

BOARD OF REGENTS  
BRIEFING PAPER

**1. AGENDA ITEM TITLE: Handbook Revision, Residency Reclassification**

**MEETING DATE: ARSA, March 2, 2016**

**2. BACKGROUND & POLICY CONTEXT OF ISSUE:**

Currently, Board policy governing reclassification of nonresident status specifies a student who initially enrolls in an NSHE institution under the WICHE Western Undergraduate Exchange (WUE) program shall not be reclassified as a resident student following matriculation. Residence in a neighboring state is a continuing qualification for enrollment in the WUE program; however, a student who subsequently disenrolls from the WUE program may apply for reclassification under limited circumstances (*Title 4, Chapter 15, Section 8*).

Board policy also allows NSHE institutions to bring forward for Board approval tuition and/or registration fee discounts (*Title 4, Chapter 17, Section 13*). To date, the Board has approved two tuition discount programs: (1) the Nevada Advantage program at UNR, which was approved in September 2015; and (2) the reciprocal agreement with the State of California to allow California residents in the Lake Tahoe Basin to enroll at WNC, and Nevada residents in the Lake Tahoe Basin to enroll at the Lake Tahoe Community College (LTCC) at discounted tuition rates, which was approved in April 2016. Similar to the WUE program, residence in another state is a qualification for enrollment in these programs.

A revision to Board policy is recommended to clarify that students who initially enroll in an NSHE institution under a Board-approved tuition discount program that includes nonresidence as a qualification will be treated the same way as WUE students for purposes of residency reclassification.

**3. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:**

Amend *Title 4, Chapter 15, Section 8* to specify that a student who initially enrolls in an NSHE institution under a tuition discount program approved by the Board for which residence is another state is a qualification shall not be reclassified as a resident student following matriculation except in limited circumstances. Provide that a nonresident student who subsequently disenrolls from the tuition discount program may apply for residency reclassification after paying full nonresident tuition for at least 12 months if the material facts of a dependent student's residency as it relates the parents' or legal guardian's residency have substantially changed following matriculation.

**4. IMPETUS (WHY NOW?):**

The Student Affairs Council recommends clarifying Board policy governing residency reclassification for students who enroll in a Board-approved tuition discount program that requires nonresidency as a qualification.

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

- The revision will clarify the residency status and reclassification options for students participating in a Board-approved tuition discount programs, as well as NSHE staff responsible for making residency determinations for these students.
- Students participating in such programs will be treated in the same way as students participating in WUE for purposes of residency reclassification.

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

None have been presented.

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

None have been presented.

**8. COMPLIANCE WITH BOARD POLICY:**

- Consistent With Current Board Policy: Title # \_\_\_\_\_ Chapter # \_\_\_\_\_ Section # \_\_\_\_\_
- Amends Current Board Policy: ***Title 4, Chapter 15, Section 8***
- Amends Current Procedures & Guidelines Manual: Chapter # \_\_\_\_\_ Section # \_\_\_\_\_
- Other: \_\_\_\_\_
- Fiscal Impact: Yes \_\_\_\_\_ No  \_\_\_\_\_
- Explain: \_\_\_\_\_

**POLICY PROPOSAL**  
**TITLE 4, CHAPTER 15, SECTION 8**  
Residency – Reclassification of Nonresident Status

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

**Section 8. Reclassification of Nonresident Status**

There is a rebuttable presumption that a nonresident attending an institution of the NSHE is in the State of Nevada for the primary or sole purpose of obtaining an education. Therefore, a nonresident who enrolls in an institution of the System shall continue to be classified as a nonresident student throughout the student's enrollment, unless and until the student demonstrates that his or her previous residence has been abandoned and that the student is a Nevada resident. Each student seeking reclassification from nonresident to resident student status must satisfy the conditions described in Subsections 1 through 3.

....

5. Residence in a neighboring state other than Nevada is a continuing qualification for enrollment in the WICHE Western Undergraduate Exchange program at a NSHE institution *and in a tuition discount program approved by the Board of Regents pursuant to Title 4, Chapter 17, Section 13*. A student who was initially enrolled in a System institution under the WICHE Western Undergraduate Exchange program *or a tuition discount program approved by the Board* shall not be reclassified as a resident student following matriculation. A nonresident student who subsequently disenrolls from the WICHE Western Undergraduate Exchange program *or a tuition discount program approved by the Board* and pays full nonresident tuition for at least 12 months may apply for reclassification to resident student status. An application for reclassification may be submitted under the provisions of this section if the material facts of a dependent student's residency as it relates the parents' or legal guardian's residency, have substantially changed following matriculation.
6. When a student has been reclassified to resident student status, the reclassification shall become effective at the registration period in the System institution immediately following the date the student receives notice of the reclassification decision.
7. No reclassification under these regulations shall give rise to any claim for refund of tuition already paid to the NSHE.