

EXEMPT

(Reprinted with amendments adopted on April 17, 2019)
FIRST REPRINT S.B. 255

SENATE BILL NO. 255—SENATORS D. HARRIS, DENIS, CANNIZZARO,
SPEARMAN, WOODHOUSE; BROOKS, CANCELA, DONDERO
LOOP, OHRENSCHALL, PARKS, RATTI AND SCHEIBLE

MARCH 8, 2019

Referred to Committee on Education

SUMMARY—Revises provisions relating to education.
(BDR 34-790)

FISCAL NOTE: Effect on Local Government: No.
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 the Board of Regents of the Nevada System of Higher Education to award a scholarship to certain students who are enrolled in such colleges; establishing certain requirements to be eligible to receive such a scholarship; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the Nevada Promise Scholarship Program to award scholarships to graduating high school students to attend community colleges in this State. (NRS 396.961-396.9685) This bill similarly establishes the Nevada Reconnect Scholarship Program for adults to attend community colleges in this State. **Section 9** of this bill establishes the Nevada Reconnect Scholarship Account in the State General Fund to pay for the scholarships.

Section 10 of this bill requires the Board of Regents of the Nevada System of Higher Education to administer the Program, including adopting certain regulations. **Section 13** of this bill sets forth the requirements for a student to be eligible to receive a Nevada Reconnect Scholarship. The requirements to receive a scholarship include a requirement that an applicant complete community service. **Section 13.5** of this bill authorizes the Board of Regents to grant a student a leave of absence from the Program under certain circumstances and waive certain requirements for eligibility in the Program for a student who has been granted a leave of absence.

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 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 19** of this bill makes an appropriation for the purpose of awarding Nevada Reconnect Scholarships.

Section 18 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 396 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 17, inclusive, of this act.

Sec. 2. *As used in sections 2 to 17, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 2.5 to 5.7, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 2.5. *“Academic year” means two consecutive semesters, beginning with a fall semester, and one summer academic term at a community college.*

Sec. 3. *“Gift aid” means a federal Pell grant, a Federal Supplemental Educational Opportunity Grant, a Governor Guinn Millennium Scholarship awarded pursuant to NRS 396.911 to 396.945, inclusive, a grant awarded under the Silver State Opportunity Grant Program pursuant to NRS 396.950 to 396.960, inclusive, or a Nevada Promise Scholarship awarded pursuant to NRS 396.961 to 396.9685, inclusive.*

Sec. 4. (Deleted by amendment.)

Sec. 5. *“Nevada Reconnect Scholarship” means a scholarship awarded by the Board of Regents pursuant to section 16 of this act.*

Sec. 5.3. *“Program” means the Nevada Reconnect Scholarship Program created by section 10 of this act.*

Sec. 5.7. *“Registration fee and other mandatory fees” means a registration fee assessed per credit and mandatory fees assessed per credit that are approved by the Board of Regents and charged to all students by a community college. The term does not include special course fees or fees charged for specific programs of study, books or supplies even if such fees are considered necessary for enrollment.*

Sec. 6. (Deleted by amendment.)

Sec. 7. (Deleted by amendment.)

Sec. 8. (Deleted by amendment.)

Sec. 9. 1. *The Nevada Reconnect Scholarship Program Account is hereby created in the State General Fund. The Account must be administered by the State Treasurer.*



2. The interest and income earned on:

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

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

↪ must be credited to the Account.

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

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

5. The money in the Account may only be used to distribute money to the Board of Regents for the purpose of awarding Nevada Reconnect Scholarships to students who are eligible to receive such scholarships under the provisions of section 13 of this act.

Sec. 10. 1. The Nevada Reconnect Scholarship Program is hereby created for the purpose of awarding Nevada Reconnect Scholarships to eligible students to pay for the difference between the amount of the registration fee and other mandatory fees charged to a student by a community college for the academic year and the total amount of any other gift aid received by the student for the academic year.

2. The Board of Regents shall administer the Program.

3. In administering the Program, the Board of Regents shall adopt regulations governing:

(a) The procedures and standards for determining the eligibility of a student for a Nevada Reconnect Scholarship pursuant to section 13 of this act.

(b) An application process administered through the community colleges which allows a student to participate in the Program.

(c) Deadlines for a student to satisfy the requirements for eligibility in the Program.

(d) A training program administered through the community colleges which allows a student to satisfy the requirements of paragraph (g) of subsection 1 of section 13 of this act.

(e) Procedures which allow a student to participate in the mentoring program established pursuant to NRS 396.9655.

(f) The criteria for completing the community service requirements of paragraph (i) of subsection 1 of section 13 of this act.



(g) Procedures which allow a student to appeal any adverse decision concerning his or her eligibility to receive a Nevada Reconnect Scholarship.

(h) Procedures for a community college to accept gifts, grants and donations from any source for the purposes of carrying out its duties under the Program as prescribed by the Board of Regents.

4. The Board of Regents may adopt regulations authorizing a community college to enter into an agreement with one or more nonprofit organizations or governmental entities to conduct any activities required by the Board of Regents for a training program which allows a student to satisfy the requirements of paragraph (g) of subsection 1 of section 13 of this act.

5. The Board of Regents may adopt any other regulations necessary to carry out the Program.

Sec. 11. (Deleted by amendment.)

Sec. 12. (Deleted by amendment.)

Sec. 13. 1. To be eligible to receive a Nevada Reconnect Scholarship, a student must:

(a) Be a bona fide resident of this State, as construed in NRS 396.540.

(b) Have not previously been awarded an associate's degree or a bachelor's degree.

(c) Have obtained a high school diploma or have successfully completed the high school equivalency assessment selected by the State Board pursuant to NRS 390.055.

(d) Complete the application for the Nevada Reconnect Scholarship Program in accordance with the regulations prescribed by the Board of Regents.

(e) Complete the Free Application for Federal Student Aid provided for by 20 U.S.C. § 1090 for each academic year of participation in the Program on or before the deadline prescribed by the Board of Regents.

(f) Be considered an independent student on the student's Free Application for Federal Student Aid provided for by 20 U.S.C. § 1090.

(g) Before enrolling in a community college, participate in one training meeting related to financial aid, the Free Application for Federal Student Aid and college orientation, as prescribed by the Board of Regents by regulation.

(h) Have met at least once with an academic counselor before enrollment for the first semester of enrollment at a community college and at least once for each semester while participating in the Program.

(i) Complete at least 8 hours of community service before the first semester of enrollment at a community college and at least 8



hours of community service each semester thereafter, not including summer academic terms, while participating in the Program. Community service performed to satisfy the requirements of this paragraph 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 student.

(j) Submits all information deemed necessary by the Board of Regents to determine the student's eligibility for gift aid.

(k) Except as otherwise provided in subsection 2, be enrolled in at least 6 semester credit hours in a program of study leading to a recognized degree or certificate at a community college for each fall and spring semester beginning with the first semester for which the student received a Nevada Reconnect Scholarship, not including summer academic terms. A student who is on schedule to graduate at:

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

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

(l) Meet satisfactory academic progress, as defined by federal requirements established pursuant to Title IV of the Higher Education Act of 1965, 20 U.S.C. §§ 1001 et seq., and determined by the community college in which the student is enrolled.

2. The Board of Regents shall establish criteria with respect to students who have a documented physical or mental disability or who were previously subject to an individualized education program under the Individuals with Disabilities Act, 20 U.S.C. §§ 1400 et seq., or a plan under Title V of the Rehabilitation Act of 1973, 29 U.S.C. §§ 791 et seq. The criteria must provide an exemption for those students from:

(a) The limitation on eligibility for a Nevada Reconnect Scholarship set forth in paragraph (b) of subsection 3; and

(b) The minimum number of credits prescribed in paragraph (k) of subsection 1.

3. A student who meets the requirements of subsection 1 is eligible for a Nevada Reconnect Scholarship from the Program until the occurrence of the first of the following events:

(a) The student is awarded an associate's degree or bachelor's degree; or

(b) Except as otherwise provided in subsection 2, the student has:

(1) Completed 6 semesters towards earning an associate's degree or certificate; or



(2) Completed 12 semesters towards earning a bachelor's degree.

Sec. 13.5. 1. The Board of Regents may grant a leave of absence from the Program to a student upon request. 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 any 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 Board of Regents.

2. If the Board of Regents grants a leave of absence to a student, the Board of Regents shall:

(a) Make a determination in accordance with regulations adopted by the Board of Regents as to which requirements for eligibility in the Program set forth in section 13 of this act are appropriated to waive for the student; and

(b) Waive requirements for eligibility as determined pursuant to paragraph (a) for the student for the length of the leave of absence.

3. The Board of Regents shall adopt regulations establishing:

(a) Procedures for a student to request a leave of absence pursuant to subsection 1; and

(b) Criteria for determining appropriate requirements for eligibility to waive for a student who has been granted a leave of absence pursuant to subsection 2.

Sec. 14. (Deleted by amendment.)

Sec. 15. (Deleted by amendment.)

Sec. 16. 1. The Board of Regents shall award Nevada Reconnect Scholarships in accordance with this section to students who are enrolled at a community college and are eligible to receive such scholarships under the provisions of section 13 of this act.

2. For each eligible student, the Board of Regents shall:

(a) Calculate the maximum amount of a Nevada Reconnect Scholarship which the student is eligible to receive based on criteria established by regulation pursuant to this section.

(b) Determine the actual amount of the Nevada Reconnect Scholarship, if any, which will be awarded to the student, which must not exceed the maximum amount calculated pursuant to



paragraph (a), but which may be in a lesser amount if the Board of Regents receives notice from the State Treasurer pursuant to subsection 3 that the money available in the Nevada Reconnect Scholarship Account for any semester is insufficient to award to all eligible students the maximum amount of a Nevada Reconnect Scholarship which each student is eligible to receive.

(c) If the student is to receive a Nevada Reconnect Scholarship, award the student a Nevada Reconnect Scholarship in the amount determined pursuant to paragraph (b). The Board of Regents shall disburse the amount of the Nevada Reconnect Scholarship awarded to the student, on behalf of the student, directly to the community college in which the student is enrolled.

3. The Board of Regents shall submit a request for a disbursement from the Nevada Reconnect Scholarship Account created by section 9 of this act for the maximum amount of money that will be required to fund a scholarship for each eligible student. Within the limits of money available in the Nevada Reconnect Scholarship Account, the State Treasurer shall disburse the amount requested to the Board of Regents for disbursement to each community college. If there is insufficient money in the Account to disburse that amount to each community college, the State Treasurer shall provide notice that insufficient money remains in the Nevada Reconnect Scholarship Account to the Board of Regents. The State Treasurer shall include in the notice the amount of money available for the award of Nevada Reconnect Scholarships for the academic year and request that a new request be submitted.

4. The Board of Regents shall adopt regulations prescribing:

(a) The criteria for determining the maximum amount of a Nevada Reconnect Scholarship for an eligible student which is equal to the difference between the amount of the registration fee and other mandatory fees charged to the student by the community college in which the student is enrolled for the academic year, excluding any amount of those fees that is waived by the community college in which the student is enrolled, and the total amount of any other gift aid received by the student for the academic year.

(b) The procedures for submitting a request for disbursement from the Nevada Reconnect Scholarship Account.

(c) The procedures and standards for determining the actual amount of the Nevada Reconnect Scholarship which will be awarded to each student upon receiving notice that there is insufficient money to award all eligible students the maximum amount of the scholarship which each student is eligible to receive. Such procedures and standards may include, without



1 *limitation, administration of the Program on a first-come, first-*
2 *served basis for all students eligible to participate in the Program.*

3 *(d) Procedures to ensure that all money from a Nevada*
4 *Reconnect Scholarship awarded to a student that is refunded in*
5 *whole or in part for any reason is refunded to the Nevada*
6 *Reconnect Scholarship Account and not the student.*

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

9 *(a) Review all Nevada Reconnect Scholarships awarded for the*
10 *immediately preceding academic year;*

11 *(b) Compile a report for the immediately preceding academic*
12 *year, which must include the number of students who applied for a*
13 *scholarship, the number of students who received a scholarship,*
14 *the total cost associated with the award of Nevada Reconnect*
15 *Scholarships, the total number of hours of community service*
16 *performed pursuant to section 13 of this act, the graduation rate of*
17 *students who received a scholarship and the scholarship retention*
18 *rate; and*

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

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

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

25 **2.** *As used in this section, “scholarship retention rate” means*
26 *the percentage of students who received a scholarship for the*
27 *academic year immediately preceding the academic year to which*
28 *a report compiled pursuant to subsection 1 pertains who did not*
29 *graduate by the end of that academic year and who also received a*
30 *Nevada Reconnect Scholarship for the academic year to which the*
31 *report pertains.*

32 **Sec. 18.** (Deleted by amendment.)

33 **Sec. 19.** There is hereby appropriated from the State General
34 Fund to the Nevada Reconnect Scholarship Account created by
35 section 9 of this act for the Fiscal Year 2020-2021 the sum of
36 \$1,750,000 for the purpose of awarding Nevada Reconnect
37 Scholarships pursuant to sections 2 to 17, inclusive, of this act.

38 **Sec. 20. 1.** Notwithstanding the provisions of section 17 of
39 this act, the initial report compiled by the Board of Regents of the
40 University of Nevada pursuant to subsection 1 of section 17 of this
41 act:

42 *(a) Must be submitted on or before August 1, 2021, and must*
43 *provide information concerning the 2019-2020 school year; and*

44 *(b) Is not required to include the overall graduation rate of*
45 *scholarship recipients, the graduation rate of scholarship recipients,*



1 the overall scholarship retention rate or the scholarship retention rate
2 for students.

3 **Sec. 21.** The provisions of subsection 1 of NRS 218D.380 do
4 not apply to any provision of this act which adds or revises a
5 requirement to submit a report to the Legislature.

6 **Sec. 22.** 1. This section and sections 2 to 15, inclusive, 17,
7 18, 20 and 21 of this act become effective upon passage and
8 approval for the purpose of adopting regulations and performing any
9 other preparatory administrative tasks that are necessary to carry out
10 the provisions of this act and on July 1, 2019, for all other purposes.

11 2. Section 19 of this act becomes effective on July 1, 2019.

12 3. Section 16 of this act becomes effective upon passage and
13 approval for the purpose of adopting regulations and performing any
14 other preparatory administrative tasks that are necessary to carry out
15 the provisions of this act and on July 1, 2020, for all other purposes.

