

SENATE BILL NO. 52—SENATOR CEGAVSKE

PREFILED FEBRUARY 1, 2007

Referred to Committee on Human Resources and Education

SUMMARY—Creates the Governor Guinn Millennium Teaching Scholarship Program and amends provisions relating to the Governor Guinn Millennium Scholarship Program. (BDR 34-43)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; creating the Governor Guinn Millennium Teaching Scholarship Program; requiring the Board of Regents of the University of Nevada to administer the Program and award a certain number of millennium teaching scholarships; prescribing the requirements for eligibility for the millennium teaching scholarships; requiring the repayment of money received as millennium teaching scholarships under certain circumstances; revising the definition of “bona fide resident” for purposes of eligibility for a millennium scholarship; revising the criteria for eligibility for receipt of a millennium scholarship; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law establishes the Governor Guinn Millennium Scholarship Program and provides for payment of the scholarships from the Millennium Scholarship Trust Fund established, in part, with money paid to the State by various tobacco companies in settlement of certain legal claims. (NRS 396.926)

Sections 3-10 of this bill create the Millennium Teaching Scholarship Program to award scholarships from the Trust Fund to eligible students who: (1) enroll in a program of teacher education that prepares a student to obtain a license with an endorsement to teach mathematics, science or special education; and (2) agree to teach in a Nevada public school for at least 3 years.

Section 6 of this bill requires the Board of Regents of the University of Nevada to administer the Program and award, to the extent money is available in the Trust Fund, a sufficient number of millennium teaching scholarships to make it likely that



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the State will gain at least 300 new special education teachers and 100 new math or science teachers each year.

Section 8 of this bill provides that a millennium teaching scholarship will pay 100 percent of certain costs for enrollment in a qualifying program of teacher education that are not satisfied by other grants or scholarships.

Section 10 of this bill requires a recipient of a millennium teaching scholarship to repay the full amount of the money he received if he: (1) ceases to be enrolled in a qualifying program of teacher education; (2) fails to obtain a license to teach in his academic specialty; or (3) fails to teach the academic specialty in a Nevada public school for at least 3 years.

Existing law prescribes the eligibility requirements for students to receive a millennium scholarship. (NRS 396.930) **Section 13** of this bill adds a definition of "bona fide resident" for purposes of eligibility for a millennium scholarship to exclude alien students who are not eligible for a state or local benefit under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996. (8 U.S.C. §§ 1601 et seq.) **Section 13** also provides that an alien student who is not a bona fide resident may receive a millennium scholarship if the student executes an affidavit declaring his intention to become a citizen of the United States. The student must repay the millennium scholarship if he does not initiate the process for citizenship within a reasonable period of time.

Section 13 also revises provisions governing eligibility for a millennium scholarship applicable to the graduating class of 2009 and later.

Existing law creates the Department of Employment, Training and Rehabilitation, which provides services relating to employment within this State. (NRS 232.900-232.960) **Section 14** of this bill requires the Department to conduct an assessment of the available workforce and projected workforce needs in this State and to report those findings to the Board of Regents and the Legislature.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 385.34691 is hereby amended to read as follows:

385.34691 1. The State Board shall prepare a plan to improve the achievement of pupils enrolled in the public schools in this State. The plan:

(a) Must be prepared in consultation with:

(1) Employees of the Department;

(2) At least one employee of a school district in a county whose population is 100,000 or more, appointed by the Nevada Association of School Boards;

(3) At least one employee of a school district in a county whose population is less than 100,000, appointed by the Nevada Association of School Boards; and

(4) At least one representative of the Statewide Council for the Coordination of the Regional Training Programs created by NRS 391.516, appointed by the Council; and

(b) May be prepared in consultation with:

(1) Representatives of institutions of higher education;



(2) Representatives of regional educational laboratories;
(3) Representatives of outside consultant groups;
(4) Representatives of the regional training programs for the professional development of teachers and administrators created by NRS 391.512;

(5) The Bureau; and

(6) Other persons who the State Board determines are appropriate.

2. A plan to improve the achievement of pupils enrolled in public schools in this State must include:

(a) A review and analysis of the data upon which the report required pursuant to NRS 385.3469 is based and a review and analysis of any data that is more recent than the data upon which the report is based.

(b) The identification of any problems or factors common among the school districts or charter schools in this State, as revealed by the review and analysis.

(c) Strategies based upon scientifically based research, as defined in 20 U.S.C. § 7801(37), that will strengthen the core academic subjects, as set forth in NRS 389.018.

(d) Strategies to improve the academic achievement of pupils enrolled in public schools in this State, including, without limitation, strategies to:

(1) Instruct pupils who are not achieving to their fullest potential, including, without limitation:

(I) The curriculum appropriate to improve achievement;

(II) The manner by which the instruction will improve the achievement and proficiency of pupils on the examinations administered pursuant to NRS 389.015 and 389.550; and

(III) An identification of the instruction and curriculum that is specifically designed to improve the achievement and proficiency of pupils in each subgroup identified in paragraph (b) of subsection 1 of NRS 385.361;

(2) Increase the rate of attendance of pupils and reduce the number of pupils who drop out of school;

(3) Integrate technology into the instructional and administrative programs of the school districts;

(4) Manage effectively the discipline of pupils; and

(5) Enhance the professional development offered for the teachers and administrators employed at public schools in this State to include the activities set forth in 20 U.S.C. § 7801(34) and to address the specific needs of the pupils enrolled in public schools in this State, as deemed appropriate by the State Board.

(e) Strategies designed to provide to the pupils enrolled in middle school, junior high school and high school, the teachers and



1 counselors who provide instruction to those pupils, and the parents
2 and guardians of those pupils information concerning:

3 (1) The requirements for admission to an institution of higher
4 education and the opportunities for financial aid;

5 (2) The availability of Governor Guinn Millennium
6 Scholarships pursuant to NRS 396.911 to 396.938, inclusive; ~~and~~

7 (3) *The availability of Governor Guinn Millennium*
8 *Teaching Scholarships pursuant to sections 3 to 10, inclusive, of*
9 *this act; and*

10 (4) The need for a pupil to make informed decisions about
11 his curriculum in middle school, junior high school and high school
12 in preparation for success after graduation.

13 (f) An identification, by category, of the employees of the
14 Department who are responsible for ensuring that each provision of
15 the plan is carried out effectively.

16 (g) For each provision of the plan, a timeline for carrying out
17 that provision, including, without limitation, a timeline for
18 monitoring whether the provision is carried out effectively.

19 (h) For each provision of the plan, measurable criteria for
20 determining whether the provision has contributed toward
21 improving the academic achievement of pupils, increasing the rate
22 of attendance of pupils and reducing the number of pupils who drop
23 out of school.

24 (i) Strategies to improve the allocation of resources from this
25 State, by program and by school district, in a manner that will
26 improve the academic achievement of pupils. If this State has a
27 financial analysis program that is designed to track educational
28 expenditures and revenues to individual schools, the State Board
29 shall use that statewide program in complying with this paragraph.
30 If a statewide program is not available, the State Board shall use the
31 Department's own financial analysis program in complying with
32 this paragraph.

33 (j) Based upon the reallocation of resources set forth in
34 paragraph (i), the resources available to the State Board and the
35 Department to carry out the plan, including, without limitation, a
36 budget for the overall cost of carrying out the plan.

37 (k) A summary of the effectiveness of appropriations made by
38 the Legislature to improve the academic achievement of pupils and
39 programs approved by the Legislature to improve the academic
40 achievement of pupils.

41 3. The State Board shall:

42 (a) Review the plan prepared pursuant to this section annually to
43 evaluate the effectiveness of the plan; and

44 (b) Based upon the evaluation of the plan, make revisions, as
45 necessary, to ensure that the plan is designed to improve the



1 academic achievement of pupils enrolled in public schools in this
2 State.

3 4. On or before December 15 of each year, the State Board
4 shall submit the plan or the revised plan, as applicable, to the:

5 (a) Governor;

6 (b) Committee;

7 (c) Bureau;

8 (d) Board of Regents of the University of Nevada;

9 (e) Council to Establish Academic Standards for Public Schools
10 created by NRS 389.510;

11 (f) Board of trustees of each school district; and

12 (g) Governing body of each charter school.

13 **Sec. 2.** Chapter 396 of NRS is hereby amended by adding
14 thereto the provisions set forth as sections 3 to 10, inclusive, of this
15 act.

16 **Sec. 3.** *As used in sections 3 to 10, inclusive, of this act,*
17 *unless the context otherwise requires, the words and terms defined*
18 *in sections 4 and 5 of this act have the meanings ascribed to them*
19 *in those sections.*

20 **Sec. 4.** *“Millennium teaching scholarship” means a*
21 *Governor Guinn Millennium Teaching Scholarship that is*
22 *awarded from the Trust Fund to a student who is enrolled in a*
23 *qualifying program of teacher education.*

24 **Sec. 5.** *“Qualifying program of teacher education” means an*
25 *academic program offered by an eligible institution that prepares*
26 *a student to obtain a license with an endorsement to teach*
27 *mathematics, science or special education.*

28 **Sec. 6. 1.** *The Millennium Teaching Scholarship Program*
29 *is hereby created for the distribution of millennium teaching*
30 *scholarships in accordance with the provisions of sections 3 to 10,*
31 *inclusive, of this act.*

32 **2.** *The Board of Regents shall administer the Millennium*
33 *Teaching Scholarship Program.*

34 **3.** *The Board of Regents shall, within the limits of money*
35 *available in the Trust Fund, award the number of millennium*
36 *teaching scholarships that the Board of Regents determines is*
37 *likely to ensure that each year:*

38 (a) *At least 300 students complete a qualifying program of*
39 *teacher education in special education; and*

40 (b) *At least 100 students complete a qualifying program of*
41 *teacher education in mathematics or science.*

42 **Sec. 7.** *A student who has completed 30 or more college-level*
43 *credits may apply to the Board of Regents for a millennium*
44 *teaching scholarship for each semester in which the student:*

45 **1.** *Receives a millennium scholarship;*



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2. *Is enrolled in a qualifying program of teacher education in an eligible institution;*

3. *Agrees to:*

(a) *Complete the qualifying program of teacher education;*

(b) *Obtain a license to teach in the academic specialty of his qualifying program of teacher education; and*

(c) *Teach the academic specialty in a public school in this State for at least 3 years after he obtains the license; and*

4. *Satisfies any other requirements established by the Board of Regents.*

Sec. 8. *Within the limits of money available in the Trust Fund, a student who is awarded a millennium teaching scholarship for a semester is entitled to receive from the Trust Fund the amount of money that is necessary to pay 100 percent of the costs to enroll in a qualifying program of teacher education that are not satisfied by other grants or scholarships. The costs are limited to:*

1. *Registration fees and laboratory fees and expenses;*

2. *Required textbooks and course materials; and*

3. *Any other costs related to the enrollment of the student in the qualifying program of teacher education that are approved by the Board of Regents.*

Sec. 9. 1. *The Board of Regents shall, at the beginning of each semester, provide to the State Treasurer a certified list of the students to whom the Board of Regents has awarded a millennium teaching scholarship and the amount of money awarded to each student.*

2. *The State Treasurer shall disburse the money awarded to a student as a millennium teaching scholarship directly to the eligible institution the student attends upon certification from the eligible institution that the student is enrolled in a qualifying program of teacher education.*

Sec. 10. 1. *A recipient of a millennium teaching scholarship shall repay to the Board of Regents the full amount of the money he received as a millennium teaching scholarship if the recipient:*

(a) *Ceases to be enrolled in a qualifying program of teacher education;*

(b) *Fails to obtain a license with an endorsement to teach in the academic specialty for which he received a millennium teaching scholarship; or*

(c) *Fails to teach the academic specialty in a public school in this State for at least 3 years.*

2. *The Board of Regents shall:*



1 (a) *Establish the procedure for the repayment of money*
2 *required by subsection 1; and*

3 (b) *Deposit in the Trust Fund any money it receives pursuant*
4 *to subsection 1.*

5 **Sec. 11.** NRS 396.914 is hereby amended to read as follows:

6 396.914 As used in NRS 396.911 to 396.938, inclusive, *and*
7 *sections 3 to 10, inclusive, of this act*, unless the context otherwise
8 requires, the words and terms defined in NRS 396.916, 396.918 and
9 396.922 have the meanings ascribed to them in those sections.

10 **Sec. 12.** NRS 396.926 is hereby amended to read as follows:

11 396.926 1. The Governor Guinn Millennium Scholarship
12 Program is hereby created for the distribution of the Governor
13 Guinn Millennium Scholarships in accordance with NRS 396.911 to
14 396.938, inclusive. The Millennium Scholarship Trust Fund is
15 hereby created in the State Treasury. The State Treasurer may
16 accept gifts, grants, bequests and donations for deposit in the Trust
17 Fund.

18 2. The State Treasurer shall deposit in the Trust Fund:

19 (a) Forty percent of all money received by the State of Nevada
20 pursuant to any settlement entered into by the State of Nevada and a
21 manufacturer of tobacco products;

22 (b) Forty percent of all money recovered by the State of Nevada
23 from a judgment in a civil action against a manufacturer of tobacco
24 products; and

25 (c) Any gifts, grants, bequests or donations specifically
26 designated for the Trust Fund by the donor.

27 3. The State Treasurer shall administer the Trust Fund. As
28 administrator of the Trust Fund, the State Treasurer, except as
29 otherwise provided in this section:

30 (a) Shall maintain the financial records of the Trust Fund;

31 (b) Shall invest the money in the Trust Fund as the money in
32 other state funds is invested;

33 (c) Shall manage any account associated with the Trust Fund;

34 (d) Shall maintain any instruments that evidence investments
35 made with the money in the Trust Fund;

36 (e) May contract with vendors for any good or service that is
37 necessary to carry out the provisions of this section; and

38 (f) May perform any other duties necessary to administer the
39 Trust Fund.

40 4. In addition to the investments authorized pursuant to
41 paragraph (b) of subsection 3, the State Treasurer may, except as
42 otherwise provided in subsection 5, invest the money in the Trust
43 Fund in:



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(a) Common or preferred stock of a corporation created by or existing under the laws of the United States or of a state, district or territory of the United States, if:

(1) The stock of the corporation is:

(I) Listed on a national stock exchange; or

(II) Traded in the over-the-counter market, if the price quotations for the over-the-counter stock are quoted by the National Association of Securities Dealers Automated Quotations System (NASDAQ);

(2) The outstanding shares of the corporation have a total market value of not less than \$50,000,000;

(3) The maximum investment in stock is not greater than 25 percent of the book value of the total investments of the Trust Fund;

(4) Except for investments made pursuant to paragraph (c), the amount of an investment in a single corporation is not greater than 3 percent of the book value of the assets of the Trust Fund; and

(5) Except for investments made pursuant to paragraph (c), the total amount of shares owned by the Trust Fund is not greater than 5 percent of the outstanding stock of a single corporation.

(b) A pooled or commingled real estate fund or a real estate security that is managed by a corporate trustee or by an investment advisory firm that is registered with the Securities and Exchange Commission, either of which may be retained by the State Treasurer as an investment manager. The shares and the pooled or commingled fund must be held in trust. The total book value of an investment made under this paragraph must not at any time be greater than 5 percent of the total book value of all investments of the Trust Fund.

(c) Mutual funds or common trust funds that consist of any combination of the investments authorized pursuant to paragraph (b) of subsection 3 and paragraphs (a) and (b) of this subsection.

5. The State Treasurer shall not invest any money in the Trust Fund pursuant to subsection 4 unless the State Treasurer obtains a judicial determination that the proposed investment or category of investments will not violate the provisions of Section 9 of Article 8 of the Constitution of the State of Nevada. The State Treasurer shall contract for the services of independent contractors to manage any investments of the State Treasurer made pursuant to subsection 4. The State Treasurer shall establish such criteria for the qualifications of such an independent contractor as are appropriate to ensure that each independent contractor has expertise in the management of such investments.

6. All interest and income earned on the money in the Trust Fund must, after deducting any applicable charges, be credited to



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1 the Trust Fund. All claims against the Trust Fund must be paid as
2 other claims against the State are paid.

3 7. Not more than 3 percent of the anticipated annual revenue to
4 the State of Nevada from the settlement agreements with and civil
5 actions against manufacturers of tobacco products anticipated for
6 deposit in the Trust Fund may be used to pay the costs of
7 administering the Trust Fund.

8 8. The money in the Trust Fund remains in the *Trust* Fund and
9 does not revert to the State General Fund at the end of any fiscal
10 year.

11 9. Money in the Trust Fund may be used only for the purposes
12 set forth in NRS 396.914 to 396.934, inclusive ~~H~~, and *sections 3 to*
13 *10, inclusive, of this act.*

14 *10. The State Treasurer shall, upon the request of the Board*
15 *of Regents and to the extent authorized by the Family Educational*
16 *Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any*
17 *regulations adopted pursuant thereto, provide the Board of*
18 *Regents access to statistical data and information relating to*
19 *recipients of a millennium scholarship and students who are*
20 *eligible to receive a millennium scholarship.*

21 **Sec. 13.** NRS 396.930 is hereby amended to read as follows:

22 396.930 1. Except as otherwise provided in subsections 2 and
23 3, a student may apply to the Board of Regents for a millennium
24 scholarship if he:

25 (a) Has been a *bona fide* resident of this State for at least 2 years
26 before he applies for the scholarship;

27 (b) Except as otherwise provided in paragraph (c), graduated
28 from a public or private high school in this State:

29 (1) After May 1, 2000, but not later than May 1, 2003; or

30 (2) After May 1, 2003, and, except as otherwise provided in
31 paragraph (c) of subsection 2, not more than 6 years before he
32 applies for the scholarship;

33 (c) Does not satisfy the requirements of paragraph (b) and:

34 (1) Was enrolled as a pupil in a public or private high school
35 in this State with a class of pupils who were regularly scheduled to
36 graduate after May 1, 2000;

37 (2) Received his high school diploma within 4 years after he
38 was regularly scheduled to graduate; and

39 (3) Applies for the scholarship not more than 6 years after he
40 was regularly scheduled to graduate from high school;

41 (d) Maintained in high school in the courses designated by the
42 Board of Regents pursuant to paragraph (b) of subsection 2, at least:

43 (1) A 3.00 grade point average on a 4.0 grading scale, if he
44 was a member of the graduating class of 2003 or 2004;



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(2) A 3.10 grade point average on a 4.0 grading scale, if he was a member of the graduating class of 2005 or 2006; or

(3) A 3.25 grade point average on a 4.0 grading scale, if he was a member of the graduating class of 2007 or ~~fa later graduating class; and] 2008;~~

(e) *Was a member of the graduating class of 2009 or a later graduating class and:*

(1) Maintained in high school in the core curriculum defined by the Board of Regents pursuant to paragraph (a) of subsection 2, at least a 3.25 grade point average on a 4.0 grading scale; or

(2) Achieved the minimum score established by the Board of Regents pursuant to paragraph (e) of subsection 2 on:

(I) The ACT administered by ACT, Inc., including the multiple-choice test and the writing test; or

(II) The SAT administered by Educational Testing Services; and

(f) Is enrolled in at least:

(1) Six semester credit hours in a community college within the System; or

(2) Twelve semester credit hours in another eligible institution.

2. The Board of Regents:

(a) Shall define the core curriculum that a student must complete in high school to be eligible for a millennium scholarship.

(b) Shall designate the courses in which a student must earn the minimum grade point averages set forth in paragraph (d) of subsection 1.

(c) May establish criteria with respect to students who have been on active duty serving in the Armed Forces of the United States to exempt such students from the 6-year limitation on applications that is set forth in subparagraph (2) of paragraph (b) of subsection 1.

(d) Shall establish criteria with respect to students who have a documented physical or mental disability or who were previously subject to an individualized education program under the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., or a plan under Title V of the Rehabilitation Act of 1973, 29 U.S.C. §§ 791 et seq. The criteria must provide an exemption for those students from:

(1) The 6-year limitation on applications that is set forth in subparagraph (2) of paragraph (b) of subsection 1 and subparagraph (3) of paragraph (c) of subsection 1 and any limitation applicable to students who are eligible pursuant to subparagraph (1) of paragraph (b) of subsection 1.



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(2) The minimum number of credits prescribed in paragraph ~~(e)~~ (f) of subsection 1.

(e) Shall establish the minimum score on the ACT and SAT for purposes of subparagraph (2) of paragraph (e) of subsection 1.

3. Except as otherwise provided in paragraph (c) of subsection 1, for students who did not graduate from a public or private high school in this State and who have been *bona fide* residents of this State for at least 2 years, the Board of Regents shall establish:

(a) The minimum score on a standardized test that such students must receive; or

(b) Other criteria that students must meet,
 ➤ to be eligible for millennium scholarships.

4. In awarding scholarships, the Board of Regents shall enhance its outreach to students who:

(a) Are pursuing a career in education or health care;

(b) Come from families who lack sufficient financial resources to pay for the costs of sending their children to an eligible institution; or

(c) Substantially participated in an antismoking, antidrug or antialcohol program during high school.

5. The Board of Regents shall establish a procedure for the repayment of a millennium scholarship to the Trust Fund by a student who signs an affidavit for purposes of subsection 6 declaring his intention to become a citizen of the United States and who does not within a reasonable period of time initiate the process for citizenship.

6. As used in this section, "bona fide resident" shall be construed in accordance with the provisions of NRS 10.155 and policies established by the Board of Regents, to the extent that those policies do not conflict with this section or any other statute. The term does not include an alien who is not eligible for a state or local public benefit as determined in accordance with 8 U.S.C. § 1621 unless the alien has executed an affidavit declaring his intention to become a citizen of the United States. The qualification "bona fide" is intended to ensure that the residence is genuine and established for purposes other than to be eligible for a scholarship.

Sec. 14. Chapter 232 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall:

(a) Evaluate the immediate workforce needs of employers in this State and existing shortages in the workforce;

(b) Make a 5-year projection of the workforce needs of employers in this State and the anticipated shortages in the workforce; and



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1 (c) *Make a 10-year projection of the workforce needs of*
2 *employers in this State and the anticipated shortages in the*
3 *workforce.*

4 2. *On or before June 30 of each even-numbered year, the*
5 *Department shall prepare a written report for submission to the*
6 *Governor, the Board of Regents of the University of Nevada and*
7 *the Director of the Legislative Counsel Bureau, for transmission*
8 *to the next regular session of the Legislature, setting forth the*
9 *results of the evaluation conducted and the projections made*
10 *pursuant to subsection 1.*

11 **Sec. 15.** NRS 232.900 is hereby amended to read as follows:

12 232.900 As used in NRS 232.900 to 232.960, inclusive, *and*
13 *section 14 of this act*, unless the context otherwise requires:

14 1. "Department" means the Department of Employment,
15 Training and Rehabilitation.

16 2. "Director" means the Director of the Department.

17 **Sec. 16.** 1. On or before September 1, 2007, the Board of
18 Regents of the University of Nevada shall:

19 (a) Define the core curriculum for purposes of subparagraph (1)
20 of paragraph (e) of subsection 1 of NRS 396.930, as amended by
21 section 13 of this act.

22 (b) Establish the minimum score on the ACT and SAT for
23 purposes of subparagraph (2) of paragraph (e) of subsection 1 of
24 NRS 396.930, as amended by section 13 of this act.

25 2. The Board of Regents shall ensure that students who are
26 members of the graduating class of 2009 or a later graduating class
27 receive adequate notice of the courses that are defined as the core
28 curriculum and the score that the students may receive on the ACT
29 or SAT for purposes of paragraph (e) of subsection 1 of NRS
30 396.930, as amended by section 13 of this act.

31 **Sec. 17.** This act becomes effective on July 1, 2007.

