

Amendment No. 239

Senate Amendment to Senate Bill No. 391	(BDR 34-815)
Proposed by: Senate Committee on Education	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date
Adopted	<input type="checkbox"/>	Lost <input type="checkbox"/>	Adopted	<input type="checkbox"/>	Lost <input type="checkbox"/>
Concurred In	<input type="checkbox"/>	Not <input type="checkbox"/>	Concurred In	<input type="checkbox"/>	Not <input type="checkbox"/>
Receded	<input type="checkbox"/>	Not <input type="checkbox"/>	Receded	<input type="checkbox"/>	Not <input type="checkbox"/>

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

EWR/JWP



Date: 4/19/2017

S.B. No. 391—Provides for awards of scholarships by community colleges in the Nevada System of Higher Education. (BDR 34-815)



SENATE BILL NO. 391—SENATORS DENIS, CANCELA, WOODHOUSE, SEGERBLOM,
FORD; HARRIS AND RATTI

MARCH 20, 2017

JOINT SPONSORS: ASSEMBLYMEN THOMPSON, DIAZ
AND MCCURDY II

Referred to Committee on Education

SUMMARY—Provides for awards of scholarships by community colleges in the Nevada System of Higher Education. (BDR 34-815)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 community colleges; requiring community colleges in the Nevada System of Higher Education to award a scholarship to certain students who are enrolled in such colleges; requiring that a plan to improve the achievement of pupils include strategies to provide certain persons with information concerning the availability of such scholarships; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Community colleges in this State are a part of the Nevada System of Higher Education and are administered under the direction of the Board of Regents of the University of Nevada. (NRS 396.020) **Section 9** of this bill requires each community college in the System to award Nevada Promise Scholarships and allow a student to appeal adverse decisions relating to such scholarships. **Section 8** of this bill establishes the Nevada Promise Scholarship Account in the State General Fund to pay for the scholarships.

Sections 9 and 10 of this bill require a community college to perform certain duties, including holding introductory meetings for scholarship applicants and establishing a mentoring program, or to enter into an agreement with a nonprofit organization or governmental entity to perform those duties. **Section 11** of this bill sets forth the requirements to serve as a volunteer mentor in such a mentoring program. **Sections 12 and 13** of this bill set forth the requirements for a student to be eligible to receive or renew a Nevada Promise Scholarship. The requirements to receive or renew a scholarship include a requirement that an applicant complete community service. **Section 14** of this bill: (1) provides that an applicant who knowingly submits false information to a community college is ineligible to receive a scholarship; and (2) prescribes additional requirements governing deadlines and community service. ~~(Section 15 of this bill authorizes a student to request a leave of absence from community college for extenuating circumstances, which suspends certain requirements to obtain or renew a scholarship.)~~

Section 16 of this bill prescribes: (1) the process for determining the eligibility of scholarship applicants and awarding scholarships; and (2) the amount of a scholarship for a

recipient. If there is insufficient money available to award a full scholarship to all eligible students, **section 16** requires the State Treasurer to notify the Legislature and the board of trustees of each school district and the governing body of each charter school, who are then required to notify pupils who are on schedule to graduate from a public high school of that fact. **Section 17** of this bill requires the Board of Regents to annually review all scholarships awarded for the previous year and report certain information to the Legislature. **Section 17** also: (1) requires a community college to maintain certain records; and (2) authorizes the Board of Regents and the State Treasurer to audit a community college or a nonprofit organization or governmental entity with which a community college has entered into an agreement to carry out certain duties relating to the scholarship program.

Existing law requires the plan to improve the achievement of pupils adopted by the State Board of Education to include strategies designed to provide to pupils enrolled in middle school, junior high school and high school and certain other persons information concerning the availability of Governor Guinn Millennium Scholarships. (NRS 385.112) **Section 1** of this bill requires that the plan also include strategies to provide such persons with information concerning the availability of Nevada Promise Scholarships.

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

Section 1. NRS 385.112 is hereby amended to read as follows:

385.112 A plan to improve the achievement of pupils enrolled in public schools in this State prepared pursuant to NRS 385.111 must include:

1. A review and analysis of the data upon which the report required pursuant to NRS 385A.400 is based and a review and analysis of any data that is more recent than the data upon which the report is based.

2. 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.

3. 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.

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

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

(1) The curriculum appropriate to improve achievement;

(2) The manner by which the instruction will improve the achievement and proficiency of pupils on the examinations administered pursuant to NRS 390.105 and 390.600 and the college and career readiness assessment administered pursuant to NRS 390.610, including, without limitation, the manner in which remediation will be provided to pupils who require remediation based on the results of an examination administered pursuant to NRS 390.600 and 390.610; and

(3) An identification of the instruction and curriculum that is specifically designed to improve the achievement and proficiency of pupils in each group identified in the statewide system of accountability for public schools;

(b) Improve the literacy skills of pupils;

(c) Improve the development of English language skills and academic achievement of pupils who are limited English proficient;

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

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

(f) Manage effectively the discipline of pupils; and

(g) 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.

5. Strategies designed to provide to the pupils enrolled in middle school, junior high school and high school, the teachers and counselors who provide instruction to those pupils, and the parents and guardians of those pupils information concerning:

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

(b) The availability of Governor Guinn Millennium Scholarships pursuant to NRS 396.911 to 396.945, inclusive ~~††~~, and *Nevada Promise Scholarships pursuant to sections 3 to 17, inclusive, of this act*; and

(c) The need for a pupil to make informed decisions about his or her curriculum in middle school, junior high school and high school in preparation for success after graduation.

6. An identification, by category, of the employees of the Department who are responsible for ensuring that each provision of the plan is carried out effectively.

7. A timeline for carrying out the plan, including, without limitation:

(a) The rate of improvement and progress which must be attained annually in meeting the goals and benchmarks established by the State Board pursuant to NRS 385.113; and

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

8. For each provision of the plan, measurable criteria for determining whether the provision has contributed toward improving the academic achievement of pupils, increasing the rate of attendance of pupils and reducing the number of pupils who drop out of school.

9. Strategies to improve the allocation of resources from this State, by program and by school district, in a manner that will improve the academic achievement of pupils. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, the State Board shall use that statewide program in complying with this subsection. If a statewide program is not available, the State Board shall use the Department's own financial analysis program in complying with this subsection.

10. Based upon the reallocation of resources set forth in subsection 9, the resources available to the State Board and the Department to carry out the plan, including, without limitation, a budget for the overall cost of carrying out the plan.

11. A summary of the effectiveness of appropriations made by the Legislature to improve the academic achievement of pupils and programs approved by the Legislature to improve the academic achievement of pupils.

12. A 5-year strategic plan which identifies the recurring issues in improving the achievement and proficiency of pupils in this State and which establishes strategic goals to address those issues. The 5-year strategic plan must be:

(a) Based upon the data from previous years which is collected by the Department for the plan developed pursuant to NRS 385.111; and

(b) Designed to track the progress made in achieving the strategic goals established by the Department.

13. Any additional plans addressing the achievement and proficiency of pupils adopted by the Department.

1 Sec. 2. Chapter 396 of NRS is hereby amended by adding thereto the
2 provisions set forth as sections 3 to 17, inclusive, of this act.

3 Sec. 3. *As used in sections 3 to 17, inclusive, of this act, unless the context
4 otherwise requires, the words and terms defined in sections 4 to ~~17~~ 7.5, inclusive,
5 of this act have the meanings ascribed to them in those sections.*

6 Sec. 4. *“Gift aid” means any grant or scholarship received by a student,
7 including, without limitation, a federal Pell grant, a Governor Guinn Millennium
8 Scholarship awarded pursuant to NRS 396.911 to 396.945, inclusive, a grant
9 awarded under the Silver State Opportunity Grant Program pursuant to NRS
10 396.950 to 396.960, inclusive, or a scholarship from a community college or any
11 other public or private source ~~that~~, except that the term does not include a grant or
12 scholarship that may be used for purposes other than paying the registration fee
13 and other mandatory fees charged to the student by the community college.*

14 Sec. 5. *“Local partnering organization” means a nonprofit organization or
15 governmental entity with which a community college enters into an agreement
16 pursuant to section 9 of this act.*

17 Sec. 6. *“Nevada Promise Scholarship” means a scholarship awarded by a
18 community college pursuant to section 16 of this act.*

19 Sec. 7. *“Scholarship recipient” means the recipient of a Nevada Promise
20 Scholarship.*

21 Sec. 7.5. *“School year” means consecutive fall and spring semesters and
22 does not include the summer semester.*

23 Sec. 8. 1. *The Nevada Promise Scholarship Account is hereby created in
24 the State General Fund. The Account must be administered by the State
25 Treasurer.*

26 2. *The interest and income earned on:*

27 (a) *The money in the Account, after deducting any applicable charges; and*

28 (b) *Unexpended appropriations made to the Account from the State General
29 Fund,*

30 *must be credited to the Account.*

31 3. *Any money remaining in the Account at the end of a fiscal year,
32 including, without limitation, any unexpended appropriations made to the
33 Account from the State General Fund, does not revert to the State General Fund,
34 and the balance in the Account must be carried forward to the next fiscal year.*

35 4. *The State Treasurer may accept gifts and grants of money from any
36 source for deposit in the Account.*

37 5. *The money in the Account may only be used to distribute money to
38 community colleges for the purpose of awarding Nevada Promise Scholarships to
39 students who are eligible to receive or renew such scholarships under the
40 provisions of sections 12 and 13 of this act.*

41 Sec. 9. *Each community college shall:*

42 1. ~~*Award Nevada Promise Scholarships in accordance with section 16 of
43 this act to students who are enrolled at the community college and are eligible to
44 receive or renew such scholarships under the provisions of sections 12 and 13 of
45 this act.*~~

46 ~~2.~~ *Conduct the activities required by section 10 of this act or enter into an
47 agreement with one or more nonprofit organizations or governmental entities to
48 conduct those activities.*

49 ~~3.~~ 2. *Allow an applicant or scholarship recipient to appeal any adverse
50 decision concerning his or her eligibility to receive or renew a Nevada Promise
51 Scholarship under the provisions of section 12 or 13 of this act or ~~that~~ request ~~for~~
52 a leave of absence pursuant to a waiver, for good cause, of the requirements of
53 paragraph (c) of subsection 2 of section ~~11~~ 13 of this act ~~that~~ concerning*

continuous enrollment. If the community college has established a process by which a student may appeal other decisions, the community college must use the same process for appealing an adverse decision described in this subsection.

Sec. 10. Each community college or local partnering organization shall:

1. Before December 31 of each year, hold at least one training meeting for each mentor who will participate in the mentoring program established pursuant to subsection 5. The meeting must include instruction concerning Nevada Promise Scholarships awarded pursuant to sections 3 to 17, inclusive, of this act, appropriate relationships between students and mentors, opportunities for students to obtain financial aid, the Free Application for Federal Student Aid, the college application process and the requirements of section 12 of this act.

2. ~~After November 1 and before~~ Before December 31 of each year, hold at least one training meeting for students who plan to apply or have applied for a Nevada Promise Scholarship for the immediately following ~~fall semester~~ school year. The meeting must include instruction concerning Nevada Promise Scholarships awarded pursuant to sections 3 to 17, inclusive, of this act, appropriate relationships between students and mentors, opportunities for students to obtain financial aid, the Free Application for Federal Student Aid, the college application process and the requirements of section 12 of this act.

3. ~~After February 15 and before~~ Before May ~~1~~ 1 of each year, hold at least one training meeting for students who have applied for a Nevada Promise Scholarship for the immediately following ~~fall semester~~ school year. The meeting must include instruction concerning orientation at the community college, making the transition from high school to college, ~~and~~ the requirements of sections 12 and 13 of this act concerning community service ~~and the manner in which a student will be informed of important information relating to his or her scholarship, including, without limitation, whether the student qualifies for a Nevada Promise Scholarship and the amount of the scholarship awarded.~~

4. If a scholarship applicant is unable to attend a meeting held pursuant to subsection 2 or 3 because he or she is required to attend a school-sponsored activity or religious observance ~~or has~~ or has for a documented ~~fitness or experiences other extenuating circumstances,~~ medical reason, arrange for the applicant to receive the training provided in that meeting as soon as practicable ~~and before the deadline prescribed by subsection 2 or 3, as applicable. If the scholarship applicant is unable to receive the training before the applicable deadline, the applicant must not receive a Nevada Promise Scholarship.~~

5. Establish a mentoring program for scholarship applicants and scholarship recipients that maintains a ratio of at least ~~one~~ one mentor for every 10 applicants or recipients and, ~~after February 1 and~~ before ~~May~~ December 31 of each year, assign a mentor who meets the requirements of section 11 of this act to each applicant and recipient. If a person serving as a mentor resigns from the mentoring program or cannot serve as a mentor for at least one semester, the community college or local partnering organization shall assign another mentor to each scholarship applicant or scholarship recipient for whom the person served as a mentor. The community college or local partnering organization shall not assign a person to serve as a mentor to a scholarship applicant or scholarship recipient:

(a) Whom the person employs; or

(b) To whom the person is related by consanguinity or affinity within the third degree.

6. Maintain a list of community service opportunities available to scholarship applicants and scholarship recipients to allow them to satisfy the

requirements of sections 12 and 13 of this act concerning the completion of community service.

7. Post the list maintained pursuant to subsection 6 on a publicly available Internet website maintained by the community college or local partnering organization.

Sec. 11. 1. A person who serves as a mentor in a mentoring program established pursuant to section 10 of this act may not be compensated. A mentor may be an employee of the community college or local partnering organization, but must not receive additional compensation for serving as a mentor.

2. Each person who serves as a mentor in a mentoring program established pursuant to section 10 of this act and is not employed by the community college:

(a) Must be at least 21 years of age.

(b) Shall, before serving as a mentor, submit to the community college ~~the full set of his or her fingerprints~~ the information requested by the community college and written permission authorizing the community college to ~~forward the fingerprints to the Central Repository for Nevada Records of Criminal History for its report on~~ use the information to obtain a report on the criminal history of the prospective mentor, ~~and for submission to the Federal Bureau of Investigation for its report on the criminal history of the prospective mentor.~~ If the community college has entered into an agreement with a local partnering organization pursuant to section 9 of this act, the community college shall transmit the report on the criminal history of the prospective mentor to the local partnering organization.

3. A community college or local partnering organization shall not allow a person to serve as a mentor if the community college receives information ~~from the Central Repository~~ pursuant to subsection 2 that the person has entered a plea of guilty, guilty but mentally ill or nolo contendere, been found guilty or guilty but mentally ill of, or been convicted of, in this State or any other jurisdiction, a felony.

Sec. 12. ~~Except as otherwise provided in section 15 of this act, a~~ A student is eligible to receive a Nevada Promise Scholarship for the first ~~fall semester~~ school year in which the student is enrolled at a community college if the student:

1. Is a bona fide resident of this State, as construed in NRS 396.540, is less than 20 years of age and has not previously been awarded an associate's degree or bachelor's degree.

2. Has obtained:

(a) A high school diploma awarded by a public or private high school located in this State or public high school that is located in a county that borders this State and accepts pupils who are residents of this State; or

(b) A general equivalency diploma or equivalent document.

3. Is not in default on any federal student loan and does not owe a refund to any federal program to provide aid to students.

4. Before November 1 immediately preceding the ~~fall semester~~ school year for which the student wishes to receive a Nevada Promise Scholarship, submits an application in the form prescribed by the community college.

5. On or before ~~February 15~~ April 1 immediately preceding the ~~fall semester~~ school year for which the student wishes to receive a Nevada Promise Scholarship, completes the Free Application for Federal Student Aid provided for by 20 U.S.C. § 1090, ~~and receives~~

6. Receives an Expected Family Contribution from the United States Department of Education.

~~6.7~~ 7. Attends at least one training meeting held by a community college or local partnering organization pursuant to subsection 2 of section 10 of this act

and at least one such meeting held pursuant to subsection 3 of that section, or arranges to receive the training provided in those meetings at an alternate time pursuant to subsection 4 of that section.

~~7. Before June 1~~ Before May 1 immediately preceding the ~~fall semester~~ school year for which the student wishes to receive a Nevada Promise Scholarship ~~has~~ :

(a) Has met at least once with the mentor assigned to the student pursuant to section 10 of this act.

~~8. Before July 1 immediately preceding the fall semester for which the student wishes to receive a Nevada Promise Scholarship, completes~~

(b) Completes at least 8 hours of community service that meets the requirements of section 14 of this act and submits to the community college verification of the completion of that community service. The verification must include:

~~(a)~~ (1) A description of the community service performed;

~~(b)~~ (2) The dates on which the service was performed and the number of hours of service performed on each date; and

~~(c)~~ (3) The name of the organization for which the service was performed

~~9. On or before August 1, submits~~ ; and

(4) The name of a person employed by the organization whom the community college may contact to verify the information contained in the verification.

(c) Submits all information deemed necessary by the community college to determine the applicant's eligibility for gift aid.

~~10. 9. Is enrolled in or plans to enroll in~~ at least 12 semester credit hours in an associate's ~~for~~ degree program, a bachelor's degree program or a certificate of achievement program at a community college for each semester of the ~~fall semester~~ school year immediately following the school year in which the student was awarded a high school diploma or a general equivalency diploma or equivalent document.

Sec. 13. 1. A Nevada Promise Scholarship:

(a) Must be renewed for each ~~semester~~ school year for which the scholarship recipient wishes to receive a scholarship; and

(b) May be renewed for a total of ~~5 semesters~~ 2 school years, not including the initial ~~semester~~ school year.

2. ~~Except as otherwise provided in section 15 of this act, a~~ A scholarship recipient is eligible to renew a Nevada Promise Scholarship if the scholarship recipient:

(a) Has not been awarded an associate's degree or bachelor's degree.

(b) Except as otherwise provided in this paragraph, is enrolled in or plans to enroll in at least 12 semester credit hours in an associate's ~~for~~ degree program, a bachelor's degree program or a certificate of achievement program at a community college for ~~the~~ each semester ~~for~~ of the school year for which the student wishes to renew the scholarship. A student who is on schedule to graduate at ~~the~~ :

(1) The end of a semester may enroll in the number of semester credit hours required to graduate.

(2) The end of the fall semester is not required to enroll in credit hours for the spring semester.

(c) Has enrolled in and successfully completed at least 12 semester credit hours in an associate's ~~for~~ degree program, a bachelor's degree program or a certificate of achievement program at a community college for each fall and spring semester beginning with the first semester for which the student received a

scholarship, ~~excluding any semester for which~~ unless the student has received a leave of absence waiver pursuant to section 15.9 of this act.

(d) Maintains at least a 2.0 grade point average, on a 4.0 grading scale, or the equivalent of a 2.0 grade point average if a different grading scale is used, for all classes for which the student has been awarded credit at a community college, or makes adequate academic progress, as determined by the community college.

(e) ~~If the renewal is for the fall semester,~~
~~(1) Completes the Free Application for Federal Student Aid provided for by 20 U.S.C. § 1090 and receives an Expected Family Contribution from the United States Department of Education on or before February 15~~ April 1 immediately preceding that semester; and

~~(2) On or before August 1, submits to the community college all documentation deemed necessary by the community college to determine the applicant's eligibility for financial aid;~~ the school year for which the student wishes to renew the scholarship and receives an Expected Family Contribution from the United States Department of Education.

(f) Is not in default on any federal student loan and does not owe a refund to any federal program to provide aid to students.

(g) ~~After December 1 but before July 1 or after July 1 but before December 1, as applicable,~~ On or before May 1 immediately preceding the semester school year for which the student wishes to renew the scholarship:

(1) Completes ~~18~~ 16 hours of community service that meets the requirements of section 14 of this act and submits to the community college verification of the completion of that community service. The verification must include:

(I) A description of the community service performed;

(II) The dates on which the service was performed and the number of hours of service performed on each date; ~~and~~

(III) The name of the organization for which the service was performed; ~~and~~

(IV) The name of a person employed by the organization whom the community college may contact to verify the information contained in the verification.

(2) Meets at least ~~once~~ twice with the mentor assigned to the student pursuant to section 10 of this act.

(3) Submits to the community college all documentation deemed necessary by the community college to determine the applicant's eligibility for financial aid.

(h) ~~Before July 1 or December 1, as applicable,~~ November 1, as applicable, immediately preceding the ~~semester~~ school year for which the student wishes to renew the scholarship, submits an application in the form prescribed by the community college and all information deemed necessary by the community college to determine the applicant's eligibility for gift aid.

Sec. 14. 1. An applicant who knowingly submits false or misleading information to a community college or local partnering organization pursuant to section 12 or 13 of this act is ineligible to receive a Nevada Promise Scholarship.

2. If a deadline prescribed by section 12 or 13 of this act falls on a Saturday, Sunday or legal holiday, the deadline is the next business day.

3. Community service performed to satisfy the requirements of section 12 or 13 of this act must not include religious proselytizing or service for which the student receives any type of compensation or which directly benefits a member of the family of the applicant or student, as applicable.

Sec. 15. ~~1. A student may request a leave of absence for:~~

~~(a) An illness or serious medical problem of the student or a member of the student's immediate family;~~

~~(b) Extreme financial hardship for the student or a member of the student's immediate family;~~

~~(c) Engaging in an activity required or encouraged for members of the student's religious faith;~~

~~(d) Mobilization of the student's unit of the Armed Forces of the United States or National Guard; or~~

~~(e) Any other extraordinary circumstances beyond the control of the student that would create a substantial hardship for the student, as determined by the community college.~~

~~2. A student who is granted a leave of absence for a semester is not required to comply with the requirements of subsections 4 to 10, inclusive, of section 12 of this act or section 13 of this act, as applicable, for that semester. (Deleted by amendment.)~~

Sec. 16. 1. Each community college shall award Nevada Promise Scholarships in accordance with this section to students who are enrolled at the community college and are eligible to receive or renew such scholarships under the provisions of sections 12 and 13 of this act.

2. On or before ~~August 1 and December 15~~ July 1 of each year, a community college shall:

(a) Review all timely applications received pursuant to sections 12 and 13 of this act to determine the eligibility of each applicant for a Nevada Promise Scholarship and for gift aid;

(b) Review information submitted by each eligible applicant to determine the amount of the Nevada Promise Scholarship the student would receive under the provisions of subsection ~~4~~ 6 and notify each applicant whether the applicant is eligible to receive a Nevada Promise Scholarship for the immediately following ~~semester~~ school year; and

(c) After reviewing applications pursuant to paragraph (a), submit to the State Treasurer the number of students whose applications have been approved and the amount of money that will be required to fund a scholarship for each eligible student pursuant to subsection 6 if no student receives additional gift aid.

3. On the date prescribed by regulation of the State Treasurer, a community college shall submit a request for a disbursement from the Nevada Promise Scholarship Account created by section 8 of this act in the amount prescribed by subsection ~~4~~ 6 for each eligible student. ~~4~~ and

~~(d) Use;~~

4. A community college shall use the money disbursed pursuant to subsection ~~4~~ 5 to pay the difference between the amount of the registration fee and other mandatory fees charged to the student by the community college for the ~~semester~~ school year, excluding any amount of those fees that is waived by the community college, and the total amount of any other gift aid received by the student for the ~~semester~~ school year. The community college shall not ~~disburse~~ refund to a student any money disbursed to the community college pursuant to subsection ~~4~~ 5.

~~4~~ 5. Within the limits of money available in the Nevada Promise Scholarship Account, the State Treasurer shall disburse to a community college the amount requested pursuant to subsection ~~4~~ 3. The State Treasurer shall adopt regulations prescribing the manner in which money in the Account will be disbursed if there is insufficient money in the Account to disburse that amount to each community college. ~~4~~ If such a shortage occurs:

(a) The State Treasurer shall:

(1) Disburse the available money in the Account to each community college ~~the percentage of money available that is equal to the percentage of the total money requested by all community colleges in this State pursuant to subsection 1 that was requested by the community colleges~~ in the manner prescribed by the regulations adopted by the State Treasurer; and

(2) Provide notice of the shortage to:

(I) The Director of the Legislative Counsel Bureau for transmittal to the Legislative Committee on Education, the Legislative Commission and next regular session of the Legislature; and

(II) The board of trustees of each school district and the governing body of each charter school in this State. Upon receiving such notice, the board of trustees or governing body, as applicable, shall notify each pupil who is enrolled in a school in the district or the charter school and is on schedule to receive a standard high school diploma at the end of the current school year.

(b) A community college ~~may~~

~~(1) Establish a maximum award amount for that semester that is less than the amount prescribed by subsection 3;~~

~~(2) Award Nevada Promise Scholarships in the amount prescribed by subsection 3 on a first come, first served basis; or~~

~~(3) Establish eligibility criteria, in addition to those prescribed by section 12 of this act, for students who will be enrolling in the community college for their first semester.~~

3. The shall award Nevada Promise Scholarships in accordance with the regulations prescribed by the State Treasurer.

6. Within the limits of money available in the Nevada Promise Scholarship Account, the amount of money awarded to a scholarship recipient pursuant to subsection 1 this section must be equal to the difference between the amount of the registration fee and other mandatory fees charged to the student by the community college for the semester school year, excluding any amount of those fees that is waived by the community college, and the total amount of any other gift aid received by the student for the semester school year.

Sec. 17. 1. On or before August 1 of each year, the Board of Regents shall:

(a) Review all Nevada Promise Scholarships awarded for the immediately preceding school year;

(b) Compile a report for the immediately preceding school year, which must include the number of scholarship recipients, the total cost associated with the award of Nevada Promise Scholarships, the total number of hours of community service performed pursuant to sections 12 and 13 of this act, the overall graduation rate of scholarship recipients, the graduation rate of scholarship recipients enrolled at each community college, the overall scholarship retention rate and the scholarship retention rate for students at each community college; and

(c) Submit the report to the Director of the Legislative Counsel Bureau for transmittal to:

(1) In even-numbered years, the next regular session of the Legislature; and

(2) In odd-numbered years, the Legislative Committee on Education.

2. A community college shall maintain a record for each scholarship recipient for at least ~~101~~ 3 years after the end of the final ~~semester~~ school year for which he or she receives a scholarship. Such a record must include:

(a) The name of the scholarship recipient;

(b) The total amount of money awarded to the scholarship recipient and the amount of money awarded to the scholarship recipient each ~~semester~~ school year;

(c) The courses in which the scholarship recipient enrolled and the courses completed by the scholarship recipient;

(d) The grades received by the scholarship recipient;

(e) Whether the scholarship recipient is currently enrolled in the community college and, if not, whether he or she earned an associate's degree ~~or~~ a bachelor's degree or a certificate of achievement; and

(f) The records of community service submitted by the scholarship recipient pursuant to sections 12 and 13 of this act.

3. Except as otherwise provided in this section, the Board of Regents and the State Treasurer may at any time audit the practices used by a community college or local partnering organization to carry out the provisions of sections 3 to 17, inclusive, of this act. The Board of Regents and State Treasurer shall not conduct an audit less than 6 months after the most recently conducted audit.

4. A community college shall provide the Board of Regents and the State Treasurer with access to the records maintained pursuant to subsection 2 for the purposes of an annual report compiled pursuant to subsection 1 or an audit conducted pursuant to subsection 3. Those records are otherwise confidential and are not public records.

5. As used in this section, "scholarship retention rate" means the percentage of scholarship recipients for the ~~fall semester of the~~ school year immediately preceding the school year to which a report compiled pursuant to subsection 1 pertains who did not graduate ~~for~~ by the end of that school year and who also received a Nevada Promise Scholarship for the ~~fall semester of the~~ school year to which the report pertains.

Sec. 18. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 41.071, 49.095, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 130.312, 130.712, 136.050, 159.044, 172.075, 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179A.450, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281A.350, 281A.440, 281A.550, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.5002, 293.503, 293.558, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.16925, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 372A.080, 378.290, 378.300, 379.008, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503,

388.513, 388.750, 391.035, 392.029, 392.147, 392.264, 392.271, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 433.534, 433A.360, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 445A.665, 445B.570, 449.209, 449.245, 449.720, 450.140, 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.365, 481.063, 482.170, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070, 485.316, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730, 640C.400, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641A.191, 641B.170, 641C.760, 642.524, 643.189, 644.446, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.430, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 692A.117, 692C.190, 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 703.196, 704B.320, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and section 17 of this act*, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

2. A governmental entity may not reject a book or record which is copyrighted solely because it is copyrighted.

3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate the confidential information from the information included in the public book or record that is not otherwise confidential.

4. A person may request a copy of a public record in any medium in which the public record is readily available. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

1 (a) Shall not refuse to provide a copy of that public record in a readily
2 available medium because the officer, employee or agent has already prepared or
3 would prefer to provide the copy in a different medium.

4 (b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare
5 the copy of the public record and shall not require the person who has requested the
6 copy to prepare the copy himself or herself.

7 Sec. 18.5. Notwithstanding the provisions of section 17 of this act, the
8 initial report compiled by the Board of Regents of the University of Nevada
9 pursuant to subsection 1 of section 17 of this act:

10 1. Must be submitted on or before August 1, 2019, and must provide
11 information concerning the 2017-2018 school year; and

12 2. Is not required to include the overall graduation rate of scholarship
13 recipients, the graduation rate of scholarship recipients enrolled at each
14 community college, the overall scholarship retention rate or the scholarship
15 retention rate for students at each community college.

16 Sec. 19. The provisions of subsection 1 of NRS 218D.380 do not apply to
17 any provision of this act which adds or revises a requirement to submit a report to
18 the Legislature.

19 Sec. 20. 1. This section and sections 1 to 15, inclusive, and 17, 18 and 19
20 of this act ~~becomes~~ become effective upon passage and approval for the purpose
21 of adopting regulations and performing any other preparatory administrative tasks
22 that are necessary to carry out the provisions of this act and on ~~January~~ July 1,
23 ~~2018,~~ 2017, for all other purposes.

24 2. Section 16 of this act becomes effective upon passage and approval for
25 the purpose of adopting regulations and performing any other preparatory
26 administrative tasks that are necessary to carry out the provisions of this act
27 and on July 1, 2018, for all other purposes.