

BOARD OF REGENTS  
BRIEFING PAPER  
*Handbook Revision, Differential Program Fees*

**BACKGROUND & POLICY CONTEXT OF ISSUE:**

During its April 2010 special meeting, the Board of Regents adopted a policy authorizing institutions to implement differential program fees for certain undergraduate programs as recommended by the Tuition and Fees Committee. At its September 2010 meeting, the Board further approved a policy outlining the permissible use of funds generated from a differential program fee and outlined the information that institutions must provide when proposing such a fee. At that time, the Chancellor indicated that the policy would be brought back to expand the differential program fee authorization to graduate level programs.

In addition, based on concern expressed by graduate students, staff recommends further revising the policy to provide that institutions may establish policies and procedures to allow certain graduate assistants to register without a differential program fee and to account for such allowance in reporting the required set aside for need-based financial aid.

**SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:**

Amend Title 4, Chapter 17, Section 21; Title 4, Chapter 10, Section 16, and Procedures and Guidelines Manual, Chapter 7, Section 6, to expand the current authorization for differential program fees to graduate level programs under certain circumstances and to allow that certain graduate assistances may register without a differential program fee. (See attached Policy Proposal.)

**IMPETUS (WHY NOW?):**

As indicated at the September 2010 meeting of the Board, the policy is being brought back at this time to expand the authorization for differential program fees to graduate level programs.

**BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:**

Expanding the differential program fee policy to include graduate level programs will ensure that for programs with an approved differential fee that undergraduates are not charged more in fees than graduate students in the same discipline.

In an effort to reduce the financial burden on graduate assistants, the policy allows institutions to waive or not charge the fee for certain graduate assistants as the institutions see fit.

**POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:**

None

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

Maintain the policy as written whereby the authorization for differential program fees is applicable to undergraduate level programs only.

**COMPLIANCE WITH BOARD POLICY:**

- Consistent With Current Board Policy: Title #\_\_\_\_\_ Chapter #\_\_\_\_\_ Section #\_\_\_\_\_
  - Amends Current Board Policy: *Title 4, Chapter 17, Section 10; Title 4, Chapter 10, Section 16*
  - Amends Current Procedures & Guidelines Manual: *Chapter 7, Section 6*
  - Other: \_\_\_\_\_
  - Fiscal Impact: Yes\_\_\_\_ No\_\_\_\_\_
- Explain: *Approved differential program fees will generate revenue for the program for which they are associated.*

**POLICY PROPOSAL**  
**TITLE 4, CHAPTER 17, SECTION 10**  
**Differential Program Fees**

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

**Section 21. Differential Program Fees**

1. NSHE institutions may bring forward annually for Board approval differential program fees to be retained by the institution that would be assessed in addition to registration fees. Each institution must establish procedures to ensure that student input is appropriately sought that must include a review of existing special course fees in the process of developing a differential program fee.
2. Upon the establishment of a differential program fee, all existing special course fees associated with the same program shall be eliminated, except those that are designated to cover the cost of consumables associated with a specific course.
3. Differential program fees shall be limited to high cost and/or high demand programs only, and such requests must be accompanied by documentation justifying the higher cost for students.
4. Except for clinical and applied health programs, differential program fees shall be limited to upper-division (*300-400 level*) and graduate level (*500 level and above*) courses [~~programs only~~].
5. Differential program fees shall be brought forward to the Board for consideration upon consultation with all institutions offering the program.
6. The Chancellor shall establish procedures for the administration of differential program fees, including but not limited to guidelines for the expenditure of revenue generated from such fees.

**POLICY PROPOSAL**  
**TITLE 4, CHAPTER 10, SECTION 16**  
Use of Differential Program Fees

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

Section 16. Use of Differential Program Fees

1. Funds generated from a differential program fee shall be deposited into a Differential Program Fee Account that is maintained separately for each program.
2. Funds generated from a differential program fee will not be included in the state supporting operating budget and will be retained by the institution.
3. Funds generated from a differential program fee shall be expended on goods and services directly related to the program with which the fee is associated, including, but not limited to salaries and wages, operating, equipment and library materials that directly benefit the program. Appropriate levels of state support for the program shall continue.
4. At least 15 percent of the differential program fee at the universities and state college and 10 percent of the differential program fee at the community college must be allocated for need-based financial aid for students enrolled in the program for which there is an approved differential program fee.  
*Institutions may establish policies and procedures consistent with this subsection to allow graduate assistants in a program with an approved differential fee to register without such a fee and to account for such allowance in reporting the required set aside for need-based financial aid.*
5. Expending funds generated by the differential program fee for purposes other than those described in subsections 3 and 4 shall require approval by the Board of Regents.
6. In the fall of each odd-numbered year, each institution with approved differential fees will submit a detailed written report to the Chancellor's Office regarding the actual expenditure of differential program fees with an explanation of how the fees have been used for the benefit of the academic program for which the differential fee was established.

## PROPOSED REVISIONS – *P&G MANUAL*

### CHAPTER 7, SECTION 6

#### Differential Program Fee Proposals

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

#### Section 8. Differential Program Fee Proposals

1. All proposals for differential program fees must include the following information when submitted to the Board for consideration:
  - a. Indicate how student involvement was obtained and how any concerns raised by students were addressed.
  - b. Identify all existing special course fees associated with the program, indicating those that will be eliminated. In accordance with Board policy, at the upper-division (300-400 level) *and graduate level (500 level and above)* [~~only~~] special course fees for consumables may be continued and continuing special course fees must identify the consumables covered by the fee. An institution may include the cost of consumables in the differential program fee. Special courses fees for lower division (100-200 level) course work may continue.
  - c. For high demand programs, indicate program demand by including program enrollments for the preceding five years and total number of students wait-listed or denied admission in the program during the preceding five years.
  - d. For high cost programs, indicate total annual program costs as a function of total revenues and expenditures for the preceding five years.
  - e. Indicate estimated revenue generated from the proposed program fee based on projected enrollments and how such funds will be expended in support of the program.
2. Differential program fees must be in the form of a per credit or per course fee and shall not be tied by proportion or multiplier to any existing fee, including but not limited to, the registration fee.
3. Except for clinical and applied health programs, differential program fees shall be limited to upper-division (300-400 level) courses *and graduate level (500 level and above) courses* only. Differential program fees may be applied at the lower division (100-200 level) for clinical and applied health programs only.
4. Any increase in a differential program fee must be brought to the Board for approval in accordance with the provisions of this section. Such fees shall not be established in any manner where they automatically increase without Board approval. Any proposed or adjusted differential program fee shall be presented to the Board for approval at the last Board meeting of each calendar year.