

2023-24 NATIVE AMERICAN FEE WAIVER REPORT

Nevada System of Higher Education
Department of Academic and Student Affairs

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The Nevada System of Higher Education

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Background

In 2021, the Nevada State Legislature enacted [Assembly Bill 262](#) (Chapter 349, *Statutes of Nevada 2021*) requiring the Board of Regents to grant a waiver of the base registration fee, laboratory fees, and all other mandatory fees associated with enrollment for an eligible Native American student who is a member of a federally recognized Indian tribe or nation, all or part of which is located within the boundaries of Nevada, or is certified by the enrollment department of a tribe or nation or the Bureau of Indian Affairs as being a descendant of an enrolled member of such a tribe or nation, all or part of which is located within the boundaries of Nevada. Additional eligibility requirements include enrollment in a school within the Nevada System of Higher Education (NSHE); being a resident of the State for not less than one year; maintaining a 2.0 grade point average (GPA); and completing the Free Application for Federal Student Aid (FAFSA).

During the 2023 Session, the Nevada Legislature enacted [Assembly Bill 150](#) (Chapter 431, *Statutes of Nevada 2023*) which expanded student eligibility and fees covered by the waiver effective July 1, 2023. Accordingly, in June 2023 the [Board of Regents Handbook, Title 4, Chapter 17](#) was updated to bring Board policy into alignment with these new provisions. Assembly Bill 150 also appropriated General Fund dollars to NSHE in order to partially defray the cost of granting the waivers during the 2023-2025 Biennium.

This report is written to satisfy the annual reporting requirements outlined in *Nevada Revised Statute* 396.54495. Accordingly, information is provided on the number of students that qualified for the NSHE Native American Fee Waiver, and the “total funding made available for the waiver.” In addition to the appropriation made by the Legislature in Assembly Bill 150, \$457,449 per each Fiscal Year 2023-24 and 2024-25, a one-time distribution of American Rescue Plan Act (ARPA) funds was made by the State of Nevada to cover waiver costs for 2023-24 in the amount of \$1,670,563. Between the Assembly Bill 150 appropriation and these ARPA funds, NSHE institutions were reimbursed for all Native American Fee Waivers issued for 2023-24 as of April 1, 2024.

Program Eligibility – 2023-24 Academic Year

Institutional Eligibility

Eligible institutions where students may use the waiver include the NSHE universities, state college, and community colleges:

- University of Nevada, Las Vegas;
- University of Nevada, Reno;
- Nevada State University;
- College of Southern Nevada;
- Great Basin College;
- Truckee Meadows Community College; and
- Western Nevada College.

Student Eligibility

Effective July 1, 2023, in order to be eligible for the Native American fee waiver, a student must:

- Be a member of a federally recognized Indian tribe or nation or certified by the enrollment department of such a tribe or nation or by the Bureau of Indian Affairs as being a descendant of an enrolled member of a tribe or nation, regardless of membership status;
- Be enrolled at an NSHE institution; including, without limitation, enrollment in a dual credit course through a program for dual credit;
- Have maintained at least a 2.0 grade point average, on a 4.0 scale, each semester or the equivalent of a 2.0 grade point average if a different scale is used;
- Have completed the Free Application for Federal Student Aid unless the student is or will be enrolled exclusively in one or more dual credit courses through a program for dual credit; and
- Meet one of the following criteria:
 - Be a bona fide resident of this State, as defined in NRS 396.540;
 - Be a member or descendant of an enrolled member of an Indian tribe or nation, all or part of which is located within the boundaries of this State; or
 - Currently reside on qualified tribal land, whether his or her actual residence was located within or outside of the boundaries of this State, and has been such a resident for not less than 1 year.

Waiver Amount

AB 150 includes several provisions that increase the cost of providing the waiver. It expands eligibility for the waiver to certain students who are enrolled members or descendants of enrolled members of tribes or nations from outside Nevada. It also significantly expands the types of programs and courses for which the waiver may be used, to include dual-enrollment, non-credit, non-state-funded (self-supporting) and summer term courses. Notably, AB 150 also eliminates the “last dollar” aspect of the fee waiver, no longer taking into account federal gift aid the student received when calculating the waiver amount. This means that all eligible students receive a fee waiver equal to the amount of the base registration fee and all other mandatory fees, regardless of other aid received.

As mentioned above, Assembly Bill 150 made an appropriation of \$457,449 from the State General Fund for each year of the 2023-25 Biennium to partially defray the costs of the waiver. This action by the legislature was unprecedented for the Native American and other NSHE fee waivers. In 2023-24 this appropriation covered slightly more than 20 percent of the cost of waivers granted. In addition, NSHE received a one-time allocation of ARPA funds in the amount of \$1,670,563 to further defray the costs of the waiver as reported through April 1, 2024. Between April 1 and the end of the Academic Year in May 2024, an additional \$87,049 in waivers was granted by the NSHE institutions, and this amount is forgone revenue for the institutions.

Recipients and Cost Since Waiver Inception

Tables 1 and 2 below provide the number of recipients and dollars waived since the Native American Fee Waiver first became available to students in Fall 2021. With the enactment of Assembly Bill 150 in 2023, the fee waiver became applicable for summer; accordingly, Summer 2023 waivers are included in the 2023-24 column and summer term will be treated as a header in future reporting years.

Fee Waiver Recipients, Total Value, and Foregone Revenue

Table 1: Number of Recipients by Institution

	2021-22	2022-23	2023-24
UNLV	10	19	47
UNR	73	94	197
NSU	1	1	6
CSN	4	4	21
GBC	18	11	58
TMCC	24	26	105
WNC	10	19	52
NSHE Total	140	174	486

Due to the last dollar structure of the waiver during Academic Years 2021-22 and 2022-23, it is important to note that in both years there were waiver applicants who met all eligibility criteria but did not receive a waiver due to receipt of federal education benefits equal to or greater than the amount of fees charged to each student. In 2022-23 there were 50 students in this category, and in 2021-22 there were 24. Beginning in 2023-24, all eligible applicants received a waiver due to the discontinuation of the last dollar approach with the enactment of Assembly Bill 150.

Table 2: Total Value Waived by Institution

	2021-22	2022-23	2023-24
UNLV	\$39,609	\$141,661	\$429,075
UNR	\$330,655	\$443,479	\$1,275,664
NSU	\$653	\$3,135	\$24,907
CSN	\$7,056	\$6,448	\$37,335
GBC	\$26,626	\$29,079	\$156,481
TMCC	\$30,045	\$47,451	\$193,268
WNC	\$22,806	\$30,959	\$88,332
NSHE Total	\$457,449	\$702,212	\$2,205,061
State Appropriation	\$0.00	\$0.00	\$447,449
Other Funding	\$0.00	\$0.00	\$1,670,563
Foregone Revenue	\$457,449	\$702,212	\$87,049

Note: totals may not match exactly due to rounding. Beginning with reporting year 2023-24, summer is included as a header.

Future Student Success Metrics

While not required by NRS 396.54495 for inclusion in this report, tracking student success metrics, such as fall-to-fall persistence and graduation, is one way to determine whether students are reaching their academic goals. Such data can also be a factor in determining whether additional supports are needed by students. NSHE has begun gathering the necessary data to do such an analysis for Native American Fee Waiver recipients, but due to waiver provisions that allow students who are not degree seeking to utilize the fee waiver for courses that are both credit-based and non-credit based, there are additional complexities that need to be accounted for in the data. NSHE will work on developing an appropriate framework for including student success metrics in future reports.

Conclusion

Approved by the Nevada Legislature during 2021 Session, the Native American Fee Waiver program was first implemented during the 2021-22 Academic Year. During that year, 140 students had \$457,449 in fees waived, and 24 additional students qualified for the waiver but had fees paid by federal education benefits and therefore did not have fees waived under this program. During 2022-23, 174 students had \$702,212 in fees waived, which is an increase of 53.5 percent over 2021-22, and an additional 50 students qualified for the waiver but had fees paid instead by federal education benefits. Over the two academic/fiscal years, this totals \$1.16 million in forgone revenue for the NSHE institutions. With the Assembly Bill 150 expansions to the fee waiver as well as a growing awareness by students and families of this program, in 2023-24 486 students received a Native American Fee Waiver and the total dollars waived amounted to \$2,205,061. This is a 179 percent increase in recipients and a 214 percent increase in dollars waived. Of the total Native American Fee Waiver cost for 2023-24, only \$87,049 was forgone revenue thanks to the legislative appropriation in AB 150 and an allocation of ARPA dollars from the State. However, due to increasing utilization of the waiver, it is likely the AB 150 appropriation will cover less than 20% of the cost of the waiver in 2024-25.

According to the requirements of Senate Bill 72, during the 2023-24 Interim the Joint Interim Standing Committee on Education (COE) conducted a study concerning NSHE fee waivers. At its [Work Session on August 22, 2024](#), the Committee voted to propose legislation unifying the conditions and requirements of NSHE fee waivers. In addition, a recommendation was included to encourage the Senate Committee on Finance and the Assembly Committee on Ways and Means of the 2025 Legislative Session to consider state funding support to offset the fee waiver costs should additional fee waiver programs be created or if student participation in current programs is expanded beyond current capacity.