

SENATE BILL NO. 399—SENATORS DENIS, WOODHOUSE,
KIHUEN, FORD; AND SEGERBLOM

MARCH 17, 2015

JOINT SPONSORS: ASSEMBLYMEN THOMPSON;
CARRILLO AND SWANK

Referred to Committee on Education

SUMMARY—Creates the Nevada Boost Grant Program.
(BDR 34-890)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Contains Appropriation not included
in Executive Budget.

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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 higher education; creating the Nevada Boost Grant Program to provide scholarships to certain students enrolling in community colleges of the Nevada System of Higher Education; requiring the Board of Regents of the University of Nevada to establish certain criteria and procedures for the Nevada Boost Grant Program; requiring the Board of Regents to submit to the Legislature a biennial report on the Program; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill creates the Nevada Boost Grant Program. Under the Program, the
2 Board of Regents of the University of Nevada is required to award grants to eligible
3 students who are enrolled in community colleges that are part of the Nevada
4 System of Higher Education to pay a portion of the cost of the first two semesters
5 of education at such institutions. **Section 3** of this bill sets forth the criteria for
6 eligibility for such a grant. **Section 4** of this bill requires the Board of Regents or a
7 designee of the Board to: (1) calculate the maximum amount of the grant which a
8 student is eligible to receive, up to a limit of \$2,000 per semester; (2) determine the
9 actual amount of the grant each eligible student will receive; and (3) award grants
10 to all eligible students. **Section 4** also provides that any money awarded under the
11 Program must be used only to pay the cost of education of a student and not for any



other purpose. **Section 5** of this bill requires the Board of Regents to adopt regulations prescribing the procedures and standards for determining eligibility and the methodology for calculating the financial need of a student. **Section 6** of this bill authorizes the Board of Regents to accept gifts, grants, bequests and donations to fund grants awarded under the Program. **Section 7** of this bill requires the Board of Regents to submit a biennial report on the Program to the Legislature. The report must include information regarding: (1) the number of grants awarded under the Program; (2) the average amount of each grant; and (3) the percentage of students awarded grants who remained in school and who eventually earned a degree or certificate. Finally, **section 8** of this bill includes appropriations from the State General Fund to the Board of Regents for the award of grants in the amount of \$2,000,000 per year for Fiscal Years 2015-2016 and 2016-2017.

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

Section 1. Chapter 396 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this act.

Sec. 2. *As used in sections 2 to 7, inclusive, of this act, "Program" means the Nevada Boost Grant Program created by section 3 of this act.*

Sec. 3. *1. The Nevada Boost Grant Program is hereby created for the purpose of awarding grants to eligible students to pay for a portion of the cost of education at a community college within the System.*

2. The Board of Regents shall administer the Program.

3. In administering the Program, the Board of Regents, subject to the limits of money available for this purpose, shall award grants of not more than \$2,000 to each eligible student to pay for a portion of the cost of two semesters of education at a community college within the System.

4. To be eligible for an initial grant awarded under the Program for a semester, a student must:

(a) Be a bona fide resident of this State;

(b) Except as otherwise provided in subsection 5, be a graduate from a public or private high school in this State;

(c) Be enrolled, or accepted to be enrolled, during a semester in at least 12 credit hours at a community college within the System;

(d) Be enrolled in a program of study leading to a recognized degree or certificate;

(e) Demonstrate proficiency in English and mathematics sufficient for placement into college-level English and mathematics courses pursuant to regulations adopted by the Board of Regents for such placement; and



(f) Complete:

(1) The Free Application for Federal Student Aid provided for by 20 U.S.C. § 1090, if eligible; or

(2) A form prescribed by the Board of Regents to determine the amount of the student contribution and family contribution to the cost of education of the student.

5. A person who graduated from high school in another state may be eligible for a grant awarded under the Program if the person:

(a) Has been a bona fide resident of this State for at least 12 months before the first day of the semester for which the grant is to be awarded; and

(b) Meets all other requirements of subsection 4.

6. To be eligible for a subsequent grant awarded under the Program for a second semester, a student must:

(a) Have made satisfactory academic progress as determined by the Board of Regents; and

(b) Be enrolled in at least 12 credit hours at a community college within the System.

7. 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 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.

Sec. 4. 1. For each eligible student, the Board of Regents or a designee thereof shall:

(a) Calculate the maximum amount of the grant which the student is eligible to receive, up to a limit of \$2,000 per semester. The maximum amount of such a grant must not exceed the amount equal to the cost of education of the student minus the amounts determined for the student contribution, family contribution and federal contribution to the cost of education of the student.

(b) Determine the actual amount of the grant which will be awarded to each student, which amount must not exceed the maximum amount calculated pursuant to paragraph (a), but which may be a lesser amount if the Board of Regents or a designee thereof, as applicable, determines that the amount of money available for all grants for any semester is insufficient to award to all eligible students the maximum amount of the grant which each student is eligible to receive.

(c) Award to each eligible student a grant in the amount determined pursuant to paragraph (b).



2. Money received from a grant awarded under the Program must be used by a student only to pay for the cost of education of the student at a community college within the System and not for any other purpose.

Sec. 5. 1. The Board of Regents:

(a) Shall adopt regulations prescribing the procedures and standards for determining the eligibility of a student for a grant from the Program.

(b) Shall adopt regulations prescribing the methodology by which the Board of Regents or a designee thereof will calculate:

(1) The cost of education of a student at each community college within the System, which must be consistent with the provisions of 20 U.S.C. § 1087ll.

(2) For each student, the amounts of the student contribution, family contribution and federal contribution, if any, to the cost of education of the student.

(3) The maximum amount, not to exceed \$2,000 for a semester, of the grant for which a student is eligible.

(c) May adopt any other regulations necessary to carry out the Program.

2. The regulations prescribed pursuant to this section must provide that:

(a) In determining the student contribution to the cost of education, the student contribution must not exceed the amount that the Board of Regents determines the student reasonably could be expected to earn from employment during the time the student is enrolled at a community college within the System, including, without limitation, during breaks between semesters. This paragraph and any regulations adopted pursuant to this section must not be construed to require a student to seek or obtain employment as a condition of eligibility for a grant under the Program.

(b) Determination of the family contribution to the cost of education must be based on the family resources reported by the student pursuant to paragraph (f) of subsection 4 of section 3 of this act.

(c) Determination of the federal contribution to the cost of education must be equal to the total amount that the student and his or her family are expected to receive from the Federal Government as grants, if any.

Sec. 6. In addition to any direct legislative appropriation from the State General Fund, the Board of Regents may accept gifts, grants, bequests and donations to fund grants awarded under the Program.



Sec. 7. *On or before February 1 of each odd-numbered year, the Board of Regents shall submit to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature a written report on the Program which must include, without limitation, information regarding:*

1. The number of students during the immediately preceding school year who were awarded grants under the Program.

2. The average amount of each grant awarded under the Program for the immediately preceding school year.

3. The success of the Program, including, without limitation, information regarding the percentage of students awarded grants since the creation of the Program who have remained enrolled at a community college within the System and the percentage of students awarded grants since the creation of the Program who have been awarded a degree or certificate.

Sec. 8. There is hereby appropriated from the State General Fund to the Board of Regents of the University of Nevada for the award of scholarships pursuant to the Nevada Boost Grant Program created by section 3 of this act:

For the Fiscal Year 2015-2016..... \$2,000,000

For the Fiscal Year 2016-2017..... \$2,000,000

Sec. 9. Any balance of the sums appropriated by section 8 of this act remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the Board of Regents of the University of Nevada or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 16, 2016, and September 15, 2017, respectively, by either the Board of Regents of the University of Nevada or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 16, 2016, and September 15, 2017, respectively.

Sec. 10. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 11. This act becomes effective:

1. Upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of this act; and

2. On July 1, 2015, for all other purposes.

