

BOARD OF REGENTS
BRIEFING PAPER

Handbook Revision, Fee Waivers, Nevada National Guard, POWs, MIAs

BACKGROUND & POLICY CONTEXT OF ISSUE:

Assembly Bill 188 (Chapter 28, *Statutes of Nevada 2009*), enacted during the 2009 Session of the Nevada State Legislature, authorizes the Board of Regents to waive certain fees and tuition for a child or spouse of a person who was killed while serving in the Nevada National Guard. The measure further authorizes the waiver of certain fees and tuition for the child or spouse of a person who is identified as a prisoner of war or declared missing in action while serving in the Armed Forces of the United States.

Board policy currently provides for fee waivers for active members of the Nevada National Guard who maintain a 2.0 semester grade point average and are in good standing with the National Guard (*Title 4, Chapter 17, Section 13*). Assembly Bill 188 extends that benefit to the children and spouses of guard members under the aforementioned circumstances.

Board policy currently provides a grant-in-aid for the spouses and financially dependent children of veterans and servicemen who died while in the line of duty. The policy also provides a grant-in-aid for the spouses and dependent children of servicemen identified as prisoners of war or declared missing in action (*Title 4, Chapter 18, Section 8*).

The provisions of Assembly Bill 188 are in many respects an extension of the benefits currently provided under Board policy, and staff therefore recommends amending Board policy to align with the provisions of AB188.

SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

Amend Board policy to extend the fee waivers to the child or spouse of a person who was killed while serving in the Nevada National Guard and to the child or spouse of a person who is identified as a prisoner of war or missing in action while serving in the Armed Forces of the United States pursuant to Assembly Bill 188. (See attached Policy Proposal.)

IMPETUS (WHY NOW?):

This recommendation to amend Board policy is brought forward in response to the passage of Assembly Bill 188 of the 2009 Session of the Nevada State Legislature.

BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- The recommended policy revisions provide needed support to the families of Nevada National Guard members, POWs, and MIAs.
- The provisions of Assembly Bill 188 are in many respects an extension of the benefits currently provided under Board policy.

POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

None.

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

Maintain the current Board policies, and do not extend benefits as authorized by AB188.

COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title #_____ Chapter #_____ Section #_____
- Amends Current Board Policy: *Title 4, Chapter 17, Section 13 and Title 4, Chapter 18, Section 8*
- Amends Current Procedures & Guidelines Manual: Chapter #_____ Section #_____
- Other:_____
- Fiscal Impact: Yes_____ No_____
- Explain:_____

POLICY PROPOSAL
TITLE 4, CHAPTER 17, SECTION 13 (in part)
Special Reduced Tuition and Fees (Nevada National Guard)

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

Section 13. Special Reduced Tuition and Fees

....

5. Any member of the active Nevada National Guard, including a Nevada National Guard recruit, *or the child or spouse of a person who was killed while performing duties as a member of the Nevada National Guard*, may be permitted to register for credit without a registration fee or, except as otherwise provided, laboratory fee(s).
 - a. This policy is applicable during Fall and Spring terms only.
 - b. Academic credit courses that will lead to the degree or certificate, including state-supported distance education courses, independent learning, and continuing education courses are eligible for the fee waiver. Non-state-supported independent study and correspondence courses are not eligible for waiver under this policy.
 - c. Laboratory fees associated with all courses numbered below the 300 level are eligible for waiver under this policy. Exceptions to the waiver of laboratory fees includes: 1) per semester fees, such as the Health Service fee; 2) Special course fees for purposes other than class supplies – including individual instruction, third-party charges, and special transportation requirements; 3) fees for actual class cost in excess of \$100; and 4) technology fees.
 - d. A person to whom the fee waiver is awarded shall be deemed a bona fide resident of Nevada for tuition purposes.
 - e. To be eligible for the fee waiver, the [~~person must be a~~] member *must be* in good standing or a recruit of the active Nevada National Guard at the beginning of and throughout the entire semester for which the waiver is granted. *The member who fails to remain in good standing shall reimburse the Board of Regents for the semester's waived registration fees and laboratory fees and will not be allowed to register for additional courses until the debt is paid in full.*
 - f. [~~The member or recruit of the Nevada National Guard~~] *To remain eligible for the fee waiver, the student* must achieve at least a minimum 2.00 semester grade point average in order to maintain subsequent eligibility for the fee waiver. *The student who fails to maintain a 2.00 semester grade point average shall reimburse the Board of Regents for the semester's waived registration fees and laboratory fees and will not be allowed to register for additional courses until the debt is paid in full.*
 - g. The institution may request the Adjutant General to verify the membership in the active Nevada National Guard of a person who is seeking or has been granted the fee waiver. *The institution may request the Adjutant General to verify that a person is the child or spouse of a member who was killed while performing duties as a member of the Nevada National Guard.*
 - h. If a fee waiver is granted to a Nevada National Guard recruit and the recruit does not enter full-time ~~BOARD OF REGENTS AGENDA 06/18/2009 & 06/19/2009 Ref. BOE-22, Page 3~~ *shall reimburse the*

Board of Regents for all previously waived registration fees and laboratory fees if the failure to enter full-time National Guard duty is attributable to the recruit's own conduct.

- i. ~~[If a fee waiver is granted to a member of the Nevada National Guard and the member does not achieve at least a minimum 2.00 semester grade point average and remain a member in good standing with the Guard, the student shall reimburse the Board of Regents for the semester's waived registration fees and laboratory fees and will not be allowed to register for additional courses until the debt is paid in full.]~~ ***A child of a person who was killed while performing duties as a member of the Nevada National Guard may use the waiver for 10 years after he attains 18 years of age or, if he enrolls in an NSHE institution before age 18, for ten years after the date of enrollment. The spouse of a person who was killed while performing the duties as a member of the Nevada National Guard may use the waiver for ten years after the date of death of the member.***
- j. Registration fees associated with the William S. Boyd School of Law, the University of Nevada School of Medicine, and the UNLV School of Dental Medicine are not eligible for waiver under this policy.
- ~~[k. The Nevada National Guard fee waiver is effective as of Fall Semester 2003.]~~

POLICY PROPOSAL
TITLE 4, CHAPTER 17, SECTION 13 (in part)
Special Reduced Tuition and Fees (POWs and MIAs)

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

7. *The child or spouse of a person who as a member of the Armed Forces of the United States permanently stationed in Nevada is identified as a prisoner of war or declared missing in action while performing duties as a member of the Armed Forces may be permitted to register for credit without a registration fee or, except as otherwise provided, laboratory fee(s).*
 - a. *This policy is applicable during Fall and Spring terms only.*
 - b. *Academic credit courses that will lead to the degree or certificate, including state-supported distance education courses, independent learning, and continuing education courses are eligible for the fee waiver. Non-state-supported independent study and correspondence courses are not eligible for waiver under this policy.*
 - c. *Laboratory fees associated with all courses numbered below the 300 level are eligible for waiver under this policy. Exceptions to the waiver of laboratory fees includes: 1) per semester fees, such as the Health Service fee; 2) Special course fees for purposes other than class supplies – including individual instruction, third-party charges, and special transportation requirements; 3) fees for actual class cost in excess of \$100; and 4) technology fees.*
 - d. *A person to whom the fee waiver is awarded shall be deemed a bona fide resident of Nevada for tuition purposes.*
 - e. *To remain eligible for the fee waiver, the student must achieve at least a minimum 2.00 semester grade point average in order to maintain subsequent eligibility for the fee waiver. The student who fails to maintain a 2.00 semester grade point average shall reimburse the Board of Regents for the semester's waived registration fees and laboratory fees and will not be allowed to register for additional courses until the debt is paid in full.*
 - f. *The institution may request such documentation as it deems necessary to verify that a person is the child or spouse of a person who as a member of the Armed Forces of the United States permanently stationed in Nevada is identified as a prisoner of war or missing in action while performing duties as a member of the Armed Forces.*
 - g. *A child of a person who as a member of the Armed Forces of the United States permanently stationed in Nevada is identified as a prisoner of war or missing in action while performing duties as a member of the Armed Forces may use the waiver for 10 years after he attains 18 years of age or, if he enrolls in an NSHE institution before age 18, for ten years after the date of enrollment. The spouse of a person who as a member of the Armed Forces of the United States permanently stationed in Nevada is identified as a prisoner of war or missing in action while performing duties as a member of the Armed Forces may use the waiver for ten years after the date on which the member of the Armed Forces was identified as a prisoner of war or missing in action.*

h. Registration fees associated with the William S. Boyd School of Law, the University of Nevada School of Medicine, and the UNLV School of Dental Medicine are not eligible for waiver under this policy.

POLICY PROPOSAL
TITLE 4, CHAPTER 18, SECTION 8
POW/MIA Grants-in-Aid

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

Section 8. Grants-in-Aid, Nevada Resident Widows/Widowers and Dependents of Certain Veterans

1. *Except as otherwise provided for the child or spouse of a member of the Nevada National Guard killed while performing duties as a member of the Nevada National Guard in Title 4, Chapter 17, Section 13, grants-in-aid* [~~Grants-in-aid~~] for the payment of a specified portion of the registration fee are available for a maximum of 128 credit hours of attendance to the following Nevada resident persons:
 - a. Widows and widowers of veterans, servicemen, or servicewomen who died from injuries or disease incurred or substantially aggravated in the line of duty while in active military service in the Southeast Asia War, the Gulf War of 1991, the Afghanistan Conflict of 2001, or the Iraqi War of 2003.
 - b. Children of those set forth in paragraph “a” above who were financially dependent upon the person and/or the person’s spouse at the time of death;
 - ~~[c. Spouses or financially dependent children of servicemen or servicewomen who are prisoners of war or declared missing in action in the wars set forth in paragraph “a” above.]~~
2. Those eligible for grants-in-aid for resident fees, in conformity with the subsection above, shall also be considered priority applicants for other forms of financial assistance and student employment while attending any institution of the Nevada System of Higher Education.