

BOARD OF REGENTS BRIEFING PAPER

1. AGENDA ITEM TITLE: *Procedures and Guidelines Manual* Revision, 2021-23 Tuition and Fees, William S. Boyd School of Law, UNLV
MEETING DATE: March 5-6, 2020

2. BACKGROUND & POLICY CONTEXT OF ISSUE:

Pursuant to Title 4, Chapter 17, Section 8 of the NSHE Regents' *Handbook*, on a biennial basis, the Board requests that proposals for future tuition and fees for the professional schools be reviewed.

Upon recommendation by the school, and approval by the UNLV President, a proposal for 2021-2023 tuition and fees for the UNLV William S. Boyd School of Law is submitted for the Board's information.

Attached hereto as reference material is a document providing detailed background information in support of this recommendation.

3. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

UNLV President Marta Meana presents for information the proposed 2021-2023 biennium tuition and fees for the UNLV William S. Boyd School of Law, in accordance with *Procedures and Guidelines Manual* Chapter 7, Sections 5 and 19. The proposal reflects an increase in tuition and fees for the 2021-2023 biennium of approximately 4% in FY22 and 4% in FY23. UNLV will return to the Board at its June 11-12, 2020 meeting to request approval.

4. IMPETUS (WHY NOW?):

To comply with Board of Regents policy established under the Regents' *Handbook*.

5. CHECK THE NSHE STRATEGIC PLAN GOAL THAT IS SUPPORTED BY THIS REQUEST:

- Access (Increase participation in post-secondary education)
- Success (Increase student success)
- Close the Achievement Gap (Close the achievement gap among underserved student populations)
- Workforce (Collaboratively address the challenges of the workforce and industry education needs of Nevada)
- Research (Co-develop solutions to the critical issues facing 21st century Nevada and raise the overall research profile)
- Not Applicable to NSHE Strategic Plan Goals

INDICATE HOW THE PROPOSAL SUPPORTS THE SPECIFIC STRATEGIC PLAN GOAL

Success: The proposed 4% tuition revenue increase will support the Law School's instructional program and allow the School to provide experiences and skills that will further the employment prospects of graduates. The Law School has strong programs in legal research and writing, both critically important lawyering skills. Students gain practical experience through clinics, externships, and community service, and have the option to focus on specific areas of interest through curricular concentrations. The part-time program allows the flexibility for non-traditional students to attend the School. The Law School's Academic Success program provides support and resources for students throughout their academic career.

Workforce: A nationally recognized public law school benefits Nevada and ensures the availability of a highly educated pool of legal professionals. The Law School provides placements for Congressional Externships, Judicial Externships, Legislative Externships, and Government and Public Interest Externships. In each of the past four years, over 80% of the Law School's graduates have been employed in post-graduate positions in Nevada, meeting the needs of private firms, corporate entities, government, and public interest agencies. Additional revenue is needed to cover rising educational costs while maintaining the quality of the instructional program, as well as to enroll a high-quality student body with a stable class size.

6. BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- The Law School must increase revenue to maintain the long-term sustainability of the current program.

- By the time this tuition and fee increase would go into effect, tuition and fees at the Law School will have remained flat for five years.
- The proposed tuition and fee structure still fall within the range of the Law School's peer group (Figure C).

7. POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

An increase in tuition will place additional financial burden on students.

8. ALTERNATIVE(S) TO WHAT IS BEING REQUESTED/RECOMMENDED:

Without a funding increase, the Law School would need to implement program cuts, including terminating faculty and reducing resources for student recruitment. These detrimental actions would limit the School's ability to maintain enrollment levels and academic standards for current and incoming students. This in turn will likely negatively affect the Law School's ranking, which would further impact enrollment outcomes and seriously threaten the viability of the Law School.

9. RECOMMENDATION FROM THE CHANCELLOR'S OFFICE:

10. COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title # 4 Chapter # 17 Section # 7
- Amends Current Board Policy: Title # _____ Chapter # _____ Section # _____
- Amends Current Procedures & Guidelines Manual: Chapter # 7 Section # 5 and 19
- Other: _____
- Fiscal Impact: Yes _____ No
- Explain:

UNLV William S. Boyd School of Law
Student Registration Fees and Non-Resident Tuition for the 2021-23 Biennium
March 5-6, 2020

I. Registration Fee and Non-Resident Tuition

The UNLV William S. Boyd School of Law requests an increase in tuition and fees for the 2021-2023 biennium of approximately 4% in FY22 and 4% in FY23. Since FY17, the Law School's tuition and fees have remained flat, at \$25,900/year for residents and \$37,800/year for nonresidents. We propose new tuition and fee levels in FY22 of \$26,900/year for residents and \$39,300/year for nonresidents. In FY23, the tuition and fee levels would be \$28,000/year for residents and \$40,900/year for nonresidents. We also propose proportionate increases to the part time tuition and fees per credit. In FY22, we would charge \$963 per credit for residents and \$1,400 per credit for nonresidents. In FY23, we would charge \$1,000 per credit for residents and \$1,460 per credit for nonresidents.

By the time this tuition and fee increase would go into effect, tuition and fees will have remained flat at the Law School for five years. This fee increase is necessary due to the inflationary pressures during this time, which have noticeably increased all personnel and operational costs. In addition, this increase in costs coincided with the Law School's elimination of conditional scholarships, in line with national and peer trends. The American Bar Association (ABA) defines a conditional scholarship as "any financial aid award, the retention of which is dependent upon the student maintaining a minimum grade point average or class standing, other than that ordinarily required to remain in good academic standing." Previously at the Boyd School of Law, students would maintain their first year scholarship in subsequent years if they were ranked in the top third of their cohort, based on grades at the end of each year. Students between the top third and top half of their cohort would lose half of their original scholarship amount, and students ranked in the bottom half of their cohort would lose their full scholarship amount. Conditional scholarships became increasingly unpopular due to the fiscal uncertainty they imposed upon students. After the ABA began requiring that law schools disclose information on conditional scholarships, the number of fully-accredited ABA law schools with conditional scholarship programs dropped significantly, with a decline of over 36% from FY12 through FY17. With the support of UNLV's administration, the Boyd School of Law made a strategic decision to eliminate conditional scholarships, which were phased out over three years through FY17. Students now maintain their first year scholarship in full for subsequent years, provided that they maintain good academic standing.

While the elimination of conditional scholarships has helped the Law School to remain competitive, it has placed an additional fiscal burden on the School's resources. Based on current projections, the Law School determined that the proposed tuition increase is necessary to provide operational stability. After the 2021-2023 biennium, the Law School will propose to move to the "Predictable Pricing Program" approved by NSHE for undergraduate and graduate students in 2019. Accordingly, beginning with the 2023-2025 biennium, registration fees and non-resident tuition for law students would be based on the [Higher Education Price Index \(HEPI\)](https://www.commonfund.org/commonfund-institute/higher-education-price-index-hepi-2/), <https://www.commonfund.org/commonfund-institute/higher-education-price-index-hepi-2/>, an index that tracks the inflation of costs in higher education.

The proposed tuition and fees increase will generate approximately \$1,250,000 in additional revenue during the 2021-2023 biennium. In line with national trends, the number of applications to the William S. Boyd School of Law declined by over 60% from FY09 through FY18, and whereas there has been a modest reversal in this trend in the past two years, the Law School's enrollment level is projected to remain at more than 10% below levels of 10 years ago beyond the 2021-2023 biennium. The requested 4% tuition increase is consistent with the increases at peer schools over the last five years, and maintains our competitiveness within this group (Figure C). As with our peer institutions, a larger portion of the Law School's tuition revenue has been allocated to scholarship awards, to support recruitment and enrollment levels, while maintaining historic student quality. As a percentage of tuition revenue, the Law School's scholarship awards have increased from 36% in FY15 to 48% in FY19. In the face of a dramatic decline in applications, the Law School's revenue stream must be able to support its instructional program, and as net tuition revenue after scholarship awards has declined, it is also necessary to look to other revenue sources to maintain the long-term sustainability of the current program.

Table A: Tuition and Fees, UNLV William S. Boyd School of Law, Full-Time

Law School, Full-Time	2018-19	2019-20	2020-21	2021-22	2022-23
Resident Registration Fees	\$25,900	\$25,900	\$25,900	\$26,900	\$28,000
Non Resident Tuition and Registration Fees	\$37,800	\$37,800	\$37,800	\$39,300	\$40,900

Table B: Tuition and Fees, UNLV William S. Boyd School of Law, Part-Time per credit hour

Law School, Part-Time/Credit	2018-19	2019-20	2020-21	2021-22	2022-23
Resident Registration Fees	\$926	\$926	\$926	\$963	\$1,000
Non Resident Tuition and Registration Fees	\$1,350	\$1,350	\$1,350	\$1,400	\$1,460

Table C: Tuition and Fees Increase Revenue Gain and Uses

	2021-22		2022-23	
Total Revenue from Projected Increase		\$412,600		\$842,000
Uses for Projected Increase	General Fund	\$215,000	General Fund	\$440,000
	Scholarship Program	\$ 90,000	Scholarship Program	\$198,000
		\$ 98,000		\$204,000

Table D: Proposed Fee Distribution, William S. Boyd School of Law

REGISTRATION FEE	Full-Time per Semester			Part-Time per Credit		
	2020-21	2021-22	2022-23	2020-21	2021-22	2022-23
Total General Fund	\$6,762.70	\$7,024.00	\$7,311.00	\$481.41	\$502.90	\$522.20
General Improvement	123.00	123.00	123.00	9.25	9.25	9.25
Capital Improvement	104.50	104.50	104.50	9.00	9.00	9.00
Student Access	2,886.50	2,886.50	2,886.50	206.70	206.70	206.70
Student Association	14.00	14.00	14.00	1.00	1.00	1.00
Financial Aid Fee	200.00	300.00	400.00	14.40	20.00	25.00
Activities & Programs	2,859.30	2,998.00	3,161.00	204.24	214.15	226.85
Total Registration Fee	\$12,950.00	\$13,450.00	\$14,000.00	\$926.00	\$963.00	\$1,000.00
Non Resident Tuition	\$5,950.00	\$6,200.00	\$6,450.00	\$424.00	\$437.00	\$460.00
Non Resident Tuition and Registration Fees	\$18,900.00	\$19,650.00	\$20,450.00	\$1,350.00	\$1,400.00	\$1,460.00

Table D Continued: Summer Term Tuition and Fees

Law School part-time	Summer 2021	Summer 2022	Summer 2023
Resident per credit	\$ 926	\$ 963	\$1,000
Non-Resident per credits	\$1,350	\$1,400	\$1,460

Note: The Law School uses the same fee structure for summer as the following fall.

As the Board policy is to use the same fee structure for summer and fall, the law school proposes changing its fee structure in line with this policy to use the same fee structure for summer and fall.

Impetus:

Additional revenue is needed to cover rising costs while maintaining the quality of the instructional program and enrolling a high quality student body with a stable class size.

Bullet Points to Support Request:

- The Law School must increase revenue to maintain the long-term sustainability of the current program.
- By the time this tuition and fee increase would go into effect, tuition and fees at the Law School will have remained flat for five years.
- The proposed tuition and fee structure still fall within the range of the Law School's peer group (Figure C).

Potential arguments against the request:

- An increase in tuition will place additional financial burden on students.

Alternatives to what is being requested:

- Without a funding increase, the Law School would need to implement program cuts, including terminating faculty and reducing resources for student recruitment. These detrimental actions would limit the School's ability to maintain enrollment levels and academic standards for current and incoming students. This in turn will likely negatively affect the Law School's ranking, which would further impact enrollment outcomes and seriously threaten the viability of the Law School.

Fiscal Impact on State Budgets:

- If the tuition and fee increase is not approved, the Law School will pursue an increase in general fund support.

Attachments:

Figure A: Tuition and Fees, UNLV William S. Boyd School of Law, FY16-FY23

Figure B: Tuition and Fees, UNLV William S. Boyd School of Law, FY16-FY23

Figure C: Resident and Nonresident Tuition for Peer Schools, FY16-FY20

Figure D: Enrollment, UNLV William S. Boyd School of Law, FY11-FY21

Figure E: Applications, UNLV William S. Boyd School of Law, FY11-FY21

Figures A, B: Tuition and Fees at UNLV Law School for Resident and Non-resident Students

	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23
Resident	\$24,900	\$25,900	\$25,900	\$25,900	\$25,900	\$25,900	\$26,900	\$28,000
Non-Resident	\$36,300	\$37,800	\$37,800	\$37,800	\$37,800	\$37,800	\$39,300	\$40,900

Figure B

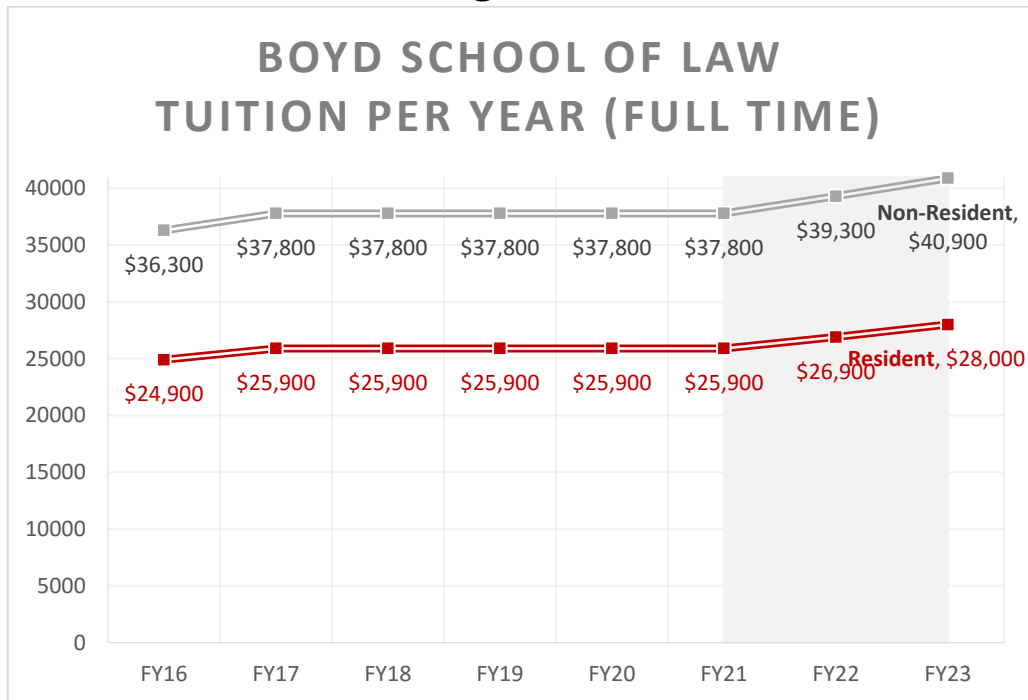


Figure C: Tuition and Fees at Law Schools at UNLV Peer Institutions

	FY16 Tuition		FY19 Tuition		FY20 Tuition		FY16-FY20 Change	
	Resident	Nonresident	Resident	Nonresident	▲ Resident	Nonresident	Resident	Nonresident
University of Montana	\$9,324	\$27,879	\$11,238	\$30,425	\$11,988	\$32,448	28.57%	16.39%
University of New Mexico	\$15,940	\$35,183	\$16,800	\$36,836	\$17,064	\$37,591	7.05%	6.84%
University of Idaho	\$17,230	\$31,234	\$20,986	\$38,622	\$22,260	\$41,496	29.19%	32.86%
University of Hawaii	\$20,880	\$42,384	\$22,392	\$45,816	\$22,392	\$45,816	7.24%	8.10%
University of Arizona	\$24,500	\$29,000	\$24,500	\$29,000	\$24,500	\$29,000	0.00%	0.00%
UNLV	\$24,900	\$36,300	\$25,900	\$37,800	\$25,900	\$37,800	4.02%	4.13%
Arizona State	\$27,170	\$42,794	\$27,170	\$45,212	\$27,170	\$46,414	0.00%	8.46%
University of Utah*	\$25,700	\$48,725	\$28,354	\$37,011	\$27,998	\$36,933	8.94%	-24.20%
University of Colorado	\$29,718	\$36,504	\$29,718	\$36,504	\$29,718	\$36,504	0.00%	0.00%
University of Oregon	\$29,224	\$36,928	\$33,136	\$41,740	\$35,604	\$44,820	21.83%	21.37%
University of Washington	\$30,891	\$43,052	\$35,988	\$47,190	\$37,050	\$48,588	19.94%	12.86%
UC Hastings	\$43,486	\$49,486	\$43,486	\$49,486	\$43,486	\$49,486	0.00%	0.00%
UC Davis	\$45,624	\$54,875	\$45,624	\$54,875	\$47,332	\$56,436	3.74%	2.84%

*University of Utah tuition policy change effective FY19: non-resident students will no longer be eligible for residency reclassification and will pay a lower non-resident rate for each year of their law studies.

Figure D: Enrollment at UNLV Law School

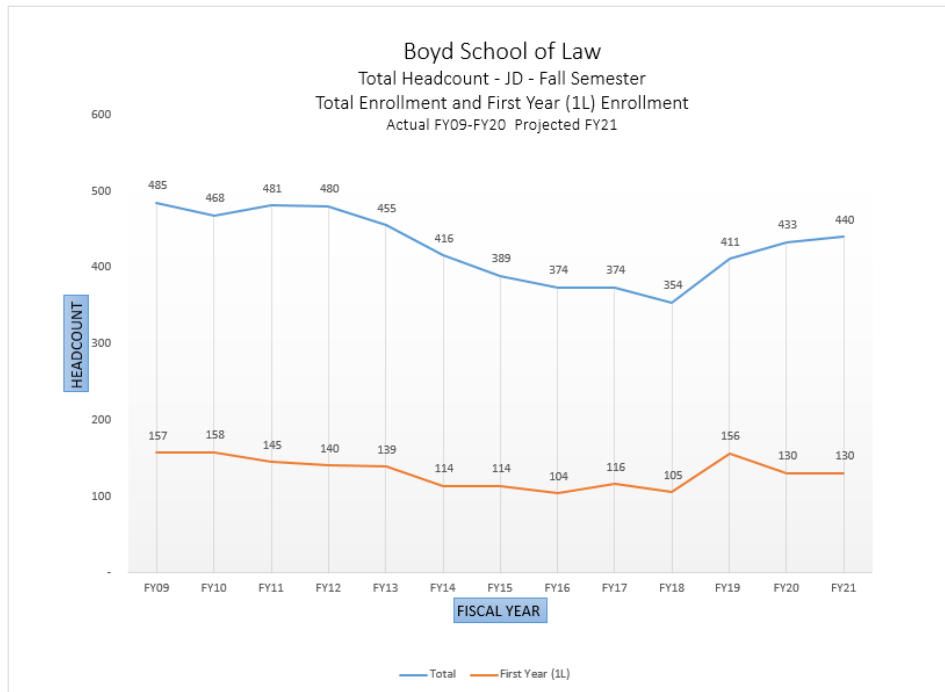
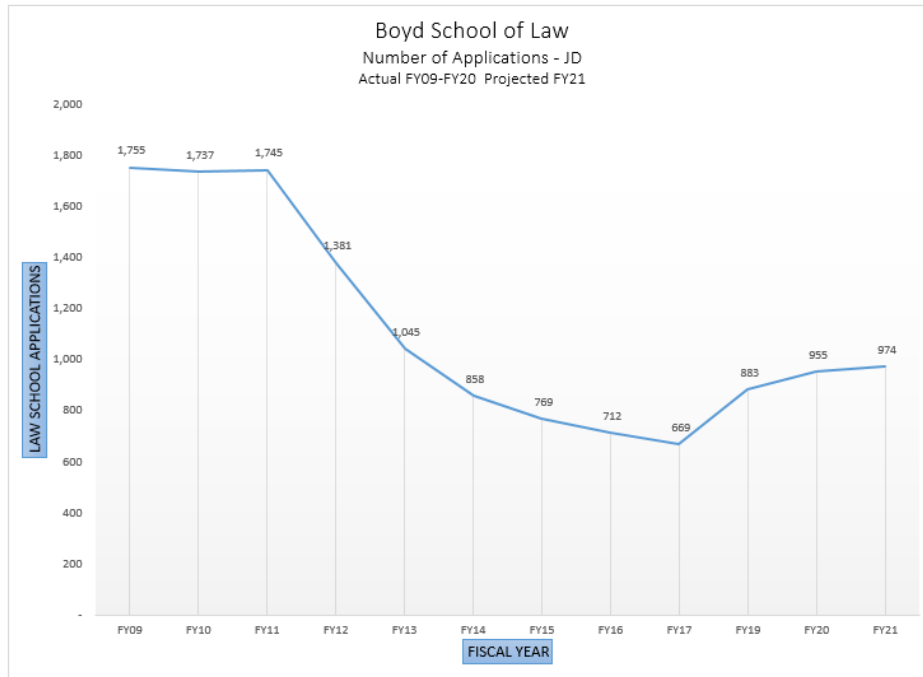


Figure E: Applications to UNLV Law School



**PROPOSED REVISIONS – PROCEDURES & GUIDELINES MANUAL
CHAPTER 7, SECTION 5**

Tuition and Fees, UNLV William S. Boyd School of Law

Additions appear in *boldface italics*; deletions are [~~stricken~~ and bracketed]

Section 5. Tuition and Fees, William S. Boyd School of Law

- A. All full-time William S. Boyd School of Law resident and non-resident students shall be assessed annual tuition and registration fees as follows:

Law School, Full-Time	2020-21	2021-2022	2022-23
Resident Registration Fees	\$25,900	\$26,900	\$28,000
Non Resident Tuition and Registration Fees	\$37,800	\$39,300	\$40,900

- B. All part-time William S. Boyd School of Law resident and non-resident students shall be assessed per credit tuition and registration fees as follows:

Law School, Part Time/Credit	2020-21	2021-2022	2022-23
Resident Registration Fees	\$926	\$963	\$1,000
Non-Resident Tuition and Registration Fees	\$1,350	\$1,400	\$1,460

- C. All admitted law students must deposit \$500 to hold the applicant's place in the class. The deadline for this deposit will meet the Law School Admission Council's Statement of Good Admission and Financial Aid Practices, which requires admitted students to make this deposit no sooner than April 1. If the entering law student's offer of admission came after March 1, the admitted law student will be required to deposit within one month of acceptance for admission. The deposit will be applied toward tuition and is not refundable. A second \$500 nonrefundable deposit will be due June 10 for all admitted law students who were accepted prior to May 10, and who paid the initial \$500 deposit. This second nonrefundable deposit is required to continue to hold the applicant's place in the class. Both of these deposits will be applied toward registration fees and/or tuition. All admitted law students accepted after May 10 must, according to the date specified in the acceptance packet for admission, make a \$1,000 nonrefundable deposit to hold the applicant's place in the class. This deposit is required to hold the applicant's place in the class and will be applied toward registration fees and/or tuition.

- D. All William S. Boyd School of Law resident and non-resident students shall be assessed per credit tuition and registration fees for Summer term courses as follows:

Law School, Full-Time	Summer 2021	Summer 2022	Summer 2023
Resident Registration Fees	\$963	\$1,000	\$1,000
Non-Resident Tuition and Registration Fees	\$1,400	\$1,460	\$1,460

Note: The Law School uses the same fee structure for summer as the following fall.

PROPOSED REVISIONS – PROCEDURES & GUIDELINES MANUAL
CHAPTER 7, SECTION 19
Tuition and Fees, William S. Boyd School
of Law

Additions appear in *boldface italics*; deletions are [~~stricken~~ and bracketed]

Section 19. Distribution of Fees and Tuition, William S. Boyd School of Law

The following fee distribution for the University of Nevada, Las Vegas William S. Boyd School of Law has been approved by the Board of Regents (per semester):

Tuition per Semester	2020-2021		2021-2022		2022-2023	
	Per Credit	Full Time	Per Credit	Full Time	Per Credit	Full Time
Total General Fund	\$481.41	\$6,762.70	\$502.90	\$7,024.00	\$522.20	\$7,311.00
General Improvement	9.25	123.00	9.25	123.00	9.25	123.00
Capital Improvement	9.00	104.50	9.00	104.50	9.00	104.50
Student Access	206.70	2,886.50	206.70	2,886.50	206.70	2,886.50
Student Association	1.00	14.00	1.00	14.00	1.00	14.00
Financial Aid Fee	14.40	200.00	20.00	300.00	25.00	400.00
Activities & Programs	204.24	2,859.30	214.15	2,998.00	226.85	3,161.00
Total Resident Tuition	\$926.00	\$12,950.00	\$963.00	\$13,450.00	\$1,000.00	\$14,000.00
Additional Nonresident Tuition	424.00	5,950.00	437.00	6,200.00	460.00	6,450.00
Nonresident Total	\$1,350.00	\$18,900.00	\$1,400.00	\$19,650.00	\$1,460.00	\$20,450

Tuition paid by or on behalf of a student of the William S. Boyd School of Law shall be revenue of the budget for the William S. Boyd School of Law.

	Summer 2021	Summer 2022	Summer 2023
Summer Tuition per Credit Hour			
Law School Summer Account	\$481.41	\$502.90	\$522.20
Total Summer Law	\$481.41	\$502.90	\$522.20
General Improvement	9.25	9.25	9.25
Capital Improvement	9.00	9.00	9.00
Student Access	206.70	206.70	206.70
Student Association	1.00	1.00	1.00
Financial Aid Fee	14.40	14.40	14.40
Activities & Programs	204.24	214.15	226.85
Total Resident Per Credit Fee	\$926.00	\$963.00	\$1,000.00
Additional Nonresident tuition	424.00	437.00	460.00
Total Nonresident Per Credit Fee	\$1,350.00	\$1,400.00	\$1,460.00