

From: Robertson, Alan D. <alan.robertson@fam.u.edu>

Subject: RE: Student concern re: fees

Date: March 25, 2020 at 11:42 AM

To: Hudson, Jr., William E. <william.hudsonjr@fam.u.edu>, Boothe-Perry, Nicky A. <nicky.bootheperry@fam.u.edu>, Edington, Maurice D. <maurice.edington@fam.u.edu>

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Dean Boothe,

We are planning to issue refunds for housing and dining, but not tuition. Your response to your student was appropriate.

Alan Robertson

From: Hudson, Jr., William E.

Sent: Wednesday, March 25, 2020 11:36 AM

To: Boothe-Perry, Nicky A. <nicky.bootheperry@fam.u.edu>; Edington, Maurice D. <maurice.edington@fam.u.edu>; Robertson, Alan D. <alan.robertson@fam.u.edu>

Subject: RE: Student concern re: fees

Ok that is good information for the Provost and VP. I think we need to be consistent with the other Law Schools.

William E. Hudson Jr., Ph.D.
Vice President for Student Affairs
Florida A&M University
308 Foote Hilyer Administration Building
Tallahassee, FL 32307
850-599-3183
850-599-2674 fax

De

From: Boothe-Perry, Nicky A. <nicky.bootheperry@fam.u.edu>

Sent: Wednesday, March 25, 2020 11:34 AM

To: Hudson, Jr., William E. <william.hudsonjr@fam.u.edu>; Edington, Maurice D. <maurice.edington@fam.u.edu>; Robertson, Alan D. <alan.robertson@fam.u.edu>

Subject: RE: Student concern re: fees

Good Morning:

Yes, they have. I referenced this in my response to the students:

“The Dean’s listserv indicates that students across the country have made similar requests. The response has been uniform regarding tuition. There may be credits/refunds for housing at some non-commuter schools; but not for tuition. The University will make a final determination but I suspect it will be in keeping with all other universities/law schools.”

Nicky A. Boothe Perry, Esq.
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From: Hudson, Jr., William E. <william.hudsonjr@famu.edu>

Sent: Wednesday, March 25, 2020 11:32 AM

To: Boothe-Perry, Nicky A. <nicky.bootheperry@famu.edu>; Edington, Maurice D. <maurice.edington@famu.edu>; Robertson, Alan D. <alan.robertson@famu.edu>

Subject: RE: Student concern re: fees

Dean Booth, this is a question for the Provost and VP for Finance. I know we are working on a strategy for housing and Meal plan refunds however, I am not sure of any tuition refunds due to students being able to attend classes remotely. Have any of the other Law School Deans received any such requests?

William E. Hudson Jr., Ph.D.

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From: Boothe-Perry, Nicky A. <nicky.bootheperry@famu.edu>

Sent: Wednesday, March 25, 2020 11:28 AM

To: Hudson, Jr., William E. <william.hudsonjr@famu.edu>

Subject: Student concern re: fees

Good Morning Dr. Hudson:

Happy Wednesday! I hope you are faring as well as can be expected under the circumstances. The student below has a concern regarding fees. I have highlighted the relevant paragraph in green for easy reference. I simply advised the student that I would advise your office of the concern. I don't believe any additional response directly to this student is needed at this time, as he seems to be advocating for other "students" and not indicating a personal issue with the situation.

Also, I had a couple students contact me requesting tuition refunds. Here was the response I sent them:

"With regard to the issue of tuition reimbursement: tuition issues are handled by central administration; however, here as across the country, law students are more than 2/3 of the way through the semester and will still get credit for classes in which they are enrolled. Although the mode of instruction and advising has

changed, the instruction and advising will continue uninterrupted albeit remotely to protect the health and safety of our entire COL community. Thankfully, technology makes it possible for students to still benefit from faculty's instruction, receiving course credits, and getting access to the services that we offer (academic support, professional counseling, academic advising, etc.). You will still be able to advance towards your full JD degree (not partial degree certificates) despite the temporary changes imposed this semester.

The Dean's listserv indicates that students across the country have made similar requests. The response has been uniform regarding tuition. There may be credits/refunds for housing at some non-commuter schools; but not for tuition. The University will make a final determination but I suspect it will be in keeping with all other universities/law schools."

Please let me know if you need any further information.

Thanks for all you are doing during this COVID crisis.

Stay safe!

Nicky

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From: [REDACTED] >
Sent: Monday, March 23, 2020 9:17 PM
To: Boothe-Perry, Nicky A. <nicky.bootheperry@famu.edu>
Subject: Thoughts on COVID-19 Related Challenges

Dean Boothe:

The previous email I sent did not include the complete final sentence for some reason.

I want to share my thoughts about some of the challenges moving forward. Your video was received warmly by a large number of students I communicate with via GroupMe, etc. I would strongly suggest using that format moving forward.

All of these concerns are likely being addressed. Based on current models, the COVID-19 virus pandemic will continue to be a reality well into the start of flu season. The

likelihood of having a safe hooding ceremony between now and December is low. If the virus stabilizes and social/economic activities return to normal between August and December, higher revenue generating events will have priority at venues. I would love to formally graduate with my classmates, but it would likely be a logistical nightmare to share a hooding ceremony with the Class of 2021. Family and friends attendance would have to be significantly limited. In the context of a global pandemic, a formal graduation/hooding is not important!

Students are still receiving emails from main campus about fees that are owed and the potential of being referred to a collection agency. This needs to be suspended immediately. This pandemic is going to get worse before it gets better. Students on tight budgets should not have to choose between getting needed supplies over an extended period and paying fees.

I heard some concerns from evening students about different issues. The list of student contacts listed in the March 20 email regarding the survey does not include an evening student. I suggest adding the evening student representative to this list as well as meetings moving forward.

There should be a uniform policy announcement regarding the on-line attendance policy. I spoke to a couple students who had classes today and we all heard different things from professors. This is not the time for professors to have their own rules in addition to an official policy that is already in place. The policy needs to be uniform.

The B/B+ curve is the best middle ground option. Students still need to be challenged, and first-year students need to prove themselves to themselves. That is the singularly important outcome from 1L—saying, “I did it and now I know I can do anything.” Pass/Fail is an attractive option for 2L/3Ls; however, what reward is there for those who have been working hard all semester? Many students are fighting hard to get their GPAs to 3.0 in order to be eligible to **apply** for jobs. The B/B+ curve is more of a reward for working hard to finish strong under challenging circumstances. If students don’t have the requisite GPA, the system that automatically processes applications dismisses those that do not meet the GPA requirement.

Respectfully,

From: Friday-Stroud, Shawnta S. shawnta.friday@fam.u.edu

Subject: Refund for Online MBA students that opt not to go on rescheduled international trip

Date: March 27, 2020 at 7:45 AM

To: Robinson, Larry larry.robinson@fam.u.edu, Edington, Maurice D. maurice.edington@fam.u.edu, Robertson, Alan D. alan.robertson@fam.u.edu, Bailey, Herbert G herbert.bailey@fam.u.edu

Cc: Frye, Cassandra K. cassandra.frye@fam.u.edu

Hello All,

There are a few students (expected May 2020 graduation) in the Online MBA program that do not want to go on the rescheduled trip next year. So, they are requesting a refund because the cost of the trip is built into their tuition costs. The tuition for the Online MBA is operated as an Auxiliary, not E&G. The portion of the tuition that would need to be refunded if a student decided not to go on the rescheduled trip next year is \$1860 (\$446 - per diem, \$614 - lodging, and \$800 airfare). Again, the \$1860 per student would be reimbursed from SBI's online MBA Auxiliary account.

Thank you,

Shawnta

Shawnta Friday-Stroud, Ph.D.

Dean | School of Business and Industry


Vice President | University Advancement & Executive Director | FAMU Foundation

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500 Gamble Street | Tallahassee, FL 32307

(850) 599-3565 or (850) 412-5755 -office | (850) 561-2123 -

fax | shawnta.fridaystroud@fam.u.edu (please call if you do not receive a reply within 2 business days)

From: Friday-Stroud, Shawnta S. shawnta.friday@fam.u.edu 
Subject: Reimbursement Information for 9 Online MBA Students that were not able to go on their Trip to Jamaica
Date: April 19, 2020 at 2:38 PM
To: Bailey, Herbert G herbert.bailey@fam.u.edu, Cotton, D'Andrea C. dandrea.cotton@fam.u.edu, Stewart, Lisa lisa.stewart@fam.u.edu, Edwards, Nigel nigel.edwards@fam.u.edu, Hudson, Jr., William E. william.hudsonjr@fam.u.edu, Robertson, Alan D. alan.robertson@fam.u.edu, Edington, Maurice D. maurice.edington@fam.u.edu
Cc: Frye, Cassandra K. cassandra.frye@fam.u.edu, Kong, Lisa A. lisa.kong@fam.u.edu, McFarlane, Paulette paulette.mcfarlane@fam.u.edu

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Hello All,

Attached is the spreadsheet detailing the amount each of the 9 Online MBA students are to be reimbursed since they were not able to take the trip which is included in the their auxiliary-based tuition costs. The last column in the spreadsheet provides the amount that each student should be reimbursed. The reimbursement amounts are different because the airline credits that each student received are different.

The Online MBA Auxiliary Account information from which the reimbursement funds are to be taken are below.

Department: 618520

Fund: 116

Program:78

Please let me know if any additional information is needed.

Thank you,

Shawnta

Shawnta Friday-Stroud, Ph.D.

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2020 OMBA Trip
Reimb...nt.xlsx

From: Edington, Maurice D. maurice.edington@famuedu
Subject: Re: Section 18004(a)(2) of the Higher Education Emergency Relief Fund, Coronavirus Aid, Relief, and Economic Security (CARES) Act
Date: May 11, 2020 at 3:44 PM
To: Robertson, Alan D. alan.robertson@famuedu



Thanks Alan.

Maurice D. Edington, Ph.D.
Provost and Vice President for Academic Affairs
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maurice.edington@famuedu

On May 11, 2020, at 2:36 PM, Robertson, Alan D. <alan.robertson@famuedu> wrote:

FYI

From: Robertson, Alan D.
Sent: Monday, May 11, 2020 2:32 PM
To: Robinson, Larry <larry.robinson@famuedu>
Subject: FW: Section 18004(a)(2) of the Higher Education Emergency Relief Fund, Coronavirus Aid, Relief, and Economic Security (CARES) Act
Importance: High

As you requested Deidre and I have done some preliminary research into Section 18004(a)(2) funding. As you know, FAMU was allocated \$26,309,331 under Section 18004(a)(2) of the Higher Education Emergency Relief Fund, Coronavirus Aid, Relief, and Economic Security (CARES) Act.

Information about the uses of these funds is available at the Department of Education Website: <https://www2.ed.gov/about/offices/list/ope/caresact.html>

Some information you would be interested in is included in the April 30, 2020, - Betsy DeVos Letter. This information includes:

- These funds are not subject to Section 18004(c), which means institutions are not required to use at least 50% of these funds for grants to students. Nonetheless, she encourages universities to use as much of these funds as you can to give grants to students.
- Institutions may also use these funds to defray institutional expenses, which may include lost revenue, reimbursement for expenses already incurred, technology costs associated with the transition to distance education, faculty and staff training, and payroll.
- She encourages universities to use these awards to expand your remote learning programs and build your IT capacity.

Information in the Certification and Agreement (*Recipient's Certification and Agreement for an Award under Section 18004(a)(2) of the Higher Education Emergency Relief Fund, Coronavirus Aid, Relief, and Economic Security (CARES) Act*) includes uses:

Fund, Coronavirus Aid, Relief, and Economic Security (CARES) Act) includes uses.

- Pursuant to Section 18004(a)(2) of the CARES Act, Recipient may use this award to defray expenses incurred by Recipient, including lost revenue, reimbursement for expenses already incurred, technology costs associated with a transition to distance education, faculty and staff trainings, and payroll (“Recipient’s Expenses”). Recipient also may use this award for grants to students for any component of the student’s cost of attendance, as defined under Section 472 of the HEA, including food, housing, course materials, technology, health care, and child care (“Student Grants” or “Student Grant”).

SEC. 472. §20 U.S.C. 1087II; COST OF ATTENDANCE.

For the purpose of this title, the term “cost of attendance” means—

- (1) tuition and fees normally assessed a student carrying the same academic workload as determined by the institution, and including costs for rental or purchase of any equipment, materials, or supplies required of all students in the same course of study;
- (2) an allowance for books, supplies, transportation, and miscellaneous personal expenses, including a reasonable allowance for the documented rental or purchase of a personal computer, for a student attending the institution on at least a half- time basis, as determined by the institution;
- (3) an allowance (as determined by the institution) for room and board costs incurred by the student which— (A) shall be an allowance determined by the institution for a student without dependents residing at home with parents; (B) for students without dependents residing in institutionally owned or operated housing, shall be a standard allowance determined by the institution based on the amount normally assessed most of its residents for room and board; (C) for students who live in housing located on a military base or for which a basic allowance is provided under section 403(b) of title 37, United States Code, shall be an allowance based on the expenses reasonably incurred by such students for board but not for room; and (D) for all other students shall be an allowance based on the expenses reasonably incurred by such students for room and board;
- (4) for less than half-time students (as determined by the institution), tuition and fees and an allowance for only— (A) books, supplies, and transportation (as determined by the institution); (B) dependent care expenses (determined in accordance with paragraph (8)); and (C) room and board costs (determined in accordance with paragraph (3)), except that a student may receive an allowance for such costs under this subparagraph for not more than 3 semesters or the equivalent, of which not more than 2 semesters or the equivalent may be consecutive;
- (5) for a student engaged in a program of study by correspondence, only tuition and fees and, if required, books and supplies, travel, and room and board costs incurred specifically in fulfilling a required period of residential training;
- (6) for incarcerated students only tuition and fees and, if required, books and supplies;
- (7) for a student enrolled in an academic program in a program of study abroad approved for credit by the student’s home institution, reasonable costs associated with such study (as determined by the institution at which such student is enrolled);
- (8) for a student with one or more dependents, an allowance based on the estimated actual expenses incurred for such dependent care, based on the number and age of such dependents, except that— (A) such allowance shall not exceed the reasonable cost in the community in which such student resides for the kind of care provided; and (B) the period for which dependent care is required includes, but is not limited to, class-time, study-time, field work, internships, and commuting time;
- (9) for a student with a disability an allowance (as determined by the institution) for

- (9) for a student with a disability, an allowance (as determined by the institution) for those expenses related to the student's disability, including special services, personal assistance, transportation, equipment, and supplies that are reasonably incurred and not provided for by other assisting agencies;
- (10) for a student receiving all or part of the student's instruction by means of telecommunications technology, no distinction shall be made with respect to the mode of instruction in determining costs;
- (11) for a student engaged in a work experience under a cooperative education program, an allowance for reasonable costs associated with such employment (as determined by the institution);
- (12) for a student who receives a loan under this or any other Federal law, or, at the option of the institution, a conventional student loan incurred by the student to cover a student's cost of attendance at the institution, an allowance for the actual cost of any loan fee, origination fee, or insurance premium charged to such student or such parent on such loan, or the average cost of any such fee or premium charged by the Secretary, lender, or guaranty agency making or insuring such loan, as the case may be; and
- (13) at the option of the institution, for a student in a program requiring professional licensure or certification, the one-time cost of obtaining the first professional credentials (as determined by the institution).

Section 18004(a)(2) seems to provide flexibility to reduce student fees and cover those fees with these funds.

One approach could be to "buy down" the Athletics scholarship expenses and then use those funds for other athletic needs. This could help with returning players with another year of eligibility.

FAQ Sections 18004(a)(1) and 18004(c) -

<https://www2.ed.gov/about/offices/list/ope/heerfinstitutionalfaq.pdf>

- The CARES Act establishes and funds the Higher Education Emergency Relief Fund (HEERF). Sections 18004(a)(1) and 18004(c) of the CARES Act, which address the HEERF, allow institutions of higher education to use up to 50 percent of the funds they receive to cover any costs associated with significant changes to the delivery of instruction due to the coronavirus so long as such costs do not include payment to contractors for the provision of pre-enrollment recruitment activities, including marketing and advertising; endowments; or capital outlays associated with facilities related to athletics, sectarian instruction, or religious worship (collectively referred to as "Recipient's Institutional Costs").
- Institutions may use the funds for Recipient's Institutional Costs to provide refunds to students for room and board, tuition, and other fees as a result of significant changes to the delivery of instruction, including interruptions in instruction, due to the coronavirus.

The key date is March 13, 2020, the date of the President's Proclamation, "Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak," Federal Register Vol. 85, No. 53 at 15337-38.

We will try to find time to look for more guidance and can make ourselves available to discuss this information as needed.

Joseph K. Maleszewski, Vice President for Audit
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