

SENATE BILL NO. 195—SENATOR HARDY

FEBRUARY 25, 2015

Referred to Committee on Education

SUMMARY—Revises provisions relating to higher education.
(BDR 34-509)

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

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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; revising provisions relating to tuition charges for attending a campus of the Nevada System of Higher Education assessed against students whose families do not reside in this State; requiring a student who receives a Governor Guinn Millennium Scholarship to perform community service; creating the Office of the Western Regional Higher Education Compact within the Office of the Governor; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Board of Regents of the University of Nevada to assess a tuition charge against certain students who are not residents of the State of Nevada in addition to registration fees or other fees assessed against students who are residents of the State of Nevada. Under existing law, a student at certain schools in the Nevada System of Higher Education whose family resides outside of this State may not be assessed a tuition charge if the student has been a resident of this State for at least 12 months before his or her matriculation. (NRS 396.540) **Section 1** of this bill expands this exemption from tuition charges by allowing such a student to attend such a school without being assessed a tuition charge if the student has been a resident of this State for at least 12 months before the last day of regular registration for the semester in which the student proposes to attend school.

Existing law establishes the Governor Guinn Millennium Scholarship Program and prescribes eligibility requirements for the continued receipt of such a scholarship. (NRS 396.926, 396.934) Existing law also encourages a student who receives such a scholarship to provide at least 20 hours of community service each year that the student receives a scholarship. (NRS 396.934) **Section 2** of this bill requires a student who receives such a scholarship to provide community service each year the student receives a scholarship. Although **section 2** does not require a



specific number of hours, it continues to encourage the student to provide at least 20 hours of community service each such year.

Existing law authorizes the Governor to employ certain persons to provide an appropriate staff for the Office of the Governor, including, without limitation, the Office of Economic Development, the Office of Science, Innovation and Technology and the Governor's mansion. (NRS 223.085) **Section 4** of this bill additionally authorizes the Governor to employ certain persons to provide an appropriate staff for the Office of the Western Regional Higher Education Compact.

Existing law directs the Governor to execute a compact with certain other states for the purpose of forming a Western Interstate Commission for Higher Education. (NRS 397.010) The compact requires the Western Interstate Commission for Higher Education to enter into certain contractual agreements with certain institutions offering graduate or professional education in other member states in order to increase the opportunities for residents of member states to obtain graduate or professional degrees. (NRS 397.020) **Sections 3 and 5** of this bill create the Office of the Western Regional Higher Education Compact within the Office of the Governor.

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

Section 1. NRS 396.540 is hereby amended to read as follows:
396.540 1. For the purposes of this section:

(a) "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 any statute. The qualification "bona fide" is intended to ensure that the residence is genuine and established for purposes other than the avoidance of tuition.

(b) "Matriculation" has the meaning ascribed to it in regulations adopted by the Board of Regents.

(c) "Tuition charge" means a charge assessed against students who are not residents of Nevada and which is in addition to registration fees or other fees assessed against students who are residents of Nevada.

2. The Board of Regents may fix a tuition charge for students at all campuses of the System, but tuition charges must not be assessed against:

(a) All students whose families have been bona fide residents of the State of Nevada for at least 12 months before the matriculation of the student at a university, state college or community college within the System;

(b) All students whose families reside outside of the State of Nevada, providing such students have themselves been bona fide residents of the State of Nevada for at least 12 months before ~~their~~ *matriculation* the last day of regular registration at a university,



1 state college or community college within the System ~~and~~ *for the*
2 *semester in which the student plans to attend;*

3 (c) All public school teachers who are employed full-time by
4 school districts in the State of Nevada;

5 (d) All full-time teachers in private elementary, secondary and
6 postsecondary educational institutions in the State of Nevada whose
7 curricula meet the requirements of chapter 394 of NRS;

8 (e) Employees of the System who take classes other than during
9 their regular working hours;

10 (f) Members of the Armed Forces of the United States who are
11 on active duty and stationed at a military installation in the State of
12 Nevada; and

13 (g) Except as otherwise provided in subsection 3, veterans of the
14 Armed Forces of the United States who were honorably discharged
15 within the 2 years immediately preceding the date of matriculation
16 of the veteran at a university, state college or community college
17 within the System.

18 3. The Board of Regents may grant more favorable exemptions
19 from tuition charges for veterans of the Armed Forces of the United
20 States who were honorably discharged than the exemption provided
21 pursuant to paragraph (g) of subsection 2, if required for the receipt
22 of federal money.

23 4. The Board of Regents may grant exemptions from tuition
24 charges each semester to other worthwhile and deserving students
25 from other states and foreign countries, in a number not to exceed a
26 number equal to 3 percent of the total matriculated enrollment of
27 students for the last preceding fall semester.

28 **Sec. 2.** NRS 396.934 is hereby amended to read as follows:

29 396.934 1. Except as otherwise provided in this section,
30 within the limits of money available in the Trust Fund, a student
31 who is eligible for a Millennium Scholarship is entitled to receive:

32 (a) If he or she is enrolled in a community college within the
33 System, including, without limitation, a summer academic term, \$40
34 per credit for each lower division course and \$60 per credit for each
35 upper division course in which the student is enrolled, or the amount
36 of money that is necessary for the student to pay the costs of
37 attending the community college that are not otherwise satisfied by
38 other grants or scholarships, whichever is less. The Board of
39 Regents shall provide for the designation of upper and lower
40 division courses for the purposes of this paragraph.

41 (b) If he or she is enrolled in a state college within the System,
42 including, without limitation, a summer academic term, \$60 per
43 credit for which the student is enrolled, or the amount of money that
44 is necessary for the student to pay the costs of attending the state



college that are not otherwise satisfied by other grants or scholarships, whichever is less.

(c) If he or she is enrolled in another eligible institution, including, without limitation, a summer academic term, \$80 per credit for which the student is enrolled, or the amount of money that is necessary for the student to pay the costs of attending the university that are not otherwise satisfied by other grants or scholarships, whichever is less.

(d) If he or she is enrolled in more than one eligible institution, including, without limitation, a summer academic term, the amount authorized pursuant to paragraph (a), (b) or (c), or a combination thereof, in accordance with procedures and guidelines established by the Board of Regents.

➤ In no event may a student who is eligible for a Millennium Scholarship receive more than the cost of 12 semester credits per semester pursuant to this subsection.

2. No student may be awarded a Millennium Scholarship:

(a) To pay for remedial courses.

(b) For a total amount in excess of \$10,000.

3. A student who receives a Millennium Scholarship shall:

(a) Make satisfactory academic progress toward a recognized degree or certificate, as determined by the Board of Regents pursuant to subsection 8; and

(b) If the student graduated from high school after May 1, 2003, maintain:

(1) At least a 2.60 grade point average on a 4.0 grading scale for each semester during the first year of enrollment in the Governor Guinn Millennium Scholarship Program.

(2) At least a 2.75 grade point average on a 4.0 grading scale for each semester during the second year of enrollment in the Governor Guinn Millennium Scholarship Program and for each semester during each year of enrollment thereafter.

4. A student who receives a Millennium Scholarship ~~is encouraged to~~ *shall* volunteer ~~{at least 20 hours of}~~ *to provide* community service for this State, a political subdivision of this State or a charitable organization that provides service to a community or the residents of a community in this State during each year in which the student receives a Millennium Scholarship. *A student who receives a Millennium Scholarship is encouraged to volunteer at least 20 hours of community service during each year in which the student receives a Millennium Scholarship.*

5. If a student does not satisfy the requirements of subsection 3 during one semester of enrollment, excluding a summer academic term, he or she is not eligible for the Millennium Scholarship for the succeeding semester of enrollment. If such a student:



(a) Subsequently satisfies the requirements of subsection 3 in a semester in which he or she is not eligible for the Millennium Scholarship, the student is eligible for the Millennium Scholarship for the student's next semester of enrollment.

(b) Fails a second time to satisfy the requirements of subsection 3 during any subsequent semester, excluding a summer academic term, the student is no longer eligible for a Millennium Scholarship.

6. A Millennium Scholarship must be used only:

(a) For the payment of registration fees and laboratory fees and expenses;

(b) To purchase required textbooks and course materials; and

(c) For other costs related to the attendance of the student at the eligible institution.

7. The Board of Regents shall certify a list of eligible students to the State Treasurer. The State Treasurer shall disburse a Millennium Scholarship for each semester on behalf of an eligible student directly to the eligible institution in which the student is enrolled, upon certification from the eligible institution of the number of credits for which the student is enrolled, which must meet or exceed the minimum number of credits required for eligibility and certification that the student is in good standing and making satisfactory academic progress toward a recognized degree or certificate, as determined by the Board of Regents pursuant to subsection 8. The Millennium Scholarship must be administered by the eligible institution as other similar scholarships are administered and may be used only for the expenditures authorized pursuant to subsection 6. If a student is enrolled in more than one eligible institution, the Millennium Scholarship must be administered by the eligible institution at which the student is enrolled in a program of study leading to a recognized degree or certificate.

8. The Board of Regents shall establish:

(a) Criteria for determining whether a student is making satisfactory academic progress toward a recognized degree or certificate for purposes of subsection 7.

(b) Procedures to ensure that all money from a Millennium Scholarship awarded to a student that is refunded in whole or in part for any reason is refunded to the Trust Fund and not the student.

(c) Procedures and guidelines for the administration of a Millennium Scholarship for students who are enrolled in more than one eligible institution.

Sec. 3. NRS 397.030 is hereby amended to read as follows:

397.030 1. In furtherance of the provisions contained in the Compact, there must be three Commissioners from the State of Nevada, appointed by the Governor ~~to~~ *to serve in the Office of the*



Western Regional Higher Education Compact created by section 5 of this act.

2. The qualifications and terms of the three Nevada State Commissioners must be in accordance with Article 4 of the Compact. A Nevada State Commissioner shall hold office until his or her successor is appointed and qualified, but the successor's term expires 4 years after the legal date of expiration of the term of his or her predecessor.

3. Any Nevada State Commissioner may be removed from office by the Governor upon charges and after a hearing.

4. The term of any Nevada State Commissioner who ceases to hold the required qualifications terminates when a successor is appointed.

Sec. 4. NRS 223.085 is hereby amended to read as follows:

223.085 1. The Governor may, within the limits of available money, employ such persons as he or she deems necessary to provide an appropriate staff for the Office of the Governor, including, without limitation, the Office of Economic Development, the Office of Science, Innovation and Technology, ***the Office of the Western Regional Higher Education Compact*** and the Governor's mansion. Any such employees are not in the classified or unclassified service of the State and, except as otherwise provided in NRS 231.043 and 231.047, ***and section 5 of this act***, serve at the pleasure of the Governor.

2. The Governor shall:

(a) Determine the salaries and benefits of the persons employed pursuant to subsection 1, within limits of money available for that purpose; and

(b) Adopt such rules and policies as he or she deems appropriate to establish the duties and employment rights of the persons employed pursuant to subsection 1.

3. The Governor may:

(a) Appoint a Chief Information Officer of the State; or

(b) Designate the Administrator as the Chief Information Officer of the State.

➤ If the Administrator is so appointed, the Administrator shall serve as the Chief Information Officer of the State without additional compensation.

4. As used in this section, "Administrator" means the Administrator of the Division of Enterprise Information Technology Services of the Department of Administration.

Sec. 5. Chapter 232 of NRS is hereby amended by adding thereto a new section to read as follows:

1. There is hereby created within the Office of the Governor the Office of the Western Regional Higher Education Compact.



1 **2. *The Governor shall propose a budget for the Office of the***
2 ***Western Regional Higher Education Compact.***

3 **3. *Employees of the Office of the Western Regional Higher***
4 ***Education Compact are not in the classified or unclassified service***
5 ***of this State and serve at the pleasure of the Governor.***

6 **Sec. 6.** This act becomes effective on July 1, 2015.

