

BOARD OF REGENTS BRIEFING PAPER

1. AGENDA ITEM TITLE: HANDBOOK Revision: Fee Waiver for Nevada Foster Youth

MEETING DATE: September 6-7, 2018 – Board of Regents Meeting

2. BACKGROUND & POLICY CONTEXT OF ISSUE:

Existing Board policy provides fee waivers for certain populations under which the individuals may register for credit without a registration fee or certain laboratory fees (*Title 4, Chapter 17, Section 12*). These waivers, which are also set forth under Chapter 396 of *Nevada Revised Statutes* (NRS), include members of the Nevada National Guard, a child or spouse of a person killed while performing duties as a member of the Nevada National Guard, and the child or spouse of a person who - as a member of the Armed Forces of 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.

The Chancellor is proposing a waiver for foster youth that is similar to the waiver in NRS and Board policy for members of the Nevada National Guard. Foster youth face unique challenges in enrolling and completing postsecondary education. According to a March 2017, Education Commission of the States (ECS) policy brief – [50-State Review: Tuition Assistance Programs for Foster Youth Pursuing Postsecondary Education](#): “28 states offer some type of state-level tuition assistance program for former foster youth seeking a postsecondary credential. Twenty states utilize tuition waivers and 8 states offer grants or scholarships.” As noted in the policy brief examining the challenges for foster youth nationally:

Compared to completion rates for the general population, postsecondary education outcomes for youth with foster care experience lag behind. Nearly 60 percent of the general population will obtain a bachelor’s degree, compared with only 3 percent of foster care alumni. Similarly, foster care alumni have lower high school graduation rates than their non-foster peers – 46 percent compared to 82.3 percent. As a result of these perpetual educational inequities, it is important to consider policies aimed at addressing disparate postsecondary access and attainment rates.

Children enter the foster care system due to abuse, neglect or abandonment by their families. When these children “age out” of the foster care system at the age of 18, they often do not have adults or family members in their lives to assist them in transitioning to independent living financially or with a support system/advice/resources. Recognizing the vulnerabilities and challenges faced by this population, the Nevada Legislature passed targeted statutory provisions such as the following to assist them in the transition, some of which include postsecondary education components:

- **Rights of Foster Children** – While in the foster care system, foster children have certain rights, including the right “to have access to information regarding relevant educational opportunities, including, without limitation, course work for vocational and postsecondary educational programs and financial aid for postsecondary education, once the child is 16 years of age or older” (NRS 432.535).
- **Transition to Independent Living** – At the age of 18, foster youth may elect to be under court jurisdiction to assist in the transition to independent living until they turn 21 (NRS 432B.591-432B.595). Under this program, the youth must develop a written plan that sets forth certain goals which must include enrolling in a program of postsecondary or vocational education after high school graduation, or alternatively obtaining employment or enrolling in a program to promote/remove obstacles to employment (NRS 432B595).
- **Financial Assistance in the Transition to Independent Living** – The Account to Assist Persons Formerly in Foster Care provides certain financial assistance to make the transition from foster care to economic self-sufficiency (NRS 432.017).

While the State of Nevada through legislative action have taken a number of steps intended to support foster youth in transitioning to independent living, a number of states have moved in a similar direction through direct support for post-secondary education for foster youth. The most common form of such support is a tuition waiver under defined criteria. The Chancellor recommends the NSHE consider joining other progressive states in providing similar support.

Number of Youth Aging-Out of Foster Care in Nevada Annually – Estimated Cost for NSHE

According to data provided by the Division of Child and Family Services, the number of youth aging-out of foster care for the past 5 state fiscal years (SFY) follows: SFY 2013: 251; SFY 2014: 292; SFY 2015: 227; SFY 2016: 212; and SFY 2017: 188. Establishing a waiver program for foster youth to attend an NSHE institution, substantially similar to the existing National Guard fee waiver program, is estimated to cost \$115,000 for the first entering student cohort based on the 2018-19 approved base registration fee (and assumes a college continuation rate of foster youth of 20% based on national data). That figure will increase over time as additional student cohorts enter the system and as the base registration fee increases.

AMENDED: At its September 6-7, 2018, meeting the Board of Regents approved the policy proposal, as amended to lower age in foster care from 16 to 14 years. The attached policy reflects the approved amendment.

3. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

Amend Title 4, Chapter 17 to create a new section that provides a fee waiver for Nevada foster youth who were in the custody of a child welfare agency after reaching the age of 16 years, have graduated from high school or earned a general equivalency diploma, complete the FAFSA, and are under the age of 26 years of age. Similar to the existing fee waiver for members of the National Guard, the proposed policy provides a waiver only for registration fees and certain laboratory fees in fall and spring terms. (See the attached policy proposal.)

4. IMPETUS (WHY NOW?):

The Chancellor recommends consideration of this policy proposal.

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

Providing a limited fee waiver for foster youth promotes access, success and closes the achievement gap for this typically low-income student population who face multiple challenges as young adults. Earning a bachelor's degree, associate's degree or a certificate will provide these youth with the skills and knowledge necessary to be a productive part of Nevada's workforce.

6. BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- As set forth in the background section, foster youth have unique challenges in pursuing a postsecondary education, which is a gateway to personal and financial stability. Providing the limited fee waiver (registration fee and certain lab fees) is not a guarantee to success but is a financial commitment by the Board that will help these students.
- The proposed fee waiver is an educational benefit similar to the existing waiver for members of the Nevada National Guard and it also compliments the State's financial commitment to foster youth through the Account to assist Persons Formerly in Foster Care. In Clark County, this Account is administered under the [Step Up program](#) and provides a one-time educational stipend upon completion of high school (\$1,000), a self-sufficiency stipend that must be used for goods/services to assist in living independently, and financial assistance with other necessities for independent living, including a monthly bus pass and rental assistance, some of which is contingent on being in school or working.
- In addition to providing the financial assistance, the policy is structured to incentivize success with the eligibility requirements that require the student to have earned a high school diploma or general equivalency diploma, and to complete the FAFSA to access federal financial assistance. In addition, with the age limit (under 26 years of age), students are incentivized to complete a degree or certificate while the assistance is still available. The fiscal impact is also limited with these requirements.
- Completion of the FAFSA will also provide access to federal financial dollars that are available for foster youth, which are discussed in a recent [GAO report - HIGHER EDUCATION: Actions Needed to Improve Access to Federal Financial Assistance for Homeless and Foster Youth \(March 2016\)](#). While the report focuses on recommendations to assist homeless and foster youth at the federal level, the report reinforces the educational challenges of foster youth, including changing schools multiple times from elementary to high school and "few supportive family members or other adults they can turn to for help and advice about how to apply for, enroll, and stay in college. Lastly, because they typically have low incomes, their financial resources for college are limited. These challenges can also be exacerbated by the extent to which homeless and foster youth lack awareness about federal financial resources that are available to help them pursue a college education."
- The Division of Child and Family Services and Washoe and Clark County have indicated that in support of this program they will assign a mentor to each student that qualifies for the waiver program. This is a strong indication of the state and counties support for the proposed waiver program as they are willing to ensure the program's success through the assignment of a mentor.

7. POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

None have been presented, but the fiscal impact may be a consideration.

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

Do not adopt the proposed policy offering the fee waiver to foster youth.

9. RECOMMENDATION FROM THE CHANCELLOR'S OFFICE:

The Chancellor recommends adoption of the proposed policy.

AMENDED: At its September 6-7, 2018, meeting the Board of Regents approved the policy proposal, as amended to lower age in foster care from 16 to 14 years. The attached policy reflects the approved amendment.

10. COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title #_____ Chapter #_____ Section #_____
- ✓ Amends Current Board Policy: Title 4, Chapter 17, *new* Section 13
- Amends Current Procedures & Guidelines Manual: Chapter #_____ Section #_____
- Other:_____
- ✓ Fiscal Impact: Yes X No _____

Explain: The fiscal impact is challenging to determine at this time for several factors. The number of foster youth who meet the eligibility requirements and elect to attend an NSHE institution (at varying credit loads) in future years before they turn 26 is unknown. However, with that disclaimer, based on the average number of foster youth who aged-out in the past 5 fiscal years, the estimated cost of the waiver in the first year is anticipated to be approximately \$115,000 based on 2018-19 registration fees. In future years, the annual cost will increase as multiple cohorts enter the system and as the base registration fee increases.

AMENDED: At its September 6-7, 2018, meeting the Board of Regents approved the policy proposal, as amended to lower age in foster care from 16 to 14 years.

POLICY PROPOSAL
TITLE 4, CHAPTER 17, *new* SECTION 13
Fee Waiver for Nevada Foster Youth

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

Section 13 – Fee Waiver for Nevada Foster Youth

1. *A student who was in the custody of an agency which provides child welfare services in Nevada after the student reached the age of **14** ~~16~~ years may be permitted to register for credit without a registration fee or, except as otherwise provided, laboratory fee(s) if the student:
 - a. *Has graduated from a Nevada high school or obtained a general equivalency diploma or equivalent document;*
 - b. *Completes the Free Application for Federal Student Aid (FAFSA); and*
 - c. *Is under the age of 26 years.**
2. *This policy is applicable during Fall and Spring terms only.*
3. *State-supported academic credit-bearing courses that lead to a degree or certificate, including distance education courses, independent learning, and continuing education courses are eligible for the fee waiver. Self-supporting courses, including independent study and correspondence courses, are not eligible for waiver under this policy.*
4. *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 include:
 - a. *Per semester fees, such as the Health Service fee;*
 - b. *Special course fees for purposes other than class supplies – including individual instruction, third-party charges, and special transportation requirements;*
 - c. *Fees for actual class cost in excess of \$100; and*
 - d. *Technology fees.**
5. *A person to whom the fee waiver is awarded shall be deemed a bona fide resident of Nevada for tuition purposes.*
6. *To remain eligible for the fee waiver, the student must meet institutional Title IV financial aid satisfactory academic progress requirements.*
7. *Registration fees associated with graduate level courses and with the William S. Boyd School of Law; the University of Nevada, Reno School of Medicine; the UNLV School of Medicine; and the UNLV School of Dental Medicine are not eligible for waiver under this policy.*
8. *Each institution shall designate a primary point of contact for questions concerning and administration of the fee waiver.*
9. *For purposes of this section, “an agency which provides child welfare services” means such an agency as defined under NRS 432B.030.*

RENUMBER SECTIONS 13 THROUGH 29 AS SECTIONS 14 THROUGH 30.