, 1975, with respect to Chapter 606, 1975 Session Laws, are superseded by these regulations.
10. These regulations shall be effective retroactive to July 1, 1977.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1977
RATIFIED BILL

CHAPTER 981

HOUSE BILL 842

AN ACT AUTHORIZING STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION, COMMUNITY COLLEGES, INDUSTRIAL EDUCATION CENTERS AND TECHNICAL INSTITUTES TO PERMIT NORTH CAROLINA RESIDENTS AT LEAST SIXTY-FIVE YEARS OF AGE TO ATTEND CLASSES WITHOUT PAYMENT OF TUITION.

The General Assembly of North Carolina enacts:

Section 1. As used in this act, "tuition" shall mean the amount charged for registering for a credit hour of instruction and shall not be construed to mean any other fees or charges or costs of textbooks.

Sec. 2. State-supported institutions of higher education, community colleges, industrial education centers and technical institutes, shall permit legal residents of North Carolina who have attained the age of 65 to attend classes for credit or noncredit purposes without the required payment of tuition; provided, however, that such persons meet admission and other standards deemed appropriate by the educational institution, and provided further that such persons shall be accepted by the constituent institutions of the University of North Carolina only on a spaces available basis.

Sec. 3. The Board of Governors of The University of North Carolina and the State Board of Education shall each, with respect to the institutions governed by it, promulgate rules and

regulations necessary for the implementation of the provisions of this act.

Sec. 4. Persons attending classes under the provisions of this act, without payment of tuition, shall be counted in the computation of enrollment for funding purposes.

Sec. 5. The officials of such institutions charged with administration of this act may require such proof as they deem necessary to insure that the person applying to the institution is eligible for the benefits provided by this act.

Sec. 6. Any applicant who willfully misrepresents his eligibility for the tuition benefits provided under this act, or any person who knowingly aids or abets such applicant in misrepresenting his eligibility for such benefits, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than fifty dollars (\$50.00) or imprisoned for not more than 30 days, or both.

Sec. 7. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 1st day of July, 1977.

JAMES C. GREEN, SR.

James C. Green

President of the Senate

CARL J. STEWART, JR.

Carl J. Stewart, Jr.

Speaker of the House of Representatives