

THE UNIVERSITY OF NORTH CAROLINA

OFFICE OF THE PRESIDENT

ADMINISTRATIVE MEMORANDUM

SUBJECT 1971-72 Tuition Charges for Nonresident Students -
Exceptions to Regular Rates

NUMBER 36

DATE September 30, 1971

On August 13, 1971, the Executive Committee of the Board of Trustees passed the attached resolution which revised the tuition charges for nonresident students. The resolution provides for two categories of exceptions to the nonresident tuition rates established by the General Assembly. This memorandum is addressed to the problem of identifying and substantiating cases which qualify under these exceptions.

Exceptions:

1. "In any case where a nonresident student is participating in an interstate regional training program approved by the Southern Regional Education Board, or in the Appalachian Regional Commission program, or in the Coastal Plains Regional Commission program, or any other limiting federally-funded program, or where a nonresident student is solicited for a special talent and is thereby awarded a scholarship or fellowship.....special tuition rates per regular session shall be applicable."

The rates for this category of exceptions are based on the 1970-71 nonresident tuition rates which were \$950 per regular session in most instances.

Cases which fall under the first part of this exception are not difficult to identify. Identifying cases which qualify under the phrase, "where a nonresident student is solicited for a special talent and is thereby awarded a scholarship or fellowship" poses greater difficulty.

"Solicited for a special talent" indicates that the student was solicited to come to the University because of a specific and identifiable talent which he possesses. Being simply "a good student" would not meet this criterion. Each campus should maintain records to provide evidence of (a) solicitation and (b) the special talent in all cases where reduced rates are allowed under this exception.

In addition to being "solicited for a special talent," the student must be "thereby awarded a scholarship or fellowship" in order to qualify under this exception.

"Awarded a scholarship or fellowship" shall mean a monetary award. No minimum dollar value is established for an otherwise eligible scholarship or fellowship, but each campus should adhere to a previously established pattern both in regard to numbers of awards in the different areas and the amounts of the awards. Each campus should maintain records indicating (a) the nature and (b) the dollar amount of the awards.

The second part of Exception 1 provides for the application of a special tuition rate "in any case where a nonresident graduate student is solicited for a special talent and is thereby awarded an assistantship (involving a service appointment of an academic nature)...provided, however, that (except as otherwise provided in

Exception 2) no special tuition rate shall be applicable with respect to an individual serving exclusively as a faculty member on a part-time basis and who is enrolled at the same time as a part-time student."

The rates applicable to students who qualify under this exception are based on the 1970-71 staff rates which were \$225 per regular session in most instances.

This rate is limited to graduate research assistants; other graduate assistants, such as teaching assistants and administrative assistants, do not qualify under this exception.

Each campus should maintain records for 1971-72 showing the number of graduate research assistants who qualify for the lower rate on the basis of (a) previous contracts (Exception 2) and (b) awards of research assistantships; the sum of (a) and (b) will represent the total number of research assistantship awards.

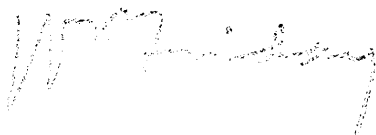
2. "In any case where a binding contract or vested right was in existence prior to July 13, 1971, giving rise to an enforceable obligation on the part of the University to extend to a nonresident student a tuition rate lower than would otherwise be the case under the foregoing provisions of this resolution, the same shall be honored in accordance with its terms but only for the period required thereby."

Each campus should maintain records identifying the nonresident students qualifying under this exception. In cases where a written agreement or contract does not exist, some memorandum documentation of the prior agreement should be filed in order to substantiate application of the lower rate.

Special Note:

The August 13, 1971 resolution provides for exceptions to regular nonresident tuition rates for the 1971-72 academic year only. Each Chancellor should begin preliminary work on his proposals for establishing exceptions to the regular 1972-73 tuition charges for nonresident students. Such proposals will be the basis for preparing a resolution which will be presented to the November or January meeting of the Executive Committee.

Further questions in regard to interpretation of the resolution of the Board of Trustees should be forwarded to Vice President Joyner for consideration by the Special Committee on Nonresident Tuition.



 William Friday, President

RESOLUTION CONCERNING
TUITION CHARGES FOR NONRESIDENT STUDENTS

WHEREAS, Chapter 845 of the 1971 Session Laws, which was ratified on July 13, 1971, prescribes for students who are nonresidents of the State, and who are enrolled at the State's institutions of higher education, a set of tuition charges for the academic year beginning in or about September, 1971, and another set of tuition charges for the academic year beginning in or about September, 1972, and all academic years thereafter.

WHEREAS, said Chapter 845 provides that, in specified instances, a special tuition rate not lower than the North Carolina resident rate may be granted in the discretion of the board of trustees of the institution.

WHEREAS, the office of the Attorney General has rendered an opinion to the effect that said Chapter 845 may not be given retroactive effect so as to impair the obligation of contracts or disturb vested rights.

NOW, THEREFORE, BE IT RESOLVED by the Executive Committee of the Board of Trustees of the University of North Carolina that, with the exceptions noted below, tuition for nonresident students shall be charged and collected by the University in the following amounts per regular session:

	Academic Year 1971-72	Academic Year 1972-73 And Thereafter
NCSU - Raleigh	\$1,300	\$1,800
UNC - Greensboro	1,300	1,800
UNC - Charlotte	1,300	1,800
UNC - Asheville	1,300	1,800
UNC - Wilmington	1,300	1,800
UNC - Chapel Hill:		
Academic Affairs	1,300	1,800
Health Affairs:		
School of Pharmacy	1,300	1,800
School of Nursing	1,300	1,800
School of Public Health	1,400	1,800
School of Dentistry:		
D.D.S. Candidates	1,800	2,300
Dental Hygiene	1,800	2,300
Dental Auxiliary	1,800	2,300
Dental Graduate	1,300	1,800
School of Medicine:		
M.D. Candidates	1,800	2,300
Medical Technology	1,800	2,300
Physical Therapy	1,800	2,300
Medicine Graduate	1,300	1,800

Exceptions:

1. In any case where a nonresident student is participating in an interstate regional training program approved by the Southern Regional Education Board, or in the Appalachian Regional Commission program, or in the Coastal Plains Regional Commission program, or any other limiting federally-funded program, or where a nonresident student is solicited for a special talent and is thereby awarded a scholarship or fellowship, the following special tuition rates per regular session shall be applicable:

	<u>Academic Year 1971-72</u>	<u>Academic Year 1972-73 And Thereafter</u>
NCSU - Raleigh	\$ 950	To be established
UNC - Greensboro	950	"
UNC - Charlotte	950	"
UNC - Asheville	850	"
UNC - Wilmington	800	"
UNC - Chapel Hill:		
Academic Affairs	950	"
Health Affairs:		
School of Pharmacy	950	"
School of Nursing	950	"
School of Public Health	No special rate	"
School of Dentistry:		
D.D.S. Candidates	1,450	"
Dental Hygiene	950	"
Dental Auxiliary	950	"
Dental Graduate	No special rate	"
School of Medicine:		
M.D. Candidates	1,450	"
Medical Technology	950	"
Physical Therapy	950	"
Medicine Graduate	950	"

or in any case where a nonresident graduate student is solicited for a special talent and is thereby awarded an assistantship (involving a service appointment of an academic nature), the following special tuition rates per regular session shall be applicable:

	<u>Academic Year 1971-72</u>	<u>Academic Year 1972-73 And Thereafter</u>
NCSU - Raleigh	\$ 225	To be established
UNC - Greensboro	225	"
UNC - Charlotte	225	"
UNC - Asheville	260	"
UNC - Wilmington	260	"
UNC - Chapel Hill:		
Academic Affairs	225	"
Health Affairs:		
School of Pharmacy:		
Undergraduate	300	"
Graduate	225	"
School of Nursing	225	"
School of Public Health	480	"
School of Dentistry		
D.D.S. Candidates	575	"
Dental Hygiene	225	"
Dental Auxiliary	225	"
Dental Graduate	575	"
School of Medicine		
M.D. Candidates	575	"
Medical Technology	225	"
Physical Therapy	225	"
Medicine Graduate	225	"

provided, however, that (except as otherwise provided in paragraph 2 below) no special tuition rate shall be applicable with respect to an individual serving exclusively as a faculty member on a part-time basis and who is enrolled at the same time as a part-time student.

2. In any case where a binding contract or vested right was in existence prior to July 13, 1971, giving rise to an enforceable obligation on the part of the University to extend to a nonresident student a tuition rate lower than would otherwise be the case under the foregoing provisions of this resolution, the same shall be honored in accordance with its terms but only for the period required thereby.

Resolution of Questions:

In each instance where a question arises as to whether a particular case (or group of like cases) falls within one of the exceptions noted above, such question shall be resolved on the basis of an opinion from the Office of the Attorney General or a ruling or interpretation from the Advisory Budget Commission, the Department of Administration, or the Budget Division, or, in the absence of a dispositive opinion, ruling or interpretation from one of those sources, such question shall be resolved on the basis of a determination by a majority of the members of a committee to be appointed by the President and to be composed of five persons (one of whom shall be from the faculty of the Law School of the University at Chapel Hill).