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Financial
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Responsible Office:
[University Controller](#)

Policy Title:

Billing, Refunds, Collection and Write-offs Policy for Tuition, Fees, and Other Charges

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State-Operated Campuses

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Summary

The following provides policies and procedures which campuses should use for billing, refunds, collection, and write-offs for tuition, fees, and other charges.

Policy

I. Billing and Deferral Policy for Tuition, Fees, and Other Charges

A. General

Board of Trustees Resolution No. 63-21 as codified in Section 302.1 (m) of Title 8 of the Official Compilation of Codes, Rules, and Regulations of the State of New York (8 NYCRR § 302.1[m]) provides that the chancellor shall issue regulations concerning the time and method of payment of tuition.

Under the authority granted in this resolution, and in other resolutions and policy memoranda, the following policies governing payment of tuition, fees, rentals, and other charges (hereinafter called charges) are hereby established.

B. Basic Standards and Controls

In general, charges shall be due and payable by the first day of the semester, which date may vary by campus. Charges that are incurred after the first day of the semester shall be due when the charge is placed on the student's account. In any event, campuses shall establish

timely registration and billing processes consistent with this policy. Moreover, all policies and procedures established locally shall contain basic standards and controls to ensure maximum and timely collection of campus revenues, as noted below.

- a. For billing purposes, "pre-registration" is defined as those registration periods which occur at least 30 days prior to the first day of the semester. Students who pre-register shall be issued an initial invoice in time to make or return payment by the invoice due date, which must be no later than the first day of the semester.
- b. For billing purposes, "general registration" is defined as those other structured registration periods which occur after pre-registration ends, and which may continue through the first day of the semester and end with the last day of the add/drop period. Such general registrations may include periods locally called "open", "extended", "special", "final" "late", etc. Campuses must define their general registration periods. Students who register during a general registration period shall be issued an initial bill no later than ten days following the end of the campus general registration period.
- c. Students registering during general registration periods may be considered late registrants by the campus and subject to an additional late registration fee at the time of billing (see Policy on Fees, Charges, and Deposits for information on late registration fee policies and waiver procedures).
- d. Students who incur new or additional charges after the initial billing, or who are determined to be ineligible for a deferral after the initial billing (see Section I, Billing and Deferral Policy for Tuition, Fees, and Other Charges, C Deferrals), shall be issued an invoice with the next billing cycle.
- e. Students with unpaid or undeferred charges after specified billing due dates shall be subject to penalties as provided under policies for student account holds [see Section III, Collection of Delinquent Accounts (Fiscal), B Student Account Holds] and policies for late payment fees (see Section III, Collection of Delinquent Accounts, D 4), and/or other actions as deemed appropriate by the campus, such as registration cancellation and/or follow-up billing, etc.
- f. Campus policies and procedures governing the billing and collection of student charges must result in an acceptable rate of collection as defined by the office of the vice chancellor and chief financial officer.

C. Deferrals

A deferral of payment is defined as a temporary postponement of all or part of a student's payment beyond the date when full payment would otherwise be required. Campus procedures shall ensure the timely receipt of payments of charges on which deferrals are based. For students who have deferred outstanding charges, the repayment period should be for the shortest time period possible. Deferrals are categorized as either obligatory or discretionary on the part of the campus. A description of each follows.

1. Obligatory Deferrals

An obligatory deferral is required when a student's charges are covered, in full or in part, by certain scholarships, awards, grants, benefits, or approved time payment plans, and when the student can show adequate proof of the coverage or program participation by the date payment would otherwise be required.

- a. State Scholarships, Grants, Fellowships, and Tuition Assistance (TAP) Awards

When a student's charges are supported by a state

scholarship, grant, fellowship, or TAP the charges shall be deferred in the amount of such support if the campus has official notice of the amount of the award from the New York State Higher Education Services Corporation.

b. State University Supplemental Tuition Award (SUSTA)

When a student's tuition charge is supported by SUSTA, the tuition charge shall be deferred if the award has been approved by the campus financial aid officer.

c. Vocational Rehabilitation Sponsorship

When a student's charges are supported by an award from the office of vocational and educational services for individuals with disabilities (VESID), and the campus has received a notice of authorization or voucher, the charges shall be deferred in the amount of the support.

d. Veterans Benefit Payment

When a student's charges are supported by veteran benefit payments, the charges shall be deferred in the amount of the benefit if the following conditions are met:

i. The student files a request for deferral and submits it to the campus bursar's office along with proof:

- that a claim for benefits has been filed;
- of eligibility for benefits;
- of extent of entitlement for benefits; and
- of the need for a deferral until receipt of such benefits.

ii. A charge balance remains after applying all payments or deferrals of scholarships or other financial assistance awards have been applied.

e. Time Payment Plan

A campus which uses one or more commercial time payment plans for the collection of student charges, or which administers its own time payment plan, shall defer payment on that portion of a student's charges covered by the plan for the term. Time payment plans are subject to the following conditions:

i. The use of any commercial or campus time payment plan will not adversely affect campus revenue projections.

ii. A campus which chooses to offer its own time payment plan may charge a fee (to be approved by the vice chancellor and chief financial officer) to cover the actual costs of administering the program, and deposit such fees into an income fund reimbursable (IFR) account approved for such purposes. A complete description of the time payment plan, including the administration and

accountability for this program, must accompany the campus fee request. This fee should be included with the first payment.

iii. All time payment plans shall be scheduled for payment in full no later than the end of the semester, term, or quarter, as applicable.

iv. For those time payment plan payments that are not received by the time payment plan due date, a late fee may be imposed as of that due date.

2. Discretionary Deferrals

A deferral of all or part of a student's charges may be authorized by the campus president, or designee, on a discretionary basis under the following conditions:

- a. When a student's charges are supported by state, federal, or other third-party assistance programs (e.g., scholarship, grants, loans, etc.) as documented in writing and not covered in Section I, Billing and Deferral Policy for Tuition, Fees, and Other Charges, C Deferrals, 1 Obligatory Deferrals.
- b. When failure to defer a student's charges will exert an extreme hardship on the student. Discretionary hardship deferrals must be in writing, should not exceed two years, and shall include appropriate follow-up.

II. Refunds of Tuition, Fees, and Other Charges

A. Tuition

A student given permission to cancel his/her registration shall be liable for payment of tuition in accordance with the following schedule:

LIABILITY DURING INDICATED WEEK					
Length of Term	1st Week	2nd wk.	3rd wk.	4th wk.	5th wk.
Semester	0	30%	50%	70%	100%
12 week term	0	40%	60%	100%	
Quarter or 10 week term	0	50%	70%	100%	
9 week term	0	55%	75%	100%	
8 week term	0	60%	80%	100%	
7 week term	0	65%	100%		
6 week term	0	70%	100%		
5 week term	0	75%	100%		
	2nd Day of Classes	Remainder of 1st Week			

4 week term	0	50%	100%			
3 week term	0	65%	100%			
2 week term	0	80%	100%			
1 week term	100%					

Approval of the registration cancellation, including the date it becomes effective, must be certified by the campus president or designee. No money shall be refunded unless application for refund is made within one year after the end of term for which the tuition requested to be refunded was paid to the University. The first day that classes are offered, as scheduled by the campus, shall be considered the first day of the semester, quarter or other term, and the first week of classes for purposes of this section, shall be deemed to have ended when seven calendar days, including the first day of scheduled classes, have elapsed.

A tuition liability schedule for any term other than those listed in the schedule above shall be determined by the campus president subject to the approval of the chancellor of the University.

B. Exceptions

1. There shall be no tuition or fee liability established for a student who withdraws to enter military service prior to the end of an academic term for those courses in which the student does not receive academic credit.

Note: The term "military service" means full-time active duty in the Army, Navy (including Marine Corps), Air Force, Coast Guard of the United States, or qualifying National Guard duty during a war, other military operation, or national emergency as defined in Section 5 of the Higher Education Relief Opportunities for Students (HEROES) Act (Public Law 108-76).

Enlistment under a delayed enlistment plan does not constitute "full-time duty" until the student is required to leave school on the effective date of active duty as stated in the student's orders.

A student who is a member of a National Guard, Army, Navy or Air Force Reserve unit that is not called up for duty as defined above, is entitled to a refund only, if in the judgment of the appropriate campus officer, the student is unable to attend classes due to hardship beyond the student's control and the student has made bona fide efforts to permit continued class attendance. Documentation of membership on active duty in the military service shall be provided to and retained by the campus. In the event that a refund is granted to a student in National Guard or reserve status, documentation of the reasons for such action shall be in writing and retained by the campus.

Military personnel withdrawing from any program or term because of changes of assignment beyond their control and upon proper certification of such change from a base education service officer or other appropriate military official shall be deemed to have incurred no liability for tuition and fees due from the student, as opposed to tuition and fees paid by the federal government on the student's behalf (to which federal regulations on return of such funds apply).

2. A student who is dismissed for academic or disciplinary reasons prior to the end of an academic term shall be liable for all tuition and fees due for that term.

3. A student who cancels his/her registration at a campus of the University and within the same term registers at another campus of the University, shall be entitled to full credit for tuition and fees paid for that term.

4. Tuition and fees collected in error or in amounts in excess of the required amounts should be refunded.

5. Notwithstanding any other provisions for refund, when a student has withdrawn through circumstances beyond the student's control, under conditions in which the denial of refund would cause undue hardship, the campus president, or designee (see Section C, Procedure for Providing Refund Check) may, in his/her discretion, determine that no liability for tuition has been incurred by the student, provided the student has not completed more than one-half of the term and has not received or will not receive academic credit for the term, and that the request for refund is made within one year after the end of the term in question. Such action, including the reason therefore, shall be in writing and signed by the president or designee and retained by the campus.

C. Procedure for Providing a Refund Check to Students Who Withdraw or Have a Credit Balance on their Account (including obligatory deferrals)

1. The following outlines procedures for making refunds of payments to students.

a. Campus processes a refund from the campus local depository to the student. In the case of payment by credit card, a credit charge may be processed rather than processing a refund from the campus local depository. For more information regarding checks written on local depositories or on un-cashed checks refer to the related procedures section.

2. Every effort is to be made to send refunds directly to the student at the address furnished by the student.

3. If all or part of a refund is to be made to an assignee, a statement of assignment must be received and retained.

4. Adequate records must be retained by the campus for audit purposes, including the explanation for refunds that were allowable due to "conditions beyond the control of the student" (see Section II B 5).

III. Collection of Delinquent Accounts (Fiscal)

A. General

The following provides policies and procedures which campuses should use for the collection of delinquent accounts. These guidelines should be used in conjunction with the Memorandum of Understanding the University has entered into with the office of the attorney general (OAG) and the division of budget's (DOB) Budget Policy and Reporting Manual (BPRM) K-000 – Guidelines for Accounts Receivable Management Collection. This policy takes precedence over the DOB Guidelines where there is a conflict or inconsistency (e.g., payment due date).

B. Student Account Holds

1. General Rule

Section 302.1 (m) of Title 8 of the Official Compilation of Codes, Rules, and Regulations of the State of New York provides in part:

"...Except where otherwise authorized, no person shall receive credit or other official recognition for work completed satisfactorily, or be allowed to re-register, until all tuition, fees, and all other charges authorized by the University have been paid, or University student loan

obligations have been satisfied.”

2. Implementation and Administrative Interpretation

a. By not recognizing work completed, campuses shall comply with the Trustees’ regulation above by implementing the following:

- i. Withhold transcripts.
- ii. Cancel current registration where the campus inadvertently allowed the student to re-register.
- iii. Withhold granting of degrees; by not recognizing work completed, student has not fulfilled requirements for a degree.
- iv. Record semester grades of students with a delinquent account in order to preserve the information; however, there should be no official recognition in the form a grade report.

b. Compliance with Family Educational Rights and Privacy Act ([FERPA](#)) (20 USC 1232 (g))

i. The University’s policy of withholding copies of grade reports and transcripts for students delinquent in repaying student loans, tuition, room board, fees, and charges does not conflict with FERPA (20 USC 1232 (g)) and does not violate the literal language of the statute.

ii. Students have the right to inspect or review their academic records. The denial of such right would violate the language of FERPA.

c. Statute of Limitations

- i. Campuses shall implement this policy regardless of the fact that the statute of limitations may have run against the charges outstanding.

d. Fulfilling Obligations

i. An obligation may be fulfilled by payment in cash or in the execution of an agreement approved by the campus for repayment of the obligation.

ii. The campus shall implement this policy upon failure of the student to fulfill the requirement of the repayment agreement, unless implementation is deferred by the campus president, or designee, due to a condition beyond the control of the student.

e. Implementation Accountability

The president of each campus shall designate a campus officer to establish the necessary procedures and controls to assure this policy has been implemented.

C. Items Covered

1. The accounts to be collected under this procedure are those that represent authorized University charges such as tuition, fees, room and equipment deposits or rental, and other charges owed to the University.

2. Monies due to the auxiliary services corporations (ASCs) and campus-related foundations (foundations) for expenses such as meal plan and residence hall charges where the University has entered into a subrogation agreement, assignment, or other contractual arrangement which allows the University to collect accounts owed to ASCs and foundations, may be collected under this procedure.

3. Other monies due to the ASCs, foundations, alumni associations, and private companies which have supplied materials or services to students, student organizations, staff, etc., and where there is no subrogation or assignment agreement, are not considered University charges and are not to be included in the types of accounts collected as provided in this procedure.

D. Collection

A billing invoice or notice is the debtor's initial written notification that the debt is due. A billing notice must be dated and:

1. Specify a payment due date.
2. Define timely payment as payment in full on or before the payment due date.
3. Inform the debtor that if a payment due date is missed an administrative fee or late payment fee may be imposed with a monthly billing, as per the schedule below:

Debt	Administrative or Late Payment Fee
Less than \$1,000	Up to \$30
\$1,000 to less than \$2,000	Up to \$40
\$2,000 and above	Up to \$50

a. Administrative fees may be assessed for debts where the payment due date was prior to the start of the semester and payment was not received by that date.

b. Late payment fees may be assessed for debts where the payment due date was the start of the semester or after and the payment was not received by that date. In the case of an item billed after the first day of the semester, late payment fees may be assessed for outstanding balances not paid in full on or before 30 days after the charge has been placed on the students account. In the case of a time payment plan, a late payment fee can be assessed for outstanding balances not paid in full on the time payment plan due date.

c. The total administrative fees and late payment fees combined cannot exceed four

per semester per account.

d. Campuses may utilize 50% of the administrative fee and 50% of the late payment fee in the general IFR account, designated for this purpose; the remainder is to be transferred to the revenue offset fund.

4. Inform the debtor that the University may assess collection fee charges for the cost of processing, handling, and collecting of such debt, if payment is not received within 90 days after the first day of the semester, or other appropriate payment due date.

a. A collection fee may be assessed 90 days after the first day of the semester for outstanding balances not paid in full on or before the first day of the semester. In the case of an item billed after the first day of the semester, a collection fee may be assessed for outstanding balances not paid in full on or before 90 days after the charge has been placed on the students account. In the case of a time payment plan payment, a collection fee may be assessed for outstanding balance not paid in full 90 days after the missed payment.

b. A collection fee may be assessed but must not exceed 22% of the outstanding debt (principal and late payment fee) and must not exceed the estimated cost of processing, handling, and collecting such debt.

c. Campuses may utilize 100% of the collection fee revenue in an IFR account approved for such purpose.

5. Inform the debtor that the University may assess a charge for dishonored checks (or like instruments).

6. State that the debt may be referred to a private collection agency, the OAG and/or the department of taxation and finance.

Please refer to Budget Policy and Reporting Manual (BPRM) – K000, item K-031, pages 3-19 for examples of billing invoices or notices.

New York State Finance Law §18 authorizes state agencies to impose interest/late payment and collection fees on past-due debts; however, no debtor of the University may be charged an interest/late payment fee or collection fees by the University or its collection agents without receiving proper notification. Appendix I is an example of proper notification language under Section 18 of the New York State Finance Law, as provided by the OAG. This notification should be included with the billing invoice or notice.

IV. Transfer of Delinquent Accounts to the OAG or to a Private Collection Agency

- 1. The following table summarizes the debt collection sequence for past-due debts:

	University Discretion		Required Referral (if not already referred)
AMOUNT PAST DUE	DAYS PAST DUE DATE		
	31-90	91-150	151

\$25-9,999	Campus/AG/PC	Campus/AG/PC	PC/AG
\$10,000+	Campus/AG	Campus/AG	AG
AG – Attorney General’s Office		PC – Private Collection Agency	

- 1. No account under \$25 shall be referred to the Civil Recoveries Bureau of the OAG. For a delinquent account under \$25, campuses may choose to either pursue in-house collection efforts, transfer to a private collection agency, or write-off the debt after 150 days from the start of the semester (see Section IV, Write-off of Student Delinquent Accounts Receivable and Overpaid Accounts).
 2. Delinquent student accounts 31-150 days from the start of the semester, for \$25 or above, may be transferred to the OAG or to a private collection agency (for debts under \$10,000).
 3. Delinquent student accounts 151 days or more from the start of the semester shall be transferred to either the OAG or a private collection agency for amounts above \$25 and under \$10,000, and all accounts of \$10,000 or more must be transferred to the OAG. If the account is \$100 or less, the campus may write-off the debt (see Section IV, Write-off of Student Delinquent Accounts Receivable and Overpaid Accounts).
 4. The ability to transfer accounts of under \$10,000 to a collection agency shall not apply to accounts already referred to the OAG.
 5. An account referred to a private collection agency must be returned to the University for referral to the OAG if either no payment has been received from the debtor or no reasonable repayment agreement has been entered into within six months after being placed with the collection agency.
 6. Each account referred to the OAG shall be accompanied by the following information:
 - a. The debtor’s current name;
 - b. All other names by which the debtor has been known;
 - c. The debtor’s last known address and whether the address is good or bad;
 - d. The debtor’s date of birth;
 - e. The debtor’s social security number;
 - f. The name of the campus referring the account;
 - g. The unpaid principal balance exclusive of accrued interest and/or collection fees;
 - h. A detailed listing of the components of the account, including if the debt is owed to an entity other than the University (e.g., an ASC or foundation);
 - i. The date(s) of the semester(s) for which the account was incurred;
 - j. The first day of classes for each semester; and
 - k. A statement that the debtor has received State Finance Law § 18 notification and the date of presumed receipt of the notification.

The referring campus shall make its best effort to provide the following additional information:

l. If the account has been previously referred to a collection agency, the dollar amount of the payments made by the debtor while the account was at the collection agency;

m. A listing of all actions (e.g., billing notices, contact with debtor) taken by the campus or collection agency on the account prior to referral to the OAG; and

n. Name and address of the debtor's parent(s), if available.

7. Delinquent accounts will be accepted by the OAG up to six months prior to the expiration of the statute of limitations, which is six years from the start of the semester the debt occurred. If an individual owes money for more than one semester, all accounts should be transmitted at the same time. The following address should be used when forwarding delinquent student account information to the OAG:

Assistant Attorney General-in-Charge
Civil Recoveries Bureau
State of New York Department of Law
State Capitol
Albany, New York 12224

F. Communications Received After File Has Been Transferred to the OAG

If any communication concerning the account is received from the debtor or any other source (i.e., lawyer or court) after the file is referred to the OAG; it must be forwarded immediately to the OAG. The OAG is responsible for responding to the debtor.

G. Payments on Delinquent Accounts

1. Payments received by the OAG are credited to the proper accounts and sent to the appropriate campus on a weekly or biweekly basis depending on the volume. A list of student names, social security numbers, and amounts paid will accompany the payments to the campus.

2. The OAG should be notified of all payments received directly from the delinquent student and deposited by the campus. The method for such notification is through an advised payment list (see Form I – Advised Payment Notice to OAG). The advised payment list should be sent to the OAG on a biweekly basis. The information required on such list is: student name, social security number, amount paid, and date of receipt of payment. Accounts paid-in-full should be denoted by placing an asterisk (*) next to the amount paid. The campus should not include payments received from the OAG on the advised payment list, as this will result in a duplicate posting of payments and the erroneous closing of accounts.

H. Closing of Delinquent Accounts

1. By the OAG

During the last week of each month, the OAG will send to all applicable campuses a computer printout containing the names of students whose accounts have been closed during the month. The accounts will be listed in alphabetical order by student name. Student accounts will be closed for the following reasons:

a. Paid-in-full – records indicate that the full amount has been cleared by payment to the OAG or campus.

b. Bankruptcy –

i. A student has received a discharge in either a Chapter 7 or Chapter 13 bankruptcy proceeding. Upon receipt of proof of a discharge in bankruptcy, campus will remove the hold on the student's records. In the case of student loans, where proof of bankruptcy discharge is presented, the campus must not remove holds before consulting with the office of university counsel or the OAG.

ii. If no evidence of discharge is proven, but a bankruptcy proceeding is pending, the campus must not remove the holds before consulting with the office of university counsel or OAG.

c. If no money is due or the student never owed the money, the campus must remove the holds.

d. If the account is uncollectible (i.e., the statute of limitations has expired, amount is under \$100 and can be written-off, or the OAG can not locate the student), the campus must maintain the holds.

e. If the account is an uncollectible judgment, where these accounts are still open, but no longer on the OAG's database, the campus must maintain the holds. The OAG will send the campus copies of these open "closed" judgments. The campus must contact the OAG for the closeout figure if student contacts the campus.

• 2. By Campus

Semi-monthly, campuses should notify the OAG of all student accounts closed during the preceding period. The information required in such notification is: student name, social security number, amount owed, and reason why account was closed. Accounts paid-in-full because the student paid the amount directly to the campus should not be included on the closing list. The advised payment list should contain these closings. Accounts closed by the OAG should not be included on the closing list because the OAG already has the information.

3. Returning Accounts

Upon the written request of the University, the OAG shall return to the University any account referred to it if the grounds for such a request are set forth in writing, are one or more of the grounds set forth in applicable University policies and procedures manuals or other documents relating to, inter alia, the refund of tuition and other charges (refer to Section II Refunds of Tuition and Fee), and do not violate statutes, regulations, DOB/OSC directives, bulletins, and guidelines. In addition to the reasons set forth in the University's policies and procedures, the OAG may close any case or discontinue any legal action if, in its exclusive opinion, there is insufficient legal grounds or evidence to support further action, if it is not economically feasible to continue, if the University advises the OAG that the University is partly responsible for the obligor's failure to have paid the account, or if the obligor can not be located.

- a. Requirements for return of accounts to a campus include:
 - i. Discovery of new information, which alters the amount of the debt.
 - ii. Discovery of institutional error, which alters the amount of the debt.
- b. All account return requests to the OAG must be in written format, provide documentation of the information that altered the amount of the debt, and be signed by an authorized campus official.
- c. Campuses may not use the delegated authority of the president to waive a debt after an account has been transferred to the OAG unless it can be documented that the extenuating circumstances used to justify the elimination of the debt could not have been communicated to the campus prior to the time when the account was transferred to the OAG. No academic credit shall be given for the semester or term for which the debt is waived, in accordance with Refunds of Tuition and Fees, Section B5.

The OAG will convey all partial settlement offers to the University and seek University approval for such settlement of an account or will enter into settlements within settlement guidelines established upon mutual consent between the University, or individual University campuses, and the OAG. In deciding whether to accept a settlement, the OAG and the University shall consider the practicality and cost of further litigation, the probability of recovery, and the precedential effect of the case.

e. University policy provides campuses with the ability to seek an administrative cancellation fee from a debtor who can demonstrate he or she never attended classes at the campus in the semester for which the debt was incurred as an alternative to collection of unpaid accounts. Such a fee arrangement in lieu of collection of the debt shall not be made available to the debtor once the OAG has instituted a legal action to collect the debt. For an account that has been referred to the OAG, the University shall consult with the OAG and confirm that no legal action has been instituted before seeking an administrative fee in satisfaction of any unpaid balances.

I. Recovery of Account Balance Following Judgment

In the event that the OAG successfully obtains the entry of a judgment in relation to a delinquent student account, any monies collected following judgment are forwarded to the campus.

Students will not be allowed to re-register, etc. (see Section III B, Student Account Holds) until the OAG account is paid in full or unless the OAG gives permission for the student to re-register (in rare cases) due to unusual circumstances.

V. Write-off of Student Delinquent Accounts Receivable and Overpaid Accounts (Fiscal)

A. General

The following provides policy and procedures, which are to be used for the write-off of delinquent or

overpaid student accounts, and apply only to authorized charges such as tuition, fees, rentals, and deposits owed to the University. These policies and procedures do not apply to monies due to or refundable by the auxiliary services corporations, foundations, alumni associations, and private companies that have supplied materials or services to students, student organizations, staff, etc.

B. Limitations on Amounts to be Written-off

1. Outstanding student receivable balances

a. Delinquent student receivables in amounts exceeding \$25 should be pursued by the campus or transferred to the OAG or collection agency in accordance with the University's policy for collection of delinquent accounts [see Section III, Collection of Delinquent Accounts (Fiscal)].

b. The amount which may be written-off for each individual student is limited to net outstanding balances of \$100 or less. Outstanding balances include the student's total obligation for all authorized charges for all semesters.

• 2. Student overpayments

a. Un-cashed refund checks are considered abandoned property by the State. For any uncashed check, refer to the University procedure regarding uncashed checks.

C. Requirements for Write-off of Student Delinquent Balances of \$100 or Less

1. A write-off may not be made until at least 150 days from the start of the semester.

2. Diligent collection efforts must have been pursued, such as second billing, statement of account, letter, etc. [see Section III, Collection of Delinquent Accounts (Fiscal)].

3. If collection efforts fail, amounts may be written-off by the campus provided full documentation of such write-offs is maintained for five years after the write-off.

4. Write-offs may be made on an annual basis, preferably after the spring semester.

5. Even if an account is written-off at the campus, a "hold" should continue to be maintained on the student's records until the amount due is paid or the campus is authorized to remove the hold by the OAG.

D. Requirements for Write-off of Student Delinquent Balances of over \$100

1. Diligent collection efforts must have been pursued, such as second billing, statement of account, letter, etc. [See Section III, Collection of Delinquent Accounts (Fiscal)].

2. If collection efforts fail, amounts may be written-off by the campus provided full documentation of such write-offs is maintained for five years after the write-off. For those accounts referred to the OAG, a write-off is made by the campus when the OAG directs the campus to do so.

3. Write-offs may be made on an annual basis, preferably after the spring semester.

E. Requirements for Student Overpayments

1. Any uncashed student refund check over twelve (12) months old is considered abandoned property by the State. Unclaimed check amounts should be paid to the state comptroller (OSC) for deposit in the abandoned property fund after the one-year period has elapsed. Any Title IV (federal) funds that can not be used as intended must be returned to the federal department issuing those funds. Refer to the University procedure regarding uncashed checks.
2. Once these funds are transferred to OSC, the University is no longer liable for payment and subsequent claims of unpaid funds must be directed to OSC for payment.

Definitions

Other Related Information

In support of this procedure, the following links and/or references to additional resources for related information are included:

[Division of Budget's Budget Policy and Reporting Manual \(BPRM\) K-000 – Guidelines for Accounts Receivable Management Collection](#)

Memorandum of Understanding with the Office of the Attorney General

[Fees, Rentals, and Other Charges](#)

Procedures

In support of this procedure, the following links and/or references to related procedures are included:

University procedure for State University Student Assistance (SUSTA)

University procedure for State Bank Accounts

University policy for Fees, Rentals, and Other Charges

[State University Student Assistance \(SUSTA\)](#)

[State Bank Accounts: Designation of Bank Depositories, Collateral Requirement and Notification, Monthly Reports of Bank Balances, Banking Services, Banking Services Accounting Procedures](#)

Forms

Where applicable, this section contains links and/or references to forms as they relate to this procedure:

Advised Payment Notice to the OAG
Form I – Advised Payment Notice to OAG

Example of Transmittal Form for Student Debt Collection
Form II – An Example of Transmittal Form for Student Debt Collection

[Form A](#) - Advised Payment Notice to OAG

[Form B](#) - Example Transmittal Form for Student Debt Collection

Authority

The following link to FindLaw's [New York State Laws](#) is provided for users' convenience; it is not the official site for the State of New York laws.

[NYS Finance Law §18](#)_(Interest and collection fees assessed on debts owed to the state.)

In case of questions, readers are advised to refer to the New York State Legislature site for the menu of [New York State Consolidated](#).

[Tuition, Fees and Charges \(8 NYCRR 302\)](#) Office of the University controller accounting requirements.

State University of New York Board of Trustees Resolution No. 63-21, adopted July 17, 1963.

History

There is no history relevant to this policy.

Appendices

[Example of Section 18 Notification Language](#)