

BOARD OF REGENTS
BRIEFING PAPER

Handbook Revisions, Tuition; Governor Guinn Millennium Scholarship;
Nevada Promise Scholarship (SB347)

BACKGROUND & POLICY CONTEXT OF ISSUE

The 2021 Session of the Nevada Legislature passed Senate Bill 347 (Chapter number pending as of 6/2/2021, *Statutes of Nevada 2021*), an act related to sexual misconduct. During the final hours of the Session the provisions of the bill were amended to include provisions related to tuition, and state-supported financial aid programs, including the Governor Guinn Millennium Scholarship and Nevada Promise Program. The Handbook provisions presented here relate to the tuition policies and financial aid programs only. Matters related to sexual misconduct provisions of the bill will be addressed separately.

The revisions to State law under Senate Bill 347 and subsequent proposed revisions to the *Handbook* are as follows:

1. Existing law provides that the Board of Regents may fix the tuition charges for students at NSHE campuses but must not charge tuition to certain individuals (NRS 396.540). Section 27.05 of Senate Bill 347 revises provisions governing residency for tuition purposes. Specifically, this revision prohibits the Board from fixing tuition charges against students whose parent, legal guardian or spouse was stationed as an active duty member of the Armed Forces at a military installation associated with Nevada on the date the student is *admitted*. The proposed revision to *Title 4, Chapter 15, Section 3* will bring the *Handbook* in compliance with these provisions of state law enacted under Senate Bill 347.
2. Existing law sets forth the eligibility requirement that in order to obtain an award under the Governor Guinn Millennium Scholarship (GGMS), an applicant must certify that he or she is a citizen or legal immigrant of the United States (NRS 396.930). Section 27.5 of Senate Bill 347 revises the initial eligibility requirements for the Governor Guinn Millennium Scholarship. Specifically, Senate Bill 347 removes the requirement for a GGMS applicant to declare he or she is a U.S. citizen or has lawful immigration status, or has filed an application to gain legal immigration status. The proposed revision to *Title 4, Chapter 18, Section 9* will bring the *Handbook* in compliance with the provision of State law enacted under Senate Bill 347 relating to the affidavit.
3. Existing law requires the Board of Regents to distribute scholarships under the Nevada Promise Scholarship (NPS) program first to students who complete the Free Application for Federal Financial Aid (FAFSA) and then, if there is money remaining for additional distributions, to students who are prohibited by federal law from completing the FAFSA (NRS 396.968). Section 27.99 of Senate Bill 347 revises the priority for disbursement of awards for the Nevada Promise Scholarship by removing the prohibition of disbursing awards to students prohibited by federal law from completing the FAFSA until all students who completed the FAFSA have been awarded. Essentially, under the new provision, the NPS will be disbursed without priority based on the FAFSA completion. The proposed revision to *Title 4, Chapter 18, Section 11* will bring the *Handbook* in compliance with the revised provision of State law enacted under Senate Bill 347.

As of the posting of this document, Senate Bill 347 was pending the Governor's signature, the final step for formal enactment. The enrolled version of Senate Bill 347 can be accessed [here](#).

SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED

Revise *Title 4, Chapter 15, Section 3*, provisions related to residency for tuition purposes; *Title 4, Chapter 18, Section 9*, a revision to eligibility requirements for the GGMS; and *Title 4 Chapter 18, Section 11*, a revision to disbursement priority for the NPS. These proposed revisions will align Board policy with State law enacted by Senate Bill 347.

IMPETUS (WHY NOW?)

This proposal is brought forward to revise Board policy in response to Senate Bill 347, which was passed by the 2021 Nevada Legislature.

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 related to Senate Bill 347 concerning tuition and certain scholarship provisions support student access.

BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- This policy revision is required for Board policy to remain in compliance with state law.
- Adoption of the revised policy will facilitate application of the enacted provision of Senate Bill 347 related to residency for tuition purposes, a revision to GGMS eligibility requirements, and a revision to NPS disbursement priorities.

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’s Office recommends amending Board policy as presented herein.

COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title # _____ Chapter # _____ Section # _____
- Amends Current Board Policy: *Title 4, Chapter 15, Section 3; and Title 4, Chapter 18, Sections 9 and 11*
- Amends Current Procedures & Guidelines Manual: Chapter # _____ Section # _____
- Other: _____
- Fiscal Impact: Yes _____ No X
Explain:

POLICY PROPOSAL
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 students except as otherwise provided in this Section.
Tuition shall not be charged:

....

7. To a member of the Armed Forces of the United States, on active duty, stationed in Nevada as a result of a permanent change of duty station pursuant to military orders, or a person whose spouse, parent or legal guardian is a member of the Armed Forces of the United States stationed in Nevada as a result of a permanent change of duty station pursuant to military orders, including a Marine currently stationed at the Marine Corps Mountain Warfare Training Center at Pickel Meadow, California. If the member ceases to be stationed in Nevada, reside in Nevada, be stationed in Pickel Meadow, California, or be domiciled in Nevada, the spouse, child or legal guardian of the member shall not be charged tuition if the spouse, child or legal guardian of the member was *admitted* [~~enrolled~~] prior to the reassignment *if such student enrolls* and remains continuously enrolled at an NSHE institution.

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POLICY PROPOSAL

TITLE 4, CHAPTER 18, SECTION 9

Governor Guinn Millennium Scholarship: Policy and Procedures

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

Section 9. Governor Guinn Millennium Scholarship: Policy and Procedures

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9.18 *Eligibility* [~~Citizenship~~] Affidavit

All students eligible to receive the Millennium Scholarship are required to execute an affidavit declaring the student's eligibility for a Millennium Scholarship pursuant to the requirements of Nevada Revised Statutes 396.930. The affidavit shall appear on both the printed and on-line acknowledgement of the award form that a student is required to complete prior to receiving the Millennium Scholarship. [~~The affidavit shall consist of a declaration that the student is a citizen of the United States or has lawful immigration status, or that the student has filed an application to legalize the student's immigration status or will file an application to legalize the student's immigration status as soon as the student is eligible to do so.~~] This affidavit shall not require a notarized signature.

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POLICY PROPOSAL
TITLE 4, CHAPTER 18, SECTION 11
Nevada Promise Scholarship: Policy and Procedures

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

Section 11. Nevada Promise Scholarship: Policy and Procedures

....

8. Awarding of Scholarships.

- a. Community Colleges shall notify students that scholarship awards are contingent on available funding.

~~[b.] [Pursuant to NRS 396.968, community colleges shall not award any money to a student who is prohibited by law from completing the FAFSA unless all students who have completed the FAFSA have been awarded the maximum amount.]~~

- b.[e.]*** In the event that sufficient funds are not available to award scholarships to all eligible students, community colleges shall award based on the following priorities:

- i. First, to students who have received the award in previous academic years, on a first-come, first-served basis, based on the FAFSA or alternative form completion date; and
- ii. Second, to students who would be receiving the award for the first time on a first-come, first-served basis based on the FAFSA or alternative form completion date.