

BOARD OF REGENTS BRIEFING PAPER

Handbook Revision: Residency for Tuition Purposes, Veterans (AB165)

BACKGROUND & POLICY CONTEXT OF ISSUE:

Nevada Revised Statutes (NRS) 396.540 provides that the Board of Regents may fix the tuition charges for students at NSHE campuses, but must not charge tuition to certain students, including for example, students who are residents of Nevada. Existing Board policy under *Title 4, Chapter 15, Section 3* and *Section 4* recognize the provisions contained in NRS 396.540.

In 2013, the Nevada Legislature passed Assembly Bill 260 (Chapter 505, *Statutes of Nevada 2013*), which added “veterans who were honorably discharged within the 2 years immediately preceding the date of matriculation of the veteran at a university, state college, or community college within the System” to the list of students for whom the Board must not charge tuition under NRS 396.540. In June 2013, the Board approved a policy revision under *Title 4, Chapter 15, Section 3* to reflect this addition. Subsequently, in 2015, the Nevada Legislature passed Assembly Bill 76 (Chapter 13, *Statutes of Nevada 2015*) and amended this section of State law to increase the timeframe from two years to five years. In June of 2015 the Board approved a policy revision to bring *Title 4, Chapter 15, Section 3* into compliance with State law.

During the 2021 Session of the Nevada State Legislature Assembly Bill 165 (Chapter number pending as of 6/1/21, *Statutes of Nevada 2021*) was approved, further amending NRS 396.540. Specifically, Assembly Bill 165 removes the required five-year limitation for honorably discharged veterans to be considered residents for tuition purposes. Essentially, with the passage of Assembly Bill 165, the Board must not charge tuition to an honorably discharged veteran (irrespective of where the veteran has established residency) regardless of date of discharge.

The proposed revision to *Title 4, Chapter 15, Section 3* will bring the *Handbook* provision governing tuition into compliance with the revised provisions of state law enacted under Assembly Bill 165.

As of the posting of this document, Assembly Bill 165 was pending the Governor’s signature, the final step for formal enactment.

The amendatory provisions of Section 5 of Senate Bill 193 (Chapter number pending as of 6/1/21, *Statutes of Nevada 2021*), mirror the provisions of Assembly Bill 165 in deleting the time limitation for honorably discharged veterans to be considered residents for tuition purposes. The other provisions of Senate Bill 193 do not require *Handbook* revision.

The enrolled version of Assembly Bill 165 can be accessed [here](#).

SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

Amend *Title 4, Chapter 15, Section 3* of the *Handbook* to align with Assembly Bill 165 passed by the 2021 Legislature which revises the provisions for in-state tuition for honorably discharged veterans.

IMPETUS (WHY NOW?):

This proposal is brought forward to revise Board policy (*Title 4, Chapter 15, Section 3*) regarding in-state tuition in response to Assembly Bill 165, which was passed by the 2021 Session of the Nevada State Legislature and is effective on July 1, 2021.

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

The provisions of Assembly Bill 165 support student access.

BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- This policy revision is required for Board policy to remain consistent with State law.
- Adoption of the revised policy will facilitate application of the enacted provision of Assembly Bill 165 in providing in-state tuition for certain veterans.

POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

None have been presented.

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

None have been presented.

RECOMMENDATION FROM THE CHANCELLOR'S OFFICE:

The Chancellor supports the proposed policy revision.

COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title # _____ Chapter # _____ Section # _____
- Amends Current Board Policy: *Title 4, Chapter 15, Section 3*
- Amends Current Procedures & Guidelines Manual: Chapter # _____ Section # _____
- Other: _____

Fiscal Impact: Yes No _____

Explain: *Eliminating the five-year time limitation will result in more veterans qualifying for in-state tuition; however, NSHE cannot predict the number of additional veterans who have been honorably discharged that will enroll and qualify.*

POLICY PROPOSAL - *HANDBOOK*
TITLE 4, CHAPTER 15, SECTION 3

Tuition

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

Section 3. Tuition

Tuition shall be charged to nonresident student except as otherwise provided in this Section.

Tuition shall not be charged:

. . . .

9. Except as otherwise provided in Subsection 8 of this Section, to a veteran of the Armed Forces of the United States who was honorably discharged [~~within the five years immediately preceding the date of matriculation of the veteran at any NSHE Institution~~].