

# **SOUTH DAKOTA BOARD OF REGENTS**

## **Academic and Student Affairs**

**AGENDA ITEM: 6 – C (1)**

**DATE: March 27-29, 2018**

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### **SUBJECT**

**BOR Policy 1:16 – Interstate Tuition Agreements, and BOR Policy 5:5:1 – Tuition and Fees: On-Campus Tuition Revisions (Second Reading)**

### **CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 1:16](#) – Interstate Tuition Agreements

[BOR Policy 5:5:2](#) – Tuition and Fees: On Campus Tuition

[SDCL 13-49-20](#) – Interstate Contracts for Education of South Dakota Residents

### **BACKGROUND / DISCUSSION**

During the [August 2017](#) Board of Regents meeting, the Board received an update on the addition of eight USD graduate programs approved by the Western Interstate Commission for Higher Education (WICHE) for inclusion in the Western Regional Graduate Program (WRGP). When presenting the informational item to the Board, staff noted the need for clarity in BOR policy regarding the appropriate approval process for WRGP programs.

BOR Policy 1:16 – Interstate Tuition Agreements and BOR Policy 5:5:1 – Tuition and Fees: On-Campus Tuition both contain sections referencing South Dakota's participation in the WRGP through WICHE. The WRGP allows graduate students residing in WICHE states/territories<sup>1</sup> to enroll in participating graduate programs and pay resident tuition rates. Regental system programs currently participating in the WRGP include:

**BHSU:** MS in Integrative Genomics and M.S. in Sustainability; **DSU:** MS in Health Informatics; **SDSU:** MS in Chemistry (with Chemistry Education Specialization) and MS in Athletic Training; **USD:** MBA in Business Administration (with specializations in Business Analytics, Marketing, Health Services Administration, and Operations & Supply Chain Management, MPA in Professional Accountancy, MA in Addiction Studies, MA/EdS/PhD in Counseling & Psychology, MA/EdS/PhD in Human Development & Educational Psychology, and EdS/PhD in School Psychology; **SDSM&T:** MS in Computational Sciences and Robotics, MS and PhD in Materials Engineering and Science, MS and PhD in Atmospheric and Environmental Sciences, PhD in Nanoscience and Nanoengineering, and MS in Paleontology.

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<sup>1</sup> WICHE participants include Alaska, Arizona, California, Colorado, Guam, Hawai'i, Idaho, Montana, Nevada, New Mexico, North Dakota, Northern Mariana Islands, Oregon, South Dakota, Utah, Washington, and Wyoming.

(Continued)

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### **DRAFT MOTION 20180327\_6-C(1):**

I move to approve the second and final reading of the proposed revisions to BOR Policies 1:16 and 5:5:1 as presented.

Graduate programs in the WRGP are required to apply to WICHE for approval to participate. WICHE selects programs based on distinctiveness, workforce need, and quality. However, WICHE announced new WRGP participation rules in October 2017. WICHE's intent is to better serve students by removing barriers to program eligibility, encouraging more programs to participate, and attracting greater student diversity (ethnic, geographic, urban/rural perspectives, etc.). The new rules eliminate the current participation criteria and replace them with more lenient requirements. Under the new rules, a participating graduate program must only comply with the following:

- Be at a regionally accredited institution and in good standing.
- Agree to charge resident tuition to students from WICHE states without compensation from the enrolling student's home state.
- Agree to some level of preferential admission consideration to qualified applicants who are residents of WICHE member states. Programs may limit the number of WRGP discounted seats awarded to new students.
- Provide administrative support (submit data, review student requests, maintain website, etc.)

WICHE is not accepting new programs in the WRGP until the new rules are in place, expected to be late spring or summer of 2018. Graduate programs that are already part of the WRGP network are not affected.

BOR Policy 1:16 briefly outlines South Dakota's participation in the WRGP. The revised rules for WRGP participation require policy revisions to ensure consistency with Board policy and WRGP program requirements. BOR Policy 5:5:1 currently includes vague language about the process for the Board to receive information on programs participating in the WRGP. The proposed revisions clarify the process by requiring institutions to name their list of programs during the annual tuition and fee setting process.

## **IMPACT AND RECOMMENDATION**

The new WRGP participation rules will likely increase competition in WICHE states for graduate students. If offering resident tuition rates in graduate programs to WICHE state residents becomes common, South Dakota institutions will need to adapt in order to remain competitive.

The proposed revisions to BOR Policy 1:16 update the background information on the WRGP in relation to other interstate tuition agreements in which South Dakota participates. The proposed revisions to BOR Policy 5:5:1 clarify the process by which Regental institutions will inform the Board of programs participating in the WRGP. Any additional revisions made since the first reading in December 2017 are highlighted for reference.

Board staff recommend approval of the revisions.

## **ATTACHMENTS**

Attachment I – Proposed revisions to BOR Policy 1:16 Interstate Tuition Agreements

Attachment II – Proposed revisions to BOR Policy 5:5:1 Tuition and Fees: On Campus Tuition

# SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** Interstate Tuition Agreements

**NUMBER:** 1:16

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### A. PURPOSE

To establish agreements or contracts between the Board of Regents and states either individually or on a regional basis, to provide means by which South Dakota residents may be assisted to carry on or to complete fields of study. (SDCL §13-49-20)

~~The Board of Regents may enter into agreements or contract with states, individually or on a regional basis, to provide means by which South Dakota residents may be assisted to carry on or to complete fields of study. (SDCL ? 13-49-20)~~

### B. DEFINITIONS

**1. WICHE:** The Western Interstate Commission on Higher Education (WICHE) is a nonprofit organization established through an interstate compact adopted by 15 states (Washington, Oregon, California, Idaho, Montana, Nevada, Arizona, Utah, Wyoming, South Dakota, North Dakota, Colorado, New Mexico, Alaska, Hawaii). South Dakota joined the WICHE in 1988 as an affiliate state. States work through WICHE to provide high quality, cost effective higher education programs that meet the needs of the states and their citizens.

### C. POLICY

#### **1. WICHE Western Undergraduate Exchange (WUE) Program**

- 1.1. The WICHE Western Undergraduate Exchange (WUE) is a program through which students in participating states may enroll in designated two-year and four-year institutions and programs in other participating states at 150 percent of the resident tuition rate.
- 1.2. Each state determines which of its institutions and programs shall be available to students from other WUE states at the special rate.
- 1.3. Each participating institution determines eligibility for admission and WUE tuition status.

#### **2. WICHE Western Regional Graduate Program (WRGP) Programs**

- 2.1. Residents of participating WICHE ~~WRGP~~~~estern Regional Graduate Program~~ states are eligible to enroll at resident rates of tuition in ~~distinctive~~ programs determined by individual institutions. There is no requirement that students meet financial aid criteria. An institution may limit the number of WRGP seats awarded to new students.

- 2.2. ~~Programs are distinctive in the sense that they are uncommon and, through a regional review process, are found to be of high quality. WRGP Programs are nominated by their institutions and approved by WICHE, reviewed by other graduate institutions in the participating states, and selected by the WRGP Advisory Council, a policy body that represents all participating states. Institutional programs participating in the WRGP agree to provide some level of preferential admission consideration to qualified applicants who are residents of WICHE member states. Programs may limit the number of WRGP discounted seats awarded to new students.~~

### **3. Reciprocal Attendance Agreements Between South Dakota and Minnesota Boards**

SDCL §13-53-6.2 permits the Board of Regents to execute a tuition reciprocity agreement between the South Dakota Board of Regents and Minnesota Higher Education Coordinating Board. Copies of the current agreement are on file in the Board Office.

### **4. South Dakota Dental Students**

SDCL §13-49-20.1 authorizes the Board of Regents to negotiate and enter into contractual agreements with public or private colleges and universities offering the study of dentistry for the purpose of reserving spaces each year for dental students from South Dakota.

### **5. South Dakota Optometric Students**

SDCL §13-49-20.2 authorizes the Board of Regents to negotiate and enter into contractual agreements with public or private colleges and universities offering the study of optometry for the purpose of reserving spaces each year for optometric students from South Dakota.

- 5.1. Such contractual agreements may include a provision that the Board of Regents pay a specific reservation fee for each student that is accepted for admittance, and sponsored by the Board of Regents, to the study of optometry.
- 5.2. The Board of Regents may pay a minimum reservation fee each year of the contract as a guarantee sum in the event that fewer than the stipulated number of students from South Dakota are accepted into the study of optometry.

## **FORMS / APPENDICES:**

None

## **SOURCE:**

~~SDCL §13-49-20; SDCL §13-49-20.1; SDCL §13-49-20.2; SDCL §13-53-6.2;~~ BOR October 1988; BOR May 1988; BOR July 1988; BOR March 1991; BOR August 1992; BOR October 2004.

*NOTE: Sections 13-49-20.5 and SB261 refer to veterinary student assistance.*

# SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** Tuition and Fees: On-Campus Tuition

**NUMBER:** 5:5:1

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### A. PURPOSE

To establish the tuition structure used for on-campus students; to document approved tuition reduction programs; and to delineate the distribution of tuition components.

### B. DEFINITIONS

1. **Higher Education Facilities Fund (HEFF):** Represents 11.5% of all tuition collected and can be used for maintenance and repair of academic facilities, building new facilities, and paying rent on specific facilities as authorized in §13-53-15 and §13-53-15.3 and §13-51-2.
2. **On-Campus Tuition:** The charge, whether per credit hour, per semester, or annual, that is assessed to students taking courses delivered on campus for the support of instruction and administrative costs.

### C. POLICY

#### 1. On-Campus Tuition

All courses taught on campus will be at the Board approved on-campus tuition rate except for remedial courses.

- 1.1 Standard On-Campus Tuition Rates: The Board sets tuition rates each spring that are effective for the following summer, fall and spring terms. The on-campus tuition rates are per credit hour rates for the following classifications of students:

- Undergraduate resident
- Undergraduate nonresident
- Graduate resident
- Graduate nonresident

- 1.2. The on-campus tuition rates are per semester for the following classifications of students:

- Law school resident
- Law school nonresident
- Pharmacy resident

- Pharmacy nonresident
- 1.3. The on-campus tuition rates are per annual rates for the following classifications of students:
- Medical school resident
  - Medical school nonresident

## **2. Tuition Allocations**

- 2.1. All on-campus tuition collected shall be deposited 88.5% into the BOR system tuition fund and 11.5% into the higher education facilities fund with the exception of the first \$875,000 of Medical School tuition which shall be deposited 100% into the system tuition fund (SDCL 13-53-15).
- 2.2. Salary Competitiveness: Salary competitiveness is a component of tuition. The proceeds shall be used to enhance faculty and non-faculty exempt salaries. The Board will identify the per credit hour rate annually that is committed to the enhancement of salaries as part of the annual tuition and fee setting process.
- 2.3. Institutional Maintenance and Repair: The campuses are required to allocate a portion of each on-campus credit hour to maintenance and repair. The campus M&R dollars are retained locally in a separate fund and the revenue can only be expended on Board approved projects. The Board will identify the per credit hour rate that is to be committed to maintenance and repair as part of the annual tuition and fee setting process.
- 2.4. Critical Maintenance and Repair: The critical deferred maintenance bonds are supported by revenue from each on-campus tuition credit. The critical deferred maintenance funds are deposited centrally. The Board will identify the per credit hour rate that is to be committed to the critical maintenance and repair bonds as part of the annual tuition and fee setting process.
- 2.5. Technology Funds: The Board has identified a portion of each on-campus credit hour that is to be dedicated to technology investments. The technology investments include the amounts needed to support Regents Information Systems and the System Technology Fund. The Board will identify the per credit hour rate that is to be committed to these technology investments.

## **3. Board Approved Reduced Tuition Programs**

A university may request that the Board approve the use of reduced nonresident tuition rates to support enrollment strategies. A university may also request that the Board set differential tuition rates if necessary to maintain or increase the enrollment of selected types of students.

- 3.1. Persons 65 Years of Age or Older: The tuition for resident students sixty-five (65) years of age or older during the calendar year enrolled shall be 55% of the cost of resident tuition.
- 3.2. Graduate Fellows and Assistants: Resident graduate assistants and graduate student fellows shall be assessed 53% of the resident graduate tuition rate for all on-campus courses, nonresidents shall be assessed 63%. (Policy 5:17).

- 3.3. Reserve Officer Training Corps Cadets: South Dakota residents who are junior and senior students and who are contracted senior Reserve Officer Training Corps (ROTC) cadets shall be charged 50% of the undergraduate resident tuition rate established by the Board of Regents for not more than four semesters. (BOR, May 1989, pp. 531 and 533).

A senior cadet is eligible for the special tuition rate as long as he or she:

- remains a resident of South Dakota throughout each semester he or she has applied for benefits;
- has met all the contract eligibility requirements for Senior ROTC and has signed the contract for the programs;
- maintains satisfactory academic progress as defined by the United States Army or Air Force Cadet Command;
- is not receiving a ROTC scholarship and is not a member of the simultaneous membership program.

- 3.4. North Dakota Residents Attending Northern State University: First-time freshmen and new transfer students from North Dakota enrolled beginning with the summer 2004 term at Northern State University shall be assessed the resident tuition rate. This reduced rate is available only at the undergraduate level.

- 3.5. Military Science Courses: Military Science courses offered to military science students shall be offered without payment of tuition. All other required fees shall apply.

- 3.6. Western Regional Graduate Program (WRGP): Students from the WICHE states can participate in designated the Western Regional Graduate Program graduate programs at in-state tuition rates. Institutions shall submit to the Board the designated graduate programs participating in the WRGP as part of the Board's annual tuition and fee setting process. The Board's approval of tuition and fees shall include the list of WRGP programs authorized to offer in-state tuition rates to students from WICHE states. The graduate programs that have been approved by the Board for South Dakota allow students to pay in-state tuition rates.

- 3.7. Wyoming Residents Attending Black Hills State University: First-time freshmen and new transfer students from Wyoming enrolled beginning with the summer 2013 term at Black Hills State University shall be assessed the resident tuition rate. This reduced rate is available only at the undergraduate level.

- 3.8. Iowa Residents Attending Dakota State University, Northern State University, South Dakota State University, and the University of South Dakota: First-time freshmen and new transfer students from Iowa enrolled at DSU, NSU, SDSU or USD beginning with the summer 2016 term shall be assessed the resident tuition rate. This reduced rate is available only at the undergraduate level.

- 3.9. Western Undergraduate Exchange Tuition Rate for Residents of WICHE States: Undergraduate residents of WICHE states are eligible to attend any of the SD universities at 150% of the resident on-campus tuition rate. Students attending SDSM&T who are new freshmen and first-time transfers starting the summer of 2016 shall be charged the Western Undergraduate Exchange (WUE) tuition rate for undergraduate courses. The states included are: Alaska, Arizona, California,

Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, Utah, Washington, and Wyoming.

- 3.10. Children of Alumni: Effective Summer 2015, non-resident undergraduate freshmen students or first-time transfers attending the same university from which one of their parents or legal guardian received a degree can attend at the resident on-campus tuition rate. Eligibility criteria approved by the Board differ between institutions and are available from each university.

#### **4. Tuition and Fee Reductions and Waivers Established by the Legislature**

The Legislature has established several tuition and fee reductions and waivers for the benefit of specific groups of South Dakota residents. The information in this policy on the legislated reductions and waivers contains only excerpts from the South Dakota Codified Laws and is not intended to provide the necessary detail to administer the programs. Normal fees should be assessed unless specifically waived. SDCL must be referenced for specific guidelines and eligibility criteria. Current information about eligibility requirements is provided in SDCL and shall be available from the Executive Director's office.

- 4.1. Employees of the State of South Dakota (SDCL §3-20): Employees of the state who meet the following requirements and who are admitted to the university may be eligible for a 50% tuition reduction for state support undergraduate and graduate courses up to a maximum of six credit hours per semester. An employee of the state is eligible for tuition reduction as long as he or she:

- is continuously employed by the state for a period of one year in a benefit eligible position;
- is a bona fide resident of the state;
- maintains an academic grade of 2.0 or better;
- maintains an academic rating of competent or better in the most recent merit appraisal or is otherwise certified as competent by the immediate supervisor; and
- is a benefit-eligible employee.

Registration in any course at the reduced tuition rate shall be limited to space available, as determined by the President or designee; after all of the full-time or full tuition paying student have registered. The Board of Regents shall maintain an annual record of the number of participants and the tuition dollar value of such participation.

- 4.2. Members of the South Dakota National Guard (SDCL §33-6-5): Any member of the South Dakota National Guard can qualify for a reduced tuition benefit by meeting the following qualifications in SDCL §33-6-7:

- Be a member of the South Dakota Army National Guard Unit or Air National Guard Unit throughout each semester or vocational program for which the member applies for benefits;
- Have satisfactorily completed required initial basic training;



- Have satisfactorily performed duty upon return from basic training, including a minimum ninety percent attendance on scheduled drill dates and at annual training with the member's parent unit;
  - Maintain satisfactory academic progress; and
  - Provide proper notice to the institution at the time of registration for the term in which the benefits are sought.
- 4.3. Veterans and Others Who Performed War Service (SDCL §13-55-2): Veterans and others who performed active war service may pursue any undergraduate course or courses without payment of charges for tuition for each month of qualified service or major fraction thereof a month in academic time. No eligible person shall be entitled to less than one or more than four academic years of free tuition. Residence at the time of entry into military service or active war service shall not affect eligibility for this entitlement. Eligibility is limited to persons who reside in this state and who:
- are veterans or others as defined in SDCL §33-17-2;
  - are qualified for resident tuition;
  - comply with all the requirements for admission;
  - are not entitled to have such tuition paid by the United States or are entitled to receive in part from the United States for education and training allowance and in part the expenses of his or her subsistence, tuition, fees, supplies, books and equipment per SDCL §13-15-4.
- 4.4. Children and Spouses of National Guardsmen Disabled or Deceased in Line of Duty (SDCL §13-55-10): South Dakota residents under the age of 25 years whose father, mother, or spouse died or sustained a total permanent disability resulting from duty as a member of the South Dakota National Guard, while on state active duty or any authorized training duty, shall be entitled to tuition without cost and be entitled to attend any course or courses of student.
- 4.5. Visually Impaired Persons (SDCL § 13-55-11 through 13-55-13): Residents of South Dakota who are visually impaired and who are eligible for admission may pursue any course of student without payment of tuition and fees that other students are required to pay directly to the university until they have received two hundred twenty-five (225) semester hours of credit or its equivalent.
- A person shall be deemed to be visually impaired if he or she cannot, with use of correcting glasses, see sufficiently to perform ordinary activities for which eyesight is essential. The impairment shall be certified according to SDCL §13-55-11.1.
- 4.6. Children of Residents Who Died During Service in Armed Forces (SDCL §13-55-6 through 13-55-9): Certain children of residents who died while in the service of the armed forces of the United States are entitled to free tuition and to any course or courses of study without the payment of any charges or costs, therefore:
- 4.6.1 Eligibility is limited to South Dakota residents under the age of twenty-five years.

- 4.6.2. The deceased parent, mother or father, must have been a veteran as defined in SDCL § 33-17-1, must have been a bona fide resident of South Dakota for at least six months immediately prior to entry into active services, and must have died from any cause while in the service of the armed forces of the United States.
- 4.7. Dependents of Prisoners or Missing in Action (SDCL §13-55-9): Dependents of prisoners of war or persons missing in action, upon being admitted to a university, shall be entitled to eight semesters or twelve quarters, free of tuition and mandatory fees, other than subsistence expenses, for either full- or part-time student, for so long as he or she is eligible.
- 4.8. Certain Elementary and Secondary Teachers and Vocational Instructors (SDCL §13-55-24): Certain elementary and secondary school teachers and vocational instructors may pursue any undergraduate or graduate course upon payment of 50% of tuition and 100% of required fees.

Eligibility is limited to teachers and vocational instructors who:

- are bona fide residents of South Dakota;
- are employed by an accredited school as a teacher as defined in Title 13;
- are required by state law, administrative rules or an employment contract to attend college as a condition of employment or to maintain a certificate to teach;
- are certified as eligible for this program by the school district or private school by which they are employed; and
- maintain an average academic grade of 3.0 or better.

The right of any teacher or vocational instructor to participate in this tuition reduction is limited to the space available, as determined by the President or designee; in any course after all of the full-time or full tuition paying student have registered.

An eligible teacher or vocational instructor may receive the tuition reduction for a maximum of six credit hours per academic year. For the purposes of this section, the academic year shall begin with the fall semester and include all of the following summer.

- 4.9. Survivors of Certain Fire Fighters, Certified Law Enforcement Officers and Emergency Medical Technicians (SDCL §13-55-22): If a firefighter or certified law enforcement officer or an emergency medical technician dies as a direct result of injuries received in performance of official duties, the survivor, upon being duly accepted for enrollment into any state-supported university of higher education or state-supported technical or vocational school, shall be allowed to obtain a bachelor's degree or vocational degree for so long as the survivor is eligible, free of any tuition. However, the bachelor's degree or vocational degree shall be earned within a thirty-six month or eight semester period or its equivalent.
- 4.10. Reciprocity Tuition Rate for Minnesota Residents (SDCL §13-53B): Minnesota residents shall be charged the rate established in the tuition reciprocity agreement

between the South Dakota Board of Regents and the Minnesota Higher Education Coordinating Board. (See Policy 1:16 – Interstate Tuition Agreements.)

- 4.11. Resident Tuition for Rehabilitation Services Clients: All nonresidents who are receiving tuition support from the South Dakota Division of Rehabilitation Services are entitled to pay tuition at resident rates.

## **5. Reduced Tuition Program Limitation**

A student is only eligible to participate in one reduced tuition program at any point in time. The student will be assigned the appropriate student type that provides the student with the greatest reduced tuition benefit.

## **FORMS / APPENDICES:**

None

## **SOURCE:**

BOR October 2014; BOR August 2006; BOR June 2011; BOR April 2013; BOR March 2016; BOR December 2016; BOR June 2017.