

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; authorizing 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; making an appropriation; 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 determine whether it will award Nevada Promise Scholarships. **Section 9** also requires each participating community college to 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 participating 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 participating community college is ineligible to receive a scholarship; and (2) prescribes additional requirements governing deadlines and community service.

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** sets forth the manner in which money in the Account will be disbursed. **Section 16** additionally requires, under such circumstances, 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 participating community college to maintain certain records; and (2) authorizes the Board of Regents and the State Treasurer to audit a participating community college or a nonprofit organization or governmental entity with which a participating community college has entered into an agreement to carry out certain duties relating to the scholarship program. **Section 18.3** of this bill makes an appropriation for the purpose of awarding Nevada Promise Scholarships.

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 **H**, *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.



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

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

8 **Sec. 4.** *“Gift aid” means a federal Pell grant, a Federal*
9 *Supplemental Educational Opportunity Grant, a Governor Guinn*
10 *Millennium Scholarship awarded pursuant to NRS 396.911 to*
11 *396.945, inclusive, or a grant awarded under the Silver State*
12 *Opportunity Grant Program pursuant to NRS 396.950 to 396.960,*
13 *inclusive, received by a student.*

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

18 **Sec. 6.** *“Nevada Promise Scholarship” means a scholarship*
19 *awarded by a participating community college pursuant to section*
20 *16 of this act.*

21 **Sec. 6.5.** *“Participating community college” means a*
22 *community college that has elected pursuant to section 9 of this*
23 *act to participate in the Nevada Promise Scholarship program*
24 *established by sections 3 to 17, inclusive, of this act for the*
25 *applicable school year.*

26 **Sec. 7.** *“Scholarship recipient” means the recipient of a*
27 *Nevada Promise Scholarship.*

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

30 **Sec. 8. 1.** *The Nevada Promise Scholarship Account is*
31 *hereby created in the State General Fund. The Account must be*
32 *administered by the State Treasurer.*

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

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

36 **(b)** *Unexpended appropriations made to the Account from the*
37 *State General Fund,*

38 *↪ must be credited to the Account.*

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

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



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

6 **Sec. 9.** *1. On or before October 1 of each year, each*
7 *community college shall:*

8 *(a) Determine whether it will participate in the Nevada*
9 *Promise Scholarship program established by sections 3 to 17,*
10 *inclusive, of this act for the immediately following school year;*
11 *and*

12 *(b) Post on a publicly accessible Internet website maintained*
13 *by the community college notice of the determination described in*
14 *paragraph (a).*

15 2. *Each community college that elects to participate in the*
16 *Nevada Promise Scholarship program established by sections 3 to*
17 *17, inclusive, of this act for the immediately following school year*
18 *shall:*

19 *(a) Conduct the activities required by section 10 of this act or*
20 *enter into an agreement with one or more nonprofit organizations*
21 *or governmental entities to conduct those activities.*

22 *(b) Allow an applicant or scholarship recipient to appeal any*
23 *adverse decision concerning his or her eligibility to receive or*
24 *renew a Nevada Promise Scholarship under the provisions of*
25 *section 12 or 13 of this act or request a waiver, for good cause,*
26 *of the requirements of paragraph (c) of subsection 2 of section 13*
27 *of this act concerning continuous enrollment. If the participating*
28 *community college has established a process by which a student*
29 *may appeal other decisions, the participating community college*
30 *must use the same process for appealing an adverse decision*
31 *described in this subsection.*

32 3. *A participating community college may accept gifts, grants*
33 *and donations from any source for the purposes of administering*
34 *the Nevada Promise Scholarship program established by sections*
35 *3 to 17, inclusive, of this act.*

36 **Sec. 10.** *Each participating community college or local*
37 *partnering organization shall:*

38 1. *Before December 31 of each year, hold at least one*
39 *training meeting for each mentor who will participate in the*
40 *mentoring program established pursuant to subsection 5. The*
41 *meeting must include instruction concerning Nevada Promise*
42 *Scholarships awarded pursuant to sections 3 to 17, inclusive, of*
43 *this act, appropriate relationships between students and mentors,*
44 *opportunities for students to obtain financial aid, the Free*



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1 *Application for Federal Student Aid, the college application*
2 *process and the requirements of section 12 of this act.*

3 2. *Before December 31 of each year, hold at least one*
4 *training meeting for students who plan to apply or have applied*
5 *for a Nevada Promise Scholarship for the immediately following*
6 *school year. The meeting must include instruction concerning*
7 *Nevada Promise Scholarships awarded pursuant to sections 3 to*
8 *17, inclusive, of this act, appropriate relationships between*
9 *students and mentors, opportunities for students to obtain*
10 *financial aid, the Free Application for Federal Student Aid, the*
11 *college application process and the requirements of section 12 of*
12 *this act.*

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

24 4. *If a scholarship applicant is unable to attend a meeting*
25 *held pursuant to subsection 2 or 3 because he or she is required to*
26 *attend a school-sponsored activity or religious observance or for a*
27 *documented medical reason, arrange for the applicant to receive*
28 *the training provided in that meeting as soon as practicable and*
29 *before the deadline prescribed by subsection 2 or 3, as applicable.*
30 *If the scholarship applicant is unable to receive the training before*
31 *the applicable deadline, the applicant must not receive a Nevada*
32 *Promise Scholarship.*

33 5. *Establish a mentoring program for scholarship applicants*
34 *and scholarship recipients that maintains a ratio of at least*
35 *one mentor for every 10 applicants or recipients and, before*
36 *December 31 of each year, assign a mentor who meets the*
37 *requirements of section 11 of this act to each applicant and*
38 *recipient. If a person serving as a mentor resigns from the*
39 *mentoring program or cannot serve as a mentor for at least one*
40 *semester, the participating community college or local partnering*
41 *organization shall assign another mentor to each scholarship*
42 *applicant or scholarship recipient for whom the person served as a*
43 *mentor. The participating community college or local partnering*
44 *organization shall not assign a person to serve as a mentor to a*
45 *scholarship applicant or scholarship recipient:*



- 1 (a) *Whom the person employs; or*
- 2 (b) *To whom the person is related by consanguinity or affinity*
- 3 *within the third degree.*

4 6. *Maintain a list of community service opportunities*
5 *available to scholarship applicants and scholarship recipients to*
6 *allow them to satisfy the requirements of sections 12 and 13 of this*
7 *act concerning the completion of community service.*

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

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

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

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

20 (b) *Shall, before serving as a mentor, submit to the*
21 *participating community college the information requested by the*
22 *participating community college and written permission*
23 *authorizing the community college to use the information to*
24 *obtain a report on the criminal history of the prospective mentor.*
25 *If the participating community college has entered into an*
26 *agreement with a local partnering organization pursuant to*
27 *section 9 of this act, the participating community college shall*
28 *transmit the report on the criminal history of the prospective*
29 *mentor to the local partnering organization.*

30 3. *A participating community college or local partnering*
31 *organization shall not allow a person to serve as a mentor if the*
32 *participating community college receives information pursuant to*
33 *subsection 2 that the person has entered a plea of guilty, guilty but*
34 *mentally ill or nolo contendere to, been found guilty or guilty but*
35 *mentally ill of, or been convicted of, in this State or any other*
36 *jurisdiction, a felony.*

37 **Sec. 12.** *A student is eligible to receive a Nevada Promise*
38 *Scholarship for the first school year in which the student is*
39 *enrolled at a participating community college if the student:*

40 1. *Is a bona fide resident of this State, as construed in NRS*
41 *396.540, is less than 20 years of age and has not previously been*
42 *awarded an associate's degree or bachelor's degree.*

43 2. *Has obtained:*

44 (a) *A high school diploma awarded by a public or private high*
45 *school located in this State or public high school that is located in*



1 a county that borders this State and accepts pupils who are
2 residents of this State; or

3 (b) A general equivalency diploma or equivalent document.

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

6 4. Before November 1 immediately preceding the school year
7 for which the student wishes to receive a Nevada Promise
8 Scholarship, submits an application in the form prescribed by the
9 participating community college.

10 5. On or before April 1 immediately preceding the school year
11 for which the student wishes to receive a Nevada Promise
12 Scholarship, completes the Free Application for Federal Student
13 Aid provided for by 20 U.S.C. § 1090.

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

16 7. Attends at least one training meeting held by a
17 participating community college or local partnering organization
18 pursuant to subsection 2 of section 10 of this act and at least one
19 such meeting held pursuant to subsection 3 of that section, or
20 arranges to receive the training provided in those meetings at an
21 alternate time pursuant to subsection 4 of that section.

22 8. Before May 1 immediately preceding the school year for
23 which the student wishes to receive a Nevada Promise
24 Scholarship:

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

27 (b) Completes at least 20 hours of community service that
28 meets the requirements of section 14 of this act and submits to the
29 participating community college verification of the completion of
30 that community service. The verification must include:

31 (1) A description of the community service performed;

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

34 (3) The name of the organization for which the service was
35 performed; and

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

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

42 9. Is enrolled in or plans to enroll in at least 12 semester
43 credit hours in an associate's degree program, a bachelor's degree
44 program or a certificate of achievement program at a participating
45 community college for each semester of the school year



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1 *immediately following the school year in which the student was*
2 *awarded a high school diploma or a general equivalency diploma*
3 *or equivalent document.*

4 **Sec. 13. 1. A Nevada Promise Scholarship:**

5 *(a) Must be renewed for each school year for which the*
6 *scholarship recipient wishes to receive a scholarship; and*

7 *(b) May be renewed for a total of 2 school years, not including*
8 *the initial school year.*

9 *2. A scholarship recipient is eligible to renew a Nevada*
10 *Promise Scholarship if the scholarship recipient:*

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

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

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

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

24 *(c) Has enrolled in and successfully completed at least 12*
25 *semester credit hours in an associate's degree program, a*
26 *bachelor's degree program or a certificate of achievement*
27 *program at a participating community college for each fall and*
28 *spring semester beginning with the first semester for which the*
29 *student received a scholarship, unless the student has received a*
30 *waiver pursuant to section 9 of this act.*

31 *(d) Maintains at least a 2.5 grade point average, on a 4.0*
32 *grading scale, or the equivalent of a 2.5 grade point average if a*
33 *different grading scale is used, for all classes for which the student*
34 *has been awarded credit at a participating community college, or*
35 *makes adequate academic progress, as determined by the*
36 *participating community college.*

37 *(e) Completes the Free Application for Federal Student Aid*
38 *provided for by 20 U.S.C. § 1090 on or before April 1 immediately*
39 *preceding the school year for which the student wishes to renew*
40 *the scholarship and receives an Expected Family Contribution*
41 *from the United States Department of Education.*

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

44 *(g) On or before May 1 immediately preceding the school year*
45 *for which the student wishes to renew the scholarship:*



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1 (1) *Completes 20 hours of community service that meets the*
2 *requirements of section 14 of this act and submits to the*
3 *participating community college verification of the completion of*
4 *that community service. The verification must include:*

5 (I) *A description of the community service performed;*

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

8 (III) *The name of the organization for which the service*
9 *was performed; and*

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

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

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

18 (h) *Before November 1 immediately preceding the school year*
19 *for which the student wishes to renew the scholarship, submits an*
20 *application in the form prescribed by the participating community*
21 *college and all information deemed necessary by the participating*
22 *community college to determine the applicant's eligibility for gift*
23 *aid.*

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

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

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

36 **Sec. 15. (Deleted by amendment.)**

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

42 2. *On or before July 1 of each year, a participating*
43 *community college shall:*



1 (a) Review all timely applications received pursuant to sections
2 12 and 13 of this act to determine the eligibility of each applicant
3 for a Nevada Promise Scholarship and for gift aid;

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

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

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

20 4. A participating community college shall use the money
21 disbursed pursuant to subsection 5 to pay the difference between
22 the amount of the registration fee and other mandatory fees
23 charged to the student by the participating community college for
24 the school year, excluding any amount of those fees that is waived
25 by the participating community college, and the total amount of
26 any other gift aid received by the student for the school year. The
27 community college shall not refund to a student any money
28 disbursed to the participating community college pursuant to
29 subsection 5.

30 5. Within the limits of money available in the Nevada
31 Promise Scholarship Account, the State Treasurer shall disburse
32 to a participating community college the amount requested
33 pursuant to subsection 3. If there is insufficient money in the
34 Account to disburse that amount to each participating community
35 college:

36 (a) The State Treasurer shall determine whether there is
37 sufficient money in the Account to disburse the amount requested
38 for all students who applied to renew a Nevada Promise
39 Scholarship and disburse the available money in the Account to
40 each participating community college in the following manner:

41 (1) If there is insufficient money in the Account to disburse
42 the amount requested for all students who applied to renew a
43 Nevada Promise Scholarship, the State Treasurer shall not
44 disburse any amount requested for first-time recipients of a
45 Nevada Promise Scholarship and shall disburse money to each



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1 *participating community college to fund a scholarship for each*
2 *student who applied to renew a Nevada Promise Scholarship, in*
3 *the order in which applications were received by the participating*
4 *community college, until the money in the Account is exhausted;*
5 *and*

6 (2) *If there is sufficient money in the Account to disburse*
7 *the amount requested for all students who applied to renew a*
8 *Nevada Promise Scholarship, the State Treasurer shall first*
9 *disburse the money requested by each participating community*
10 *college for all students who applied to renew a Nevada Promise*
11 *Scholarship and then disburse money to each participating*
12 *community college to fund a scholarship for each student who*
13 *applied for the first time to receive a Nevada Promise Scholarship,*
14 *in the order in which applications were received by the*
15 *participating community college, until the money in the Account is*
16 *exhausted.*

17 (b) *The State Treasurer shall provide notice that insufficient*
18 *money remains in the Nevada Promise Scholarship Account to:*

19 (1) *The Director of the Legislative Counsel Bureau for*
20 *transmittal to the Legislative Committee on Education, the*
21 *Legislative Commission and next regular session of the*
22 *Legislature; and*

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

30 (c) *A participating community college shall award Nevada*
31 *Promise Scholarships in accordance with the provisions of*
32 *paragraph (a) in a manner that gives priority first to students*
33 *applying for renewal of a Nevada Promise Scholarship and then to*
34 *applications received by the participating community college*
35 *pursuant to section 12 of this act, in the order in which they were*
36 *received.*

37 6. *Within the limits of money available in the Nevada*
38 *Promise Scholarship Account, the amount of money awarded to a*
39 *scholarship recipient pursuant to this section must be equal to the*
40 *difference between the amount of the registration fee and other*
41 *mandatory fees charged to the student by the participating*
42 *community college for the school year, excluding any amount of*
43 *those fees that is waived by the participating community college,*
44 *and the total amount of any other gift aid received by the student*
45 *for the school year.*



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

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

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

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

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

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

21 **2. A participating community college shall maintain a record**
22 **for each scholarship recipient for at least 3 years after the end of**
23 **the final school year for which he or she receives a scholarship.**
24 **Such a record must include:**

25 **(a) The name of the scholarship recipient;**

26 **(b) The total amount of money awarded to the scholarship**
27 **recipient and the amount of money awarded to the scholarship**
28 **recipient each school year;**

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

31 **(d) The grades received by the scholarship recipient;**

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

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

38 **3. Except as otherwise provided in this section, the Board of**
39 **Regents and the State Treasurer may at any time audit the**
40 **practices used by a participating community college or local**
41 **partnering organization to carry out the provisions of sections 3 to**
42 **17, inclusive, of this act. The Board of Regents and State**
43 **Treasurer shall not conduct an audit less than 6 months after the**
44 **most recently conducted audit.**



* S B 3 9 1 R 3 *

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

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

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

14 239.010 1. Except as otherwise provided in this section and
15 NRS 1.4683, 1.4687, 1A.110, 41.071, 49.095, 62D.420, 62D.440,
16 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320,
17 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246,
18 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355,
19 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730,
20 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260,
21 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370,
22 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161,
23 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817,
24 130.312, 130.712, 136.050, 159.044, 172.075, 172.245, 176.015,
25 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,
26 178.5691, 179.495, 179A.070, 179A.165, 179A.450, 179D.160,
27 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651,
28 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040,
29 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350,
30 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270,
31 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300,
32 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140,
33 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020,
34 241.030, 241.039, 242.105, 244.264, 244.335, 250.087, 250.130,
35 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195,
36 281A.350, 281A.440, 281A.550, 284.4068, 286.110, 287.0438,
37 289.025, 289.080, 289.387, 289.830, 293.5002, 293.503, 293.558,
38 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335,
39 338.070, 338.1379, 338.16925, 338.1725, 338.1727, 348.420,
40 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100,
41 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610,
42 365.138, 366.160, 368A.180, 372A.080, 378.290, 378.300, 379.008,
43 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259,
44 388.501, 388.503, 388.513, 388.750, 391.035, 392.029, 392.147,
45 392.264, 392.271, 392.850, 394.167, 394.1698, 394.447, 394.460,



1 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403, 408.3885,
2 408.3886, 408.3888, 408.5484, 412.153, 416.070, 422.2749,
3 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872,
4 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430,
5 432B.560, 433.534, 433A.360, 439.840, 439B.420, 440.170,
6 441A.195, 441A.220, 441A.230, 442.330, 442.395, 445A.665,
7 445B.570, 449.209, 449.245, 449.720, 450.140, 453.164, 453.720,
8 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866,
9 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240,
10 463.3403, 463.3407, 463.790, 467.1005, 480.365, 481.063, 482.170,
11 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070,
12 485.316, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655,
13 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070,
14 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315,
15 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110,
16 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,
17 628B.760, 629.047, 629.069, 630.133, 630.30665, 630.336,
18 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301,
19 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085,
20 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,
21 640A.220, 640B.730, 640C.400, 640C.745, 640C.760, 640D.190,
22 640E.340, 641.090, 641A.191, 641B.170, 641C.760, 642.524,
23 643.189, 644.446, 645.180, 645.625, 645A.050, 645A.082,
24 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135,
25 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945,
26 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110,
27 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310,
28 671.170, 673.430, 675.380, 676A.340, 676A.370, 677.243,
29 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690,
30 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873,
31 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115,
32 687C.010, 688C.230, 688C.480, 688C.490, 692A.117, 692C.190,
33 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615,
34 696B.550, 703.196, 704B.320, 704B.325, 706.1725, 706A.230,
35 710.159, 711.600, *and section 17 of this act*, sections 35, 38 and 41
36 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter
37 391, Statutes of Nevada 2013 and unless otherwise declared by law
38 to be confidential, all public books and public records of a
39 governmental entity must be open at all times during office hours to
40 inspection by any person, and may be fully copied or an abstract or
41 memorandum may be prepared from those public books and public
42 records. Any such copies, abstracts or memoranda may be used to
43 supply the general public with copies, abstracts or memoranda of the
44 records or may be used in any other way to the advantage of the
45 governmental entity or of the general public. This section does not



1 supersede or in any manner affect the federal laws governing
2 copyrights or enlarge, diminish or affect in any other manner the
3 rights of a person in any written book or record which is
4 copyrighted pursuant to federal law.

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

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

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

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

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

27 **Sec. 18.3.** There is hereby appropriated from the State General
28 Fund to the Nevada Promise Scholarship Account created by section
29 8 of this act for the Fiscal Year 2018-2019 the sum of \$3,500,000
30 for the purpose of awarding Nevada Promise Scholarships pursuant
31 to sections 3 to 17, inclusive, of this act.

32 **Sec. 18.5.** 1. Notwithstanding the provisions of section 17 of
33 this act, the initial report compiled by the Board of Regents of the
34 University of Nevada pursuant to subsection 1 of section 17 of this
35 act:

36 (a) Must be submitted on or before August 1, 2019, and must
37 provide information concerning the 2017-2018 school year; and

38 (b) Is not required to include the overall graduation rate of
39 scholarship recipients, the graduation rate of scholarship recipients
40 enrolled at each participating community college, the overall
41 scholarship retention rate or the scholarship retention rate for
42 students at each participating community college.

43 2. As used in this section, "participating community college"
44 has the meaning ascribed to it in section 6.5 of this act.



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

4 **Sec. 20.** 1. This section and sections 1 to 15, inclusive, and
5 17, 18, 18.5 and 19 of this act become effective upon passage and
6 approval for the purpose of adopting regulations and performing any
7 other preparatory administrative tasks that are necessary to carry out
8 the provisions of this act and on July 1, 2017, for all other purposes.

9 2. Section 18.3 of this act becomes effective on July 1, 2017.

10 3. Section 16 of this act becomes effective upon passage and
11 approval for the purpose of adopting regulations and performing any
12 other preparatory administrative tasks that are necessary to carry out
13 the provisions of this act and on July 1, 2018, for all other purposes.

