

ASSEMBLY BILL NO. 188—ASSEMBLYWOMAN DIAZ

PREFILED FEBRUARY 13, 2017

Referred to Committee on Education

SUMMARY—Revises provisions governing the eligibility requirements for grants awarded under the Silver State Opportunity Grant Program. (BDR 34-869)

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; reducing the minimum number of credit hours required per semester for eligibility for a grant awarded under the Silver State Opportunity Grant Program; creating certain exceptions to the credit hour requirement; providing that grant money received by colleges pursuant to the Program does not revert; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law creates the Silver State Opportunity Grant Program. Under the Program, the Board of Regents of the University of Nevada is required to award grants to eligible students to pay for a portion of the cost of education at a community college or state college that is part of the Nevada System of Higher Education. One of the requirements for eligibility for such a grant is that a student be enrolled, or accepted to be enrolled, during a semester in at least 15 credit hours at a community college or state college that is part of the Nevada System of Higher Education. (NRS 396.952) **Section 1** of this bill reduces the minimum number of such required credit hours to 12 credit hours and provides that a student who is enrolled in fewer than 12 credit hours is still eligible for a grant if the student: (1) is enrolled in his or her final semester of study; or (2) receives a waiver of the 12 credit hour requirement from the student's college based on hardship. **Section 1** also provides that a student who loses his or her eligibility for a grant because he or she was not enrolled in 12 credit hours during a semester: (1) may regain his or her eligibility for a grant in future semesters by satisfying the 12 credit hour requirement during a semester for which he or she is not eligible for a grant; and (2) will lose eligibility permanently if he or she fails for a second time to satisfy the 12 credit hour requirement in a subsequent semester.

**Section 2** of this bill provides that money provided to a community college or state college for a grant awarded on behalf of a student under the Silver State



\* A B 1 8 8 R 1 \*

21 Opportunity Grant Program does not revert and any remaining amount must be  
22 carried forward and used for grants for eligible students in a subsequent semester.

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

1       **Section 1.** NRS 396.952 is hereby amended to read as follows:  
2       396.952 1. The Silver State Opportunity Grant Program is  
3 hereby created for the purpose of awarding grants to eligible  
4 students to pay for a portion of the cost of education at a community  
5 college or state college within the System.

6       2. The Board of Regents shall administer the Program.

7       3. In administering the Program, the Board of Regents shall for  
8 each semester, subject to the limits of money available for this  
9 purpose, award a grant to each eligible student to pay for a portion  
10 of the cost of education at a community college or state college  
11 within the System.

12       4. To be eligible for a grant awarded under the Program, a  
13 student must:

14       (a) ~~Be~~ *Except as otherwise provided in this section, be*  
15 enrolled, or accepted to be enrolled, during a semester in at least  
16 ~~12~~ *12* credit hours at a community college or state college within  
17 the System;

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

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

24       (d) Be a bona fide resident of the State of Nevada for the  
25 purposes of determining pursuant to NRS 396.540 whether the  
26 student is assessed a tuition charge; and

27       (e) Complete the Free Application for Federal Student Aid  
28 provided for by 20 U.S.C. § 1090.

29       5. *A student who is enrolled, or accepted to be enrolled, in the*  
30 *final semester of his or her program of study in less than 12 credit*  
31 *hours at a community college or state college within the System is*  
32 *eligible for a grant awarded under the Program.*

33       6. *Except as otherwise provided in subsection 7, if a student*  
34 *does not satisfy the requirements of paragraph (a) of subsection 4*  
35 *during one semester of enrollment, the student is not eligible for a*  
36 *grant awarded under the Program for the succeeding semester of*  
37 *enrollment. If such a student:*

38       (a) *Subsequently satisfies the requirements of paragraph (a) of*  
39 *subsection 4 in any subsequent semester in which he or she is not*



1 *eligible for a grant awarded under the Program, the student is*  
2 *eligible for a grant awarded under the Program for his or her next*  
3 *semester of enrollment.*

4 *(b) Fails a second time to satisfy the requirements of*  
5 *paragraph (a) of subsection 4 during any subsequent semester, the*  
6 *student is no longer eligible for a grant awarded under the*  
7 *Program.*

8 *7. If a student does not satisfy the requirements of paragraph*  
9 *(a) of subsection 4 during a semester of enrollment, the student*  
10 *may apply for a waiver from the requirements of that paragraph*  
11 *for that semester from the community college or state college*  
12 *based on hardship arising out of the individual circumstances of*  
13 *the student. The community college or state college shall grant the*  
14 *waiver if it determines that the individual circumstances warrant a*  
15 *waiver.*

16 **Sec. 2.** NRS 396.954 is hereby amended to read as follows:

17 396.954 1. For each eligible student, the Board of Regents or  
18 a designee thereof shall:

19 (a) Calculate the maximum amount of the grant which the  
20 student is eligible to receive. The maximum amount of such a grant  
21 must not exceed the amount equal to the cost of education of the  
22 student minus the amounts determined for the student contribution,  
23 family contribution and federal contribution to the cost of education  
24 of the student.

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

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

35 2. *Any money received by a community college or state*  
36 *college within the System for a grant awarded under the Program*  
37 *on behalf of an eligible student at the community college or state*  
38 *college does not revert and any remaining amount must be carried*  
39 *forward and used for grants awarded under the Program for*  
40 *eligible students in a subsequent semester.*

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



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**Sec. 3.** NRS 396.956 is hereby amended to read as follows:

396.956 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 and state college within the System, which must be consistent with the provisions of 20 U.S.C. § 1087II.

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

(3) The maximum amount of the grant for which a student is eligible.

(c) Shall adopt regulations prescribing the process by which each student may meet the credit-hour requirement described in ~~paragraph (a) of subsection 4 of~~ NRS 396.952 for eligibility for a grant awarded under the Program.

(d) 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 or state 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 in the Free Application for Federal Student Aid submitted by the student.

(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.

**Sec. 4.** This act becomes effective on July 1, 2017.

