

FLORIDA A&M UNIVERSITY BOARD OF TRUSTEES



NOTICE OF AMENDED REGULATION

DATE: September 12, 2014

REGULATION CHAPTER NO.: Chapter 2

REGULATION CHAPTER TITLE: Student Affairs

REGULATION TITLE AND NUMBER: Housing (2.001)

SUMMARY OF REGULATION: This Regulation is revised to include applicability of the On-Campus Residency Requirement to Access Summer Bridge Program and CeDAR ART Program participants; renaming the Freshmen Studies Program to the Access Summer Bridge Program; requiring prior approval for an exception to the On-Campus Residency Requirement to avoid being billed for two (2) semesters at the lowest facility rate; adding an exemption from the On-Campus Residency Requirement for students graduating from a high school within thirty-five (35) miles of the University's Tallahassee campus; removing the exception to the On-Campus Residency Requirement for students residing at a permanent home address thirty-five (35) miles or less from campus; in accordance with the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and the American Disabilities Act outlining the process for requesting an Assistance Animal and expectations for the Assistance Animal in University Housing; and instructing students that Housing policies may be found on Housing's website.

AUTHORITY FOR REGULATION: Section 7, Article IX, Florida Constitution and Board of Governors Regulations 1.001.

UNIVERSITY OFFICIAL INITIATING THIS REGULATION: William E. Hudson, Jr., Ph.D., Vice President for Student Affairs.

PROCEDURE FOR COMMENTS: Written comments concerning this proposed regulation shall be submitted within 14 days of the date of this notice to the person identified below. The comments must specifically identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS: Oscar L. Crumity, Director, University Housing, Tallahassee, Florida 32307-3100, (850) 599-3651(phone), (850) 561-2620 (fax), Oscar.crumity@fam.u.edu.

FULL TEXT OF THE PROPOSED REGULATION: The full text of this amended regulation follows:

Regulations of Florida A&M University



2.001 Housing

(1) Eligibility for University Housing

- (a) Single student facilities: Applicants must meet University admission requirements and be enrolled during the period of occupancy. Applicants are issued a Student Housing Application and a Housing and Board Agreement, and Terms and Conditions of Occupancy for completion and information. Applicants may complete and submit the Housing Agreement on line to expedite the room assignment process.
- (b) Family student facilities: Applicants must meet University admission requirements, be enrolled during period of occupancy, except for the summer period, and be married, divorced, widowed or a single parent living with his/her child(ren). Applicants are issued a Family Student Housing Application, Housing and Board Agreement and Terms and Conditions of Occupancy for completion and information. Applicants may complete and submit the Housing Agreement on line to expedite the housing assignment process.
- (c) Other (non-FAMU) students: Applicant must be enrolled in programs sanctioned or approved by the University. Non-FAMU students are considered for University housing on a space available basis.
- (d) Non-student University-related groups participating in special programs (seminars, workshops, camps, etc.) may be able to reside in University housing facilities on a space available basis for limited periods of time.

(2) On-Campus Residency Requirement

- (a) All First Time In College (FTIC) students ~~whose permanent home mailing address indicated in the Student's University record is more than 35 miles from campus~~ shall reside in a University owned or leased housing facility, based on space availability, for the first academic year of enrollment unless approved for an exception.
 - i. A FTIC student is defined as a student under the age of twenty-one (21) prior to the first day of classes with fewer than thirty (30) semester hours recognized by Florida

A&M University and has resided in University housing for less than two (2) semesters.

- ii. College credits earned during high school completion through accelerated mechanisms such as Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, dual enrollment courses, career academy courses, national industry certification courses, as well as course offerings through virtual instruction, will not be counted towards an exemption from the On-Campus Residency Requirement.
- (b) All student athletes shall reside on campus during the first two (2) academic years of enrollment.
 - (c) All full University scholarship recipients shall reside on campus during the first two (2) academic years of enrollment. Full University scholarship recipients are students that receive the Life Gets Better Scholarship, Distinguished Scholars Award, and Adopted High School Scholarship.
 - (d) ~~Freshman Studies Program (profile admits)~~ Access Summer Bridge Program and CeDAR ART Program participants shall live in on-campus housing for the first two (2) academic years of enrollment. ~~At the end of the first summer semester, students whose permanent home address is within 35 miles of the University may reside with their parents or legal guardians starting in the fall semester of the first academic year.~~
 - (e) For purposes of this section, the following are on-campus residential facilities: Cropper Hall, Diamond Hall, FAMU Village, Gibbs Hall, McGuinn Hall, Paddyfote Complex, Palmetto North Apartments, Palmetto South Apartments, Phase III Apartments, Sampson Hall, Truth Hall, Wheatley Hall, and Young Hall.
 - (f) A student that ~~cannot document eligibility~~ is not approved for an exemption from the On-Campus Residency Requirement ~~and prior to residings~~ off campus without an approved exemption will be billed rent for two (2) semesters at the lowest facility rate during the fall and spring semesters of the current academic year.
- (3) Exceptions from the On-Campus Residency Requirement
- An exemption from the On-Campus Residency Requirement may be granted for:
- (a) ~~Students residing at home if the permanent home address as indicated in student's University records is 35 miles or less from campus;~~

- (a) Students graduated from a high school within thirty-five (35) miles of the University's Tallahassee campus;
 - (b) Married students;
 - (c) Students with a dependent child or children;
 - (d) Students twenty-one (21) years of age or older prior to the first day of classes;
 - (e) Students who are military veterans that served on active duty for at least twelve (12) months or students currently serving on active military duty;
 - (f) Students on a case-by-case basis by the President or President's designee provided there is good cause shown by the student.
 - (g) To request an exemption, complete and submit an exemption request available on the Housing website or located in the Housing main office in Gibbs Hall, Lower Level.
- (4) Assistance Animals in Residential Facilities
- (a) Florida A&M University recognizes the need of assistance animals in facilitating the independence of some individuals with certain disabilities. This subsection outlines how a request for assistance animals as a reasonable accommodation from the no-animal policy applicable to University on-campus residential facilities is submitted and the expectations thereof.
 - i. This process does not apply to "service animals" as defined by Title II of the American Disabilities Act (ADA) which are allowed in other non-residential facilities. Requests for accommodations for "service animals" should be directed to the Center for Disability Access Resources (CeDAR).
 - (b) Assistance Animals
 - i. In accordance with the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA), an assistance animal is defined as any animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability.
 - ii. Assistance animals perform many disability-related functions including, but not limited to, guiding a person who is visually impaired or blind, alerting a person who is deaf or hard of hearing, pulling a wheelchair, assisting with mobility or balance, alerting and protecting a person who is having a seizure, retrieving objects, or

providing emotional support to persons with disabilities who have a disability-related need for such support.

(d) Requests for Assistance Animals

i. All requests for an assistance animal must be submitted in writing to the Center for Disability Access Resources (CeDAR) located at 667 Ardelia Court Tallahassee, FL 32307, telephone number is (850) 599-3180, to register as a student with a documented disability. All supporting documentation must be submitted to CeDAR before a reasonable accommodation requested is reviewed in accordance with the below schedule.

1. Fall semester ó August 15
2. Spring Semester ó November 15
3. Summer Semester ó April 15

ii. CeDAR will review each request to determine if an assistance animal is reasonable. This determination is made on an individualized basis considering whether:

1. The person has a documented disability; and
2. The person making the request has a disability related need for an assistance animal;

iii. A basis for denial is:

1. The person does not have a documented disability;
2. The person making the request does not have a disability related need for an assistance animal;
3. The specific assistance animal in question poses a direct threat to the health or safety of others that cannot be eliminated or reduced by another reasonable accommodation; or
4. The specific assistance animal would cause substantial physical damage to the property of other that cannot be reduced or eliminated by another reasonable accommodation.

iv. CeDAR will inform the student and the Housing Department of its determination in writing to the student's University issued email address or permanent address as listed in iRattler.

1. If the student's request is denied, the decision may be appealed using the Non-Discrimination Policy and Complaint Procedure found in University Regulation 10.103.
2. If the student's request is granted, the Housing Department and CeDAR will jointly determine how to provide accommodations in accordance thereof. The student is required to sign the Agreement to Possess an Assistance Animal in On-Campus housing prior to moving into Housing facilities.

(e) Expectations of Assistance Animals

Students with assistance animals are fully responsible for their animal at all times. Failure to abide by these expectations may result in the removal of the assistance animal.

Expectations include, but are not limited to:

- i. Being in full control of the assistance animal. Assistance animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls;
- ii. Assistance animals must be licensed and vaccinated in accordance with local and state authority and, if appropriate, wear a valid vaccination tag;
- iii. Ensure the assistance animal is clean and housebroken, and the sanitary disposal of animal wastes;
- iv. Responsibility for any property damage caused by the assistance animal; and
- v. Responsibility for the appropriate management of the assistance animal in all University facilities. Disruptive and/or aggressive behavior on the part of the animal may result in removal of the animal from University Housing.

(5) Rent Collections

All rent for housing facilities is due and payable in accordance with University Regulation 3.009 titled Payment of Fees.

(6) House Rules

House rules are listed in the Residence Life Handbook. The handbook and rules peculiar to specific areas are issued to residents upon occupancy and may be obtained from the Housing Website. Residents may assist in the development of other rules as necessary.

(7) Guests and Visitation

Visitation is permitted in University owned or leased housing facilities in specific areas and in accordance with the restrictions below.

- (a) Residents and guests shall abide by all Housing and University regulations and rules and city, county, state and federal laws. Residents are to immediately notify the Housing Staff and/or Campus Police in the event of violations of Housing and University regulations and rules and/or city, county, state or federal laws.
 - (b) All residents in the housing facilities are responsible for and may be held accountable for the behavior of their guest(s). It is the resident's responsibility to inform his/her guest(s) of the applicable Housing and University regulations and rules.
 - (c) Overnight guests and co-habitation are strictly prohibited.
 - (d) The privilege of visitation may be revoked for individuals or residence units where housing regulations and/or rules are violated.
 - (e) The disposition and penalties arising from violations of this regulation shall be governed by the applicable provisions set forth in University Regulation 2.012 and the Residence Hall Disciplinary System as provided in the University Housing and Residence Life Handbook.
- (8) The University Housing and Board Agreement, ~~Family Student Housing Application~~, Residence Life Handbook, Terms and Conditions of Occupancy and Eviction Procedures are incorporated herein by this reference. A copy of these materials may be obtained from the Housing Office and the Housing Website.
- (9) Any deviations from the procedures as noted in the above sections must be approved by the Vice President for Student Affairs.
- (10) The President or President's designee may appoint a committee to review and recommend revisions to the housing rules as necessary.
- (11) The Director of Housing may institute additional guidelines and/or procedures governing the operations of Housing provided the guidelines and/or procedures are in writing and have been approved by the Vice President for Student Affairs or his/her designee. All students must be properly notified in writing prior to the implementation of any new procedures and/or guidelines. Publications shall be made through the Residence Life Handbook, which shall be updated on an annual basis by a committee appointed by the Vice President for Student Affairs or his/her designee.

Specific Authority: Article IX, Section 7(c), Florida Constitution, BOG Regulation 1.001.

History: New June 29, 2006; Amended May 12, 2011; Amended May 13, 2013; Amended March 6, 2014; Amended _____.