



TRANSMITTAL LETTER

The University of North Carolina
General Administration

Transmittal Number 70
August 20, 2010

THIS LETTER TRANSMITS CHANGES TO THE *UNC POLICY MANUAL*

300.2.17[G] Guidelines for Implementing Furlough Authorization for the University of North Carolina Pursuant to Senate Bill 897, Section 29.4 (Session Law 2010-3)

These guidelines were approved by President Bowles on July 29, 2010. If you have questions pertaining to these guidelines, please contact the Vice President for Human Resources and University Benefits Officer at 919-962-4651.

New 1000.1.5[G] Tuition Surcharge Guidelines

These guidelines were approved by President Bowles on August 17, 2010. If you have questions pertaining to these guidelines, please contact Dr. Alan Mabe, Senior Vice President for Academic Affairs, at 919-962-4614.

1000.1.5[G]
REPEALED

Guidelines on Establishing Twenty-Five Percent (25%) Tuition Surcharge

These Guidelines were Repealed and Replaced with New 1000.1.5[G] on August 17, 2010. If you have any questions pertaining to these guidelines, please contact Dr. Alan Mabe, Senior Vice President for Academic Affairs, at 919-962-4614.

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**Guidelines for Implementing Furlough Authorization for
the University of North Carolina
Pursuant to Senate Bill 897, Section 29.4 (Session Law 2010-31)**

Section 29.4 of Senate Bill 897 (Session Law 2010-31) authorizes the University to implement furloughs as needed in order to balance the budgets of the University of North Carolina or its constituent institutions for the 2010-2011 fiscal year. The University has developed the following guidelines pursuant to section 29.4(f) of the legislation which shall apply throughout the 2010-2011 fiscal year.

1. Authorization to Implement a Furlough

Furlough—A temporary period of leave from employment without pay that (1) is ordered by the President of the University of North Carolina or a chancellor with approval by the President and (2) is not in connection with a demotion or other disciplinary action.

The President is authorized to implement a furlough for the University of North Carolina¹ or any part thereof during the 2010-2011 fiscal year. In addition, the President may delegate the authority to implement to the Chancellor of a constituent institution upon the request of the Chancellor, provided that an institutional furlough plan has been previously submitted and approved in accordance with these guidelines. Furloughs may be used only to meet one-time budget reductions required by discontinued FMAP funding or required reversions imposed on the University by the Governor. Furloughs are not a viable solution for long-term or recurring budget challenges.

2. Application of Furloughs

University Employee—Any permanent full-time, permanent part-time, or time-limited employee of the University of North Carolina, including employees exempt from the State Personnel Act under G.S. 126-5(c), 126-5(c1), 126-5(c7), and 126-5(c8). The term includes public officers.

Furloughs should be applied as consistently as possible to all University Employees except that:

- Furloughs may not be imposed on any employee whose pro rated full-time annual base salary is \$32,000 or less. Institutions may choose to designate a higher “threshold” for base salary and must include that threshold in their institutional furlough plan. Institutions may choose to use a “tiered” structure of increasing furlough days for increasing tiers of salary above \$32,000.
- Furloughs may not be imposed on student workers including work aid and work study, graduate/teaching/research assistants; postdoctoral fellows/trainees who do not pay FICA; and others in student status.
- Furloughs may not be imposed on employees holding H-1B visas.
- Furloughs may not be imposed on research fellows or trainees supported by fellowships that mandate the level of stipend or support.
- Furloughs may not be imposed on employees on military leave with pay and receiving military differential pay during any designated furlough period.
- Institutions may elect to restrict furloughs to employees who are paid by General Fund sources or may elect to impose furloughs on all employees regardless of

¹The UNC Health Care System is not covered by these Furlough Guidelines.

source of funds. Furlough “savings” from non-State funds cannot be used to offset State budget reductions.

- Institutions may exempt from furloughs any employees whose presence on campus is essential for the health and safety of the University community.
- Institutional furlough plans must address how furlough would be applied to employees who first begin work during the fiscal year and to employees whose employment is terminating during the fiscal year.
- Institutional furlough plans must describe the steps that will be taken to ensure that employees are not directed or permitted to work on furlough days and are not directed or permitted to work more than 40 hours in the work week in which furlough days are taken.
- Institutions must keep records of hours worked by employees during work weeks in which furlough days are taken, including employees who are paid on a salary basis and are otherwise exempt under the Fair Labor Standards Act.

3. Furlough Duration and Scheduling

- The maximum number of furlough days allowed during the fiscal year is 5 days.
- Furloughs should be taken in full day increments.
- Institutions may choose to designate “furlough days” on which the entire institution is closed or may allow employees flexibility in scheduling a required number of furlough days through a designated furlough period. Consistent with previous budget reductions, institutions should attempt to minimize the impact on the teaching mission.
- Employees are expected to be given at least 30 days notice prior to the imposition of a furlough to the extent practicable.
- Pay reductions should be spread over as long a period as practical in order to minimize the impact on employees’ pay in a manner consistent with the Fair Labor Standards Act.
- Employees should be given clear instructions not to work at all on furlough days.

4. Leave and Holidays

An employee may not use paid leave to offset all or any portion of a furlough. If a holiday falls during the designated furlough period, a permanent university employee must be paid for the holiday.

5. Effect of Furlough on Other Employee Payments

The following payments to employees shall not be affected by furlough:

- Leave payouts upon separation of employment, if applicable,
- Law enforcement officer supplements,
- Severance payments,
- Workers’ Compensation payments,
- Short term or long term disability payments,
- Longevity pay, or

- Overtime, shift premium pay, on call, or call back pay.

6. Employee Benefits

University contributions to retirement (TSERS and ORP) and to the State Health Plan shall continue as if the employee had worked and been paid for any designated furlough.

7. Reporting

When the President or a chancellor authorizes a furlough, he/she shall report to the State Treasurer, the Director of the Retirement Systems Division, and the Executive Administrator of the State Health Plan the following:

- The specifics of the authorized furlough including the applicable reduction in salary and the date the reduction in salary will occur.
- The positions affected.
- The individual employees affected, including the applicable reduction in salary and whether the employee is subject to or exempt from the Fair Labor Standards Act.
- Certification that the furlough is not in connection with a demotion or any other disciplinary action.
- Certification that the furlough is to accomplish economies, including the specific budget provision or reduction the furlough is intended to address.
- Certification that the furlough is not related to the settlement of any claim against the institution.

Tuition Surcharge Guidelines

This guideline provides a framework for implementing a tuition surcharge on undergraduates as required by North Carolina General Statute § 116-143.7 as codified by Section 9.10(a) of Session Law 2009-451.

I. Surcharge

The Board of Governors of the University of North Carolina shall ensure that procedures are established that are necessary to impose a twenty-five percent (25%) tuition surcharge prior to the 2010-2011 academic year and a fifty percent (50%) tuition surcharge beginning with the 2010-2011 academic year on students who take more than 140 degree credit hours to complete a baccalaureate degree in a four-year program or more than one hundred ten percent (110%) of the credit hours necessary to complete a baccalaureate degree in any program officially designated by the Board of Governors as a five-year program. The calculation of the credit hours taken at the constituent institution or accepted for transfer shall include courses failed by the student or that are not completed unless officially dropped by the student pursuant to the academic policy of the appropriate institution. The calculation of the credit hours taken shall exclude hours earned through the College Board's Advanced Placement or CLEP examination, through institutional advanced placement or course validation, or through summer term or extension programs. No surcharge shall be imposed on any student who exceeds the degree credit hour limits within the equivalent of four academic years of regular term enrollment, or within five academic years of regular term enrollment in a degree program officially designated by the Board of Governors as a five-year program.

II. Waiver

Upon application by a student, the tuition surcharge shall be waived if the student demonstrates that any of the following have substantially disrupted or interrupted the student's pursuit of a degree: (i) a military service obligation, (ii) serious medical debilitation, (iii) a short-term or long-term disability, or (iv) other extraordinary hardship. (See Appendix A for the language and terms applicable to the waiver procedure).

III. Effective Date

Effective beginning with the 2009-2010 academic year, all undergraduates seeking a baccalaureate degree at a constituent institution will be subject to the requirements listed herein. Effective beginning with the 2010-2011 academic year, the tuition surcharge will be raised from 25% to 50%.

IV. "Counted Credit Hours"

The undergraduate credit hours to be counted for this requirement include: (1) those courses taken at the constituent institution or accepted for transfer, (2) failed courses, and (3) those courses not completed unless officially dropped by the student consistent with the academic policy of the appropriate constituent institution. All credit hours transferred shall be included for tuition surcharge calculation purposes regardless of their application to the student's major or minor, unless otherwise exempted consistent with this guideline. However, the following credit hours shall be excluded from the calculation: (1) those earned through the College Board's Advanced Placement (AP) and College Level Examination Program (CLEP) or similar programs, (2) those earned through institutional advanced placement, course validation, or any similar procedure for awarding course credit, and (3) those earned through summer session or extension programs on the campus or at another institution. In addition, and consistent with this guideline, credit hours taken while enrolled as a high school student shall be excluded from the tuition surcharge calculation.

V. Students Subject to the Surcharge

The surcharge shall be imposed on all counted credit hours in excess of the threshold defined below for each of the following three categories of undergraduates:

- A. For students earning a first baccalaureate degree in a program that requires no more than 128 credit hours, the surcharge shall be applied to all counted credit hours in excess of 140.
- B. For students earning a first baccalaureate degree in a board-approved program that requires more than 128 counted credit hours, the surcharge shall be applied to all credit hours that exceed 110 percent of the credit hours required for the degree. Such programs include those that have been officially designated by the Board of Governors as five-year programs, and combined bachelor's/master's degrees.
- C. For students earning a baccalaureate degree other than their first, the surcharge shall be applied to all counted credit hours that exceed 110 percent of the minimum additional credit hours needed to earn the additional baccalaureate degree.

VI. Students Exempt from the Surcharge

The surcharge shall not be imposed on undergraduates who:

- A. Complete a first baccalaureate degree program that has not been officially designated by the Board of Governors as a five-year program and whose counted credit hours were taken in eight (8) or fewer regular term semesters or the equivalent; or
- B. Complete a first baccalaureate degree program that has been officially designated by the Board of Governors as a five-year program and whose counted credit hours were taken in ten (10) or fewer regular term semesters or the equivalent.

VII. How to Calculate the Surcharge

The surcharge shall be imposed on tuition charged in the current semester and in subsequent semesters where a student's cumulative credit hours total – with that semester's course load included – exceeds the threshold. The surcharge does not apply to required fees.

Appendix A*
Waiver Procedure

I. Definitions

With respect to the provisions of North Carolina General Statute § 116-143.7(c) the following terms are defined:

- A. “Military Service Obligation” shall mean the performance of duty on a voluntary or involuntary basis in connection with service in the Armed Forces, Reserves, or National Guard including, but not limited to; active duty, active duty for training, initial active duty for training, and inactive duty training.
- B. “Serious Medical Debilitation” shall mean an illness, injury, impairment, or physical or mental condition requiring; (a) inpatient care in a hospital, hospice, or residential medical care facility; or (b) continuing treatment by a health care provider; provided that such incapacity did not result from the student’s violation of University policy or the commission of a felony.
- C. “Disability” shall mean a mental or physical incapacity that causes the performance of the student’s academic commitments to become impossible or impractical; provided that such incapacity did not result from the student’s violation of University policy or the commission of a felony.
- D. “Other Extraordinary Hardship” shall mean a hardship of any kind which, despite responsible handling, resulted in the substantial disruption or interruption of the student’s pursuit of a degree.

II. Documentation Requirements

In order to demonstrate the applicability of a waiver category the student shall provide the following documentation:

A. Military Service Obligation: verification of the student’s voluntary or involuntary performance of a duty in connection with service in the Armed Forces, Reserves, or National Guard including, but not limited to; active duty, active duty for training, initial active duty for training, and inactive duty training.

B. Serious Medical Debilitation

Certification issued by the treating health care professional(s) stating each of the following:

1. The approximate date on which the Serious Medical Debilitation commenced.
2. The extent to which the serious medical condition has impacted the student’s pursuit of a degree.
3. The relevant and appropriate medical facts regarding the condition.

C. Short-Term Disability

Certification issued by the treating health care professional(s) stating each of the following:

1. The approximate date on which the Short-Term Disability commenced.
2. The extent to which the student’s physical or mental incapacity has impacted the student’s pursuit of a degree.
3. The relevant and appropriate medical facts regarding the condition.
4. That, to the best of the treating health care professional’s knowledge, the student’s disability is not permanent.

**Note that this Appendix A – Waiver Procedure – is a part of New 1000.1.5[G] adopted 08/17/2010.*

D. Long-Term Disability

Certification issued by the treating health care professional stating each of the following:

1. The approximate date on which the Long-Term Disability commenced.
2. The extent to which the student's physical or mental incapacity has impacted the student's pursuit of a degree.
3. The relevant and appropriate medical facts regarding the condition.
4. That, to the best of the treating health care professional's knowledge, the student's disability is likely to be permanent.

E. Extraordinary Hardship: verification of any circumstances which, despite responsible handling, led to the substantial disruption or interruption of the student's pursuit of a degree.

III. Tuition Surcharge Waiver Process

A. Constituent Institution

A constituent institution shall:

1. Include with the student's bill that applies the tuition surcharge: (1) a tuition surcharge waiver form including, at a minimum, the information contained in Attachment 1, and (2) a copy of this guideline.
2. Establish procedures by which the institution shall receive each tuition surcharge waiver request.
3. Establish procedures by which the waiver request shall be reviewed and determined by a committee of no fewer than three (3) members, excluding initial decision makers when reasonably possible, drawn from departments whose expertise is relevant to the waiver category upon which the student's waiver request is based.
4. Establish procedures by which the student shall be informed of the institution's final decision within thirty (30) business days of receipt of the waiver request and Student Accounts shall be informed in a timely fashion.

B. Student

A student who wishes to request a tuition surcharge waiver shall:

1. Complete and submit a tuition surcharge waiver request form provided by the constituent campus, and
2. In a manner consistent with the UNC Policy Manual 1000.1.5 [G] including Appendix A, and to the satisfaction of the constituent institution:
 - a. Demonstrate that his/her pursuit of a degree has been substantially disrupted or interrupted and that the reason for such substantial disruption or interruption fits within one of the four waiver categories enumerated above and defined in Appendix A, and;

b. Meet the necessary documentation requirements that accompany each waiver category as articulated in Appendix A, and;

c. Successfully complete and submit the form to the institution within thirty (30) business days of receiving written notice of the tuition surcharge.

Written notification of the result of the waiver request shall be provided to the student within thirty (30) business days from the date of receipt by the institution. The determination of the institution shall be the final decision.

Attachment 1**

Minimum Content Required for the Tuition Surcharge Waiver Form

I. Student Information

- A. Student's Name and Address
- B. Student's Email Address
- C. Student's Identification Number
- D. Student's Major(s)/Degree Program
- E. Other

II. Basis for Waiver Request

The following four waiver categories constitute the only grounds for waiver of the tuition surcharge (select one of the following):

- A. Military Service Obligation
- B. Serious Medical Debilitation
- C. Short-term or Long-Term Disability
- D. Other Extraordinary Hardship

III. Documentation Requirements

Attach to this form the necessary documentation requirements that correspond with the waiver category selected in section II. Documentation not included with this form will not be considered.

IV. Form Completion and Submission

Once this form has been timely completed in its entirety, including the necessary information and documents listed in sections I, II, and III, the form shall be submitted to the institution for consideration.

***Note that this Attachment 1 - Minimum Content Required for the Tuition Surcharge Waiver Form – is a part of New 1000.1.5[G] adopted 08/17/2010.*

Guidelines on Establishing Twenty-Five Percent (25%) Tuition Surcharge

This policy establishes guidelines for campuses to impose a twenty-five percent (25%) tuition surcharge on undergraduates as required by subsection (b) of Section 89 of Chapter 321 of the 1993 Session laws as amended by Section 17.10 of Chapter 769 of the 1993 Session Laws (amendment highlighted):

The Board of Governors of the University of North Carolina shall ensure that procedures are established that are necessary to impose a twenty-five percent (25%) tuition surcharge on students who take more than 140 degree credit hours to complete a baccalaureate degree in a four-year program or more than one hundred ten percent (110%) of the credit hours necessary to complete a baccalaureate degree in any program officially designated by the Board of Governors as a five-year program. The calculation of these credit hours taken at the constituent institution or accepted for transfer shall exclude hours earned through the College Board's Advanced Placement or CLEP examination, through institutional advanced placement or course validation, or through summer term or extension programs. No surcharge shall be imposed on any student who exceeds the degree credit hour limits within the equivalent of four academic years of regular term enrollment, or within five academic years of regular term enrollment in a degree program officially designated by the Board of Governors as a five-year program. The board shall report to the Joint Legislative Education Oversight Committee by April 1, 1994, on its recommendations for implementing this surcharge.

Effective fall 1994, all new undergraduates seeking a baccalaureate degree at a constituent institution will be subject to this requirement.

“Counted Credit Hours”

The undergraduate credit hours to be counted for this requirement include: 1) all regular session degree-creditable courses taken at the institution including repeated courses, failed courses, and those dropped after the institution's official census date (normally the last date to add a course); and 2) all transfer credit hours accepted by the institution. However, the following credit hours shall be excluded from the calculation: (1) those earned through the College Board's Advanced Placement (AP) and College Level Examination Program (CLEP) or similar programs; (2) those earned through institutional advanced placement, course validation, or any similar procedure for awarding course credit; and (3) those earned through the summer session or degree-credit extension division on the campus or at another UNC institution.

Students Subject to the Surcharge

The surcharge should be imposed on all counted credit hours in excess of the threshold defined below for each of the following three categories of undergraduates:

1. For students earning a first baccalaureate degree in a program that requires no more than 128 credit hours, the surcharge shall be applied to all counted credit hours in excess of 140.
2. For students earning a first baccalaureate degree in a board-approved program that requires more than 128 counted credit hours, the surcharge shall be applied to all credit hours that exceed 110 percent of the credit hours required for the degree. Such programs include those that have been officially designated by the Board of Governors as five-year programs, as well as those involving double majors, or combined bachelor's/master's degrees.
3. For students earning a baccalaureate degree other than their first, the surcharge shall be applied to all counted credit hours that exceed 110 percent of the minimum additional credit hours needed to earn the additional baccalaureate degree.

**Refer to New 1000.1.5[G] – Tuition Surcharge Guidelines – adopted 08/17/2010*

Students Exempt from the Surcharge

The surcharge should not be imposed on undergraduates who:

1. Complete a first baccalaureate degree program that has not been officially designated by the Board of Governors as a five-year program and whose counted credit hours were earned in eight (8) or fewer regular term semesters or the equivalent; or
2. Complete a first baccalaureate degree program that has been officially designated by the Board of Governors as a five-year program and take their counted credit hours in ten (10) or fewer regular term semesters or the equivalent.

How to Calculate the Surcharge

The surcharge should be imposed on tuition charged in the current semester and in subsequent semesters where a student's cumulative credit hour total—with that semester's courseload included—exceeds the threshold. The surcharge does not apply to required fees. More specific directions regarding the computation of the surcharge will be outlined in a separate Chart of Accounts memorandum to be distributed later.

**Refer to New 1000.1.5[G] – Tuition Surcharge Guidelines – adopted 08/17/2010*

THE UNIVERSITY OF NORTH CAROLINA
POLICY MANUAL



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- 400.5[R] REPEALED and REPLACED in its entirety. Regulations for Planning, Establishing, and Reviewing Institutes and Centers in the University of North Carolina
- 400.6 Early College High Schools on UNC Campuses
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