

Amendment No. 450

Assembly Amendment to Assembly Bill No. 461	(BDR 18-1089)
<b>Proposed by:</b> Assembly Committee on Government Affairs	
<b>Amends:</b> Summary: Yes 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.

AMM/AAK



Date: 4/19/2019

A.B. No. 461—Makes changes to provide assistance to homeless youth to access opportunities for post-secondary education. (BDR 18-1089)





## ASSEMBLY BILL NO. 461—COMMITTEE ON EDUCATION

MARCH 25, 2019

Referred to Committee on Government Affairs

SUMMARY—Makes changes to provide assistance to homeless youth to access opportunities for post-secondary education. (BDR ~~18-1089~~) 34-1089)

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

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; creating the position of the Liaison for Post-Secondary Education for Homeless Pupils; establishing the duties of the Liaison; authorizing the Board of Regents of the University of Nevada to grant certain waivers of fees for certain pupils; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing federal law provides for the continued secondary education of homeless pupils. (The McKinney-Vento Homeless Assistance Act of 1987, 42 U.S.C. §§ 11301 et seq.) Sections ~~2-9~~ 11.1-11.8 of this bill create the Liaison for Post-Secondary Education for Homeless Pupils within the ~~Department of Employment, Training and Rehabilitation~~ Nevada System of Higher Education to assist homeless and unaccompanied pupils in pursuing post-secondary education. Sections ~~6~~ 11.5 and 11.8 of this bill create the position of the Liaison and authorize the Liaison to take certain actions to fulfill his or her duties ~~to the extent that money is available.~~ to the extent that money is available. Section ~~8~~ 11.7 of this bill creates the Account for the Liaison for Post-Secondary Education for Homeless Pupils. Section ~~9~~ 11.8 of this bill establishes the duties of the Liaison.

Existing law authorizes the Board of Regents of the University of Nevada to grant a waiver of registration and laboratory fees for certain pupils. (NRS 396.544, 396.5442, 396.5445) Section ~~11~~ 11.9 of this bill similarly authorizes the Board of Regents to grant a waiver of registration and laboratory fees for homeless and unaccompanied pupils.

~~Section 10 of this bill makes a conforming change.~~

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

Section 1. ~~{Chapter 232 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this act.}~~ (Deleted by amendment.)

Sec. 2. ~~{As used in sections 2 to 9, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3, 4 and 5 of this act have the meanings ascribed to them in those sections.}~~ (Deleted by amendment.)

Sec. 3. ~~{“Homeless pupil” has the meaning ascribed to it in 45 C.F.R. § 1355.20.}~~ (Deleted by amendment.)

Sec. 4. ~~{“Liaison” means the Liaison for Post-Secondary Education for Homeless Pupils.}~~ (Deleted by amendment.)

Sec. 5. ~~{“Unaccompanied pupil” has the meaning ascribed to the term “unaccompanied youth” in 42 U.S.C. § 11434a(6).}~~ (Deleted by amendment.)

Sec. 6. ~~{1. There is hereby created the Liaison for Post-Secondary Education for Homeless Pupils within the Department of Employment, Training and Rehabilitation.~~

~~2. The Governor shall appoint the Liaison for Post-Secondary Education for Homeless Pupils for a term of 4 years. The Liaison is in the unclassified service of the State. The person appointed:~~

~~—(a) Must be knowledgeable in the various issues relating to homeless and unaccompanied pupils, including, without limitation, the McKinney-Vento Homeless Assistance Act of 1987, 42 U.S.C. §§ 11301 et seq.;~~

~~—(b) Must be independent of and have no pecuniary interest in any organization or entity that provides services to homeless and unaccompanied pupils;~~

~~—(c) Except as otherwise provided in NRS 284.143, shall devote all of his or her time to the business of his or her office and shall not pursue any other business or vocation or hold any other office of profit; and~~

~~—(d) Must not be a member of any political convention or a member of any committee of any political party.~~

~~3. The Governor may remove the Liaison from office for inefficiency, neglect of duty or malfeasance in office.}~~ (Deleted by amendment.)

Sec. 7. ~~{The Liaison may:~~

~~1. Employ such staff as is necessary to carry out his or her duties and the functions of his or her office, in accordance with the personnel practices and procedures established within the Department. The Liaison has sole discretion to employ and remove any member of his or her staff.~~

~~2. Purchase necessary equipment.~~

~~3. Lease or make other suitable arrangements for office space, but any lease which extends beyond the term of 1 year must be reviewed and approved by a majority of the members of the State Board of Examiners.~~

~~4. Perform such other functions and make such other arrangements as may be necessary to carry out his or her duties and the functions of his or her office.}~~ (Deleted by amendment.)

Sec. 8. ~~{1. The Liaison may accept gifts, grants and donations from any source for the purpose of carrying out the provisions of sections 2 to 9, inclusive, of this act.~~

~~2. All gifts, grants and donations from any source which the Liaison is authorized to accept must be deposited with the State Treasurer for credit to the Account for the Liaison for Post-Secondary Education for Homeless Pupils.~~

1 ~~which is hereby created in the State General Fund. The Liaison shall administer~~  
2 ~~the Account. The money in the Account must be expended only to pay for the~~  
3 ~~costs to the Department to administer sections 2 to 9, inclusive, of this act.~~

4 ~~3. The interest and income earned on the money in the Account, after~~  
5 ~~deducting any applicable charges, must be credited to the Account. Money that~~  
6 ~~remains in the Account at the end of the fiscal year does not revert to the State~~  
7 ~~General Fund, and the balance in the Account must be carried forward to the~~  
8 ~~next fiscal year.] (Deleted by amendment.)~~

9 ~~Sec. 9. [1. The Liaison shall:~~

10 ~~(a) Conduct an annual analysis of homeless and unaccompanied pupils in~~  
11 ~~this State to assess the needs of such pupils;~~

12 ~~(b) Develop a database to track, monitor and analyze trends in the rates of~~  
13 ~~graduation and retention of homeless and unaccompanied pupils;~~

14 ~~(c) Develop a model for college and career readiness for homeless and~~  
15 ~~unaccompanied pupils;~~

16 ~~(d) Collaborate with persons at a high school responsible for assisting~~  
17 ~~homeless and unaccompanied pupils;~~

18 ~~(e) Collaborate with high schools to identify homeless and unaccompanied~~  
19 ~~pupils to refer such pupils to appropriate support services after the admission of~~  
20 ~~such pupils to an institution of higher education within this State;~~

21 ~~(f) Establish connections between and collaborate with financial aid offices,~~  
22 ~~student support services and campus housing services of institutions of higher~~  
23 ~~education within this State;~~

24 ~~(g) Identify and refer homeless and unaccompanied pupils to mentoring~~  
25 ~~programs;~~

26 ~~(h) Increase awareness among teachers, instructors, professors and other~~  
27 ~~staff members of institutions of higher education who work with pupils on issues~~  
28 ~~relating to homeless and unaccompanied pupils, including, without limitation,~~  
29 ~~identifying such pupils and referring such pupils to appropriate resources;~~

30 ~~(i) Establish and maintain a database of food banks, clothing banks and low~~  
31 ~~cost health care providers, to be provided, without limitation, to financial aid~~  
32 ~~offices and student support services of institutions of higher education within this~~  
33 ~~State;~~

34 ~~(j) Identify and coordinate with food banks and clothing banks or establish~~  
35 ~~one or more food banks or clothing banks on a campus of an institution of higher~~  
36 ~~education within this State to provide services to homeless and unaccompanied~~  
37 ~~pupils;~~

38 ~~(k) Establish a plan for housing homeless and unaccompanied pupils when~~  
39 ~~campus housing is not available, including, without limitation, establishing a list~~  
40 ~~of host homes in the local community and keeping one or more campus housing~~  
41 ~~buildings open; and~~

42 ~~(l) Apply for and accept grants awarded through the College Cost Reduction~~  
43 ~~and Access Act of 2007, Public Law 110 84.~~

44 ~~2. As used in this section, "institution of higher education" has the~~  
45 ~~meaning ascribed to it in NRS 385.102.] (Deleted by amendment.)~~

46 ~~Sec. 10. [NRS 232.900 is hereby amended to read as follows:~~

47 ~~232.900 As used in NRS 232.900 to 232.960, inclusive, and sections 2 to 9,~~  
48 ~~inclusive, of this act, unless the context otherwise requires:~~

49 ~~1. "Department" means the Department of Employment, Training and~~  
50 ~~Rehabilitation.~~

51 ~~2. "Director" means the Director of the Department.] (Deleted by~~  
52 ~~amendment.)~~

1        **Sec. 11.** Chapter 396 of NRS is hereby amended by adding ~~thereto a new~~  
2 ~~section to read as follows:~~ the provisions set forth as sections 11.1 to 11.9,  
3 inclusive, of this act.

4        **Sec. 11.1.** As used in sections 11.1 to 11.8, inclusive, of this act, unless the  
5 context otherwise requires, the words and terms defined in sections 11.2, 11.3 and  
6 11.4 of this act have the meanings ascribed to them in those sections.

7        **Sec. 11.2.** "Homeless pupil" has the meaning ascribed to it in 45 C.F.R. §  
8 1355.20.

9        **Sec. 11.3.** "Liaison" means the Liaison for Post-Secondary Education for  
10 Homeless Pupils.

11        **Sec. 11.4.** "Unaccompanied pupil" has the meaning ascribed to the term  
12 "unaccompanied youth" in 42 U.S.C. § 11434a(6).

13        **Sec. 11.5.** 1. There is hereby created the Liaison for Post-Secondary  
14 Education for Homeless Pupils within the System.

15        2. The Governor shall, to the extent that money is available for that  
16 purpose, appoint the Liaison for Post-Secondary Education for Homeless Pupils  
17 for a term of 4 years. The Liaison is in the unclassified service of the State. The  
18 person appointed:

19        (a) Must be knowledgeable in the various issues relating to homeless and  
20 unaccompanied pupils, including, without limitation, the McKinney-Vento  
21 Homeless Assistance Act of 1987, 42 U.S.C. §§ 11301 et seq.;

22        (b) Must be independent of and have no pecuniary interest in any  
23 organization or entity that provides services to homeless and unaccompanied  
24 pupils;

25        (c) Except as otherwise provided in NRS 284.143, shall devote all of his or  
26 her time to the business of his or her office and shall not pursue any other  
27 business or vocation or hold any other office of profit; and

28        (d) Must not be a member of any political convention or a member of any  
29 committee of any political party.

30        3. The Governor may remove the Liaison from office for inefficiency,  
31 neglect of duty or malfeasance in office.

32        **Sec. 11.6.** To the extent that money is available, the Liaison may:

33        1. Employ such staff as is necessary to carry out his or her duties and the  
34 functions of his or her office, in accordance with the personnel practices and  
35 procedures established within the System. The Liaison has sole discretion to  
36 employ and remove any member of his or her staff.

37        2. Purchase necessary equipment.

38        3. Lease or make other suitable arrangements for office space, but any  
39 lease which extends beyond the term of 1 year must be reviewed and approved by  
40 a majority of the members of the State Board of Examiners.

41        4. Perform such other functions and make such other arrangements as may  
42 be necessary to carry out his or her duties and the functions of his or her office.

43        **Sec. 11.7.** 1. The Board of Regents may accept gifts, grants and donations  
44 from any source for the purpose of carrying out the provisions of sections 11.1 to  
45 11.8, inclusive, of this act.

46        2. All gifts, grants and donations from any source which the Board of  
47 Regents is authorized to accept must be deposited with the State Treasurer for  
48 credit to the Account for the Liaison for Post-Secondary Education for Homeless  
49 Pupils, which is hereby created in the State General Fund. The Board of Regents  
50 shall administer the Account. The money in the Account must be expended only  
51 to pay the costs of administering sections 11.1 to 11.8, inclusive, of this act.

52        3. The interest and income earned on the money in the Account, after  
53 deducting any applicable charges, must be credited to the Account. Money that

1 remains in the Account at the end of the fiscal year does not revert to the State  
2 General Fund, and the balance in the Account must be carried forward to the  
3 next fiscal year.

4 Sec. 11.8. 1. To the extent that money is available, the Liaison shall:

5 (a) Conduct an annual analysis of homeless and unaccompanied pupils in  
6 this State to assess the needs of such pupils;

7 (b) Develop a database to track, monitor and analyze trends in the rates of  
8 graduation and retention of homeless and unaccompanied pupils;

9 (c) Develop a model for college and career readiness for homeless and  
10 unaccompanied pupils;

11 (d) Collaborate with persons at a high school responsible for assisting  
12 homeless and unaccompanied pupils;

13 (e) Collaborate with high schools to identify homeless and unaccompanied  
14 pupils to refer such pupils to appropriate support services after the admission of  
15 such pupils to an institution of higher education within this State;

16 (f) Establish connections between and collaborate with financial aid offices,  
17 student support services and campus housing services of institutions of higher  
18 education within this State;

19 (g) Identify and refer homeless and unaccompanied pupils to mentoring  
20 programs;

21 (h) Increase awareness among teachers, instructors, professors and other  
22 staff members of institutions of higher education who work with pupils on issues  
23 relating to homeless and unaccompanied pupils, including, without limitation,  
24 identifying such pupils and referring such pupils to appropriate resources;

25 (i) Establish and maintain a database of food banks, clothing banks and low-  
26 cost health care providers, to be provided, without limitation, to financial aid  
27 offices and student support services of institutions of higher education within this  
28 State;

29 (j) Identify and coordinate with food banks and clothing banks or establish  
30 one or more food banks or clothing banks on a campus of an institution of higher  
31 education within this State to provide services to homeless and unaccompanied  
32 pupils;

33 (k) Establish a plan for housing homeless and unaccompanied pupils when  
34 campus housing is not available, including, without limitation, establishing a list  
35 of host homes in the local community and keeping one or more campus housing  
36 buildings open; and

37 (l) Apply for and accept grants awarded through the College Cost Reduction  
38 and Access Act of 2007, Public Law 110-84.

39 2. As used in this section, "institution of higher education" has the  
40 meaning ascribed to it in NRS 385.102.

41 Sec. 11.9. 1. The Board of Regents may grant a waiver of registration  
42 fees and laboratory fees for a person who is identified as a homeless or  
43 unaccompanied pupil. For the purpose of assessing fees and charges against a  
44 person to whom such a waiver is granted, including, without limitation, tuition  
45 charges pursuant to NRS 396.540, the person shall be deemed to be a bona fide  
46 resident of this State.

47 2. A person is eligible for a waiver pursuant to subsection 1 if the person  
48 maintains at least a 2.0 grade point average, on a 4.0 grading scale, each  
49 semester or the equivalent of a 2.0 grade point average if a different scale is used.

50 3. A person may use a waiver granted pursuant to ~~this section~~ subsection  
51 1 for 10 years after the person attains the age of 18 years or, if the person enrolls  
52 in the System before the age of 18 years, for 10 years after the date of such  
53 enrollment.

1       4. *The Board of Regents may request documentation from a person*  
2 *requesting a waiver pursuant to subsection 1 as it deems necessary to verify that*  
3 *such a person was a homeless or unaccompanied pupil.*

4       5. *As used in this section:*

5       (a) *“Homeless pupil” has the meaning ascribed to it in 45 C.F.R. § 1355.20.*

6       (b) *“Unaccompanied pupil” has the meaning ascribed to the term*  
7 *“unaccompanied youth” in 42 U.S.C. § 11434a(6).*

8       **Sec. 12.** This act becomes effective on July 1, 2019.