

BOARD OF REGENTS

BRIEFING PAPER

1. **AGENDA ITEM TITLE:** Handbook Revision, Nevada Promise Scholarship Program

MEETING DATE: September 5-6, 2019

2. BACKGROUND & POLICY CONTEXT OF ISSUE:

The Nevada Promise Scholarship Program (the Program) was created by the Nevada Legislature in 2017. The scholarship, subject to appropriation, is a “last-dollar” program that covers mandatory registration and other fees for eligible students at a community college. Funds are used to cover any remaining eligible fees after other forms of financial aid are applied, such as the Pell Grant and Silver State Opportunity Grant.

During the 2019 legislative session, SB350 was passed and signed into law. This new bill amends the Program in various ways and requires the Board of Regents to administer the Program and pass regulations that govern the Program.

The attached proposed policy would create a new section in the *Handbook* that explicitly establishes the parameters needed for consistent and uniform implementation of the Program at all four community colleges.

3. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

Amend *Title 4, Chapter 18* of the *Handbook* by creating a new section, *Section 11*, as proposed in the attached policy draft that mandates how community colleges will implement the Nevada Promise Scholarship Program.

4. IMPETUS (WHY NOW?):

The Legislature passed, and the Governor signed into law, SB350 in the 2019 legislative session that requires, among other things, the Board of Regents to establish regulations and administer the Program. Previously, each community college administered the program under specific parameters as established in the original legislation. Having the Board of Regents administer the Program allows flexibility, as well as consistency across the community colleges.

5. CHECK THE NSHE STRATEGIC PLAN GOAL THAT IS SUPPORTED BY THIS REQUEST:

- ☒ Access (Increase participation in post-secondary education)
- ☐ Success (Increase student success)
- ☐ Close the Achievement Gap (Close the achievement gap among underserved student populations)
- ☐ Workforce (Collaboratively address the challenges of the workforce and industry education needs of Nevada)
- ☐ Research (Co-develop solutions to the critical issues facing 21st century Nevada and raise the overall research profile)
- ☐ Not Applicable to NSHE Strategic Plan Goals

INDICATE HOW THE PROPOSAL SUPPORTS THE SPECIFIC STRATEGIC PLAN GOAL

The Nevada Promise Scholarship encourages high school students during the fall semester of their senior year to begin planning for, and taking steps towards, going to college. The Program also removes a large portion of the financial burden many students and families are concerned with by covering mandatory registration fees.

6. BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- The Nevada Promise Scholarship Program has been in place since Fall 2018 and is assisting students in obtaining a certificate or associate degree.
- The Legislature has authorized the Board of Regents to administer the program and establish policy in doing so.
- The Board of Regents’ administration of the Program allows greater flexibility to make adjustments, if needed, to effectively implement the Program.

7. POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

- The Program cost could exceed available appropriations.
- There is no funding for the cost of administering the Program.

8. ALTERNATIVE(S) TO WHAT IS BEING REQUESTED/RECOMMENDED:

Instruct the Chancellor to establish all processes for the program in the *Procedures & Guidelines Manual*.

9. RECOMMENDATION FROM THE CHANCELLOR'S OFFICE:

The Chancellor's office recommends support of the policy as proposed to ensure the next cohort of Nevada Promise Students can continue to receive the scholarship.

10. COMPLIANCE WITH BOARD POLICY:

☐ Consistent With Current Board Policy: Title #_____ Chapter #_____ Section #_____

☒ Amends Current Board Policy: Title #4 Chapter #18 Section #11 (New)

☐ Amends Current Procedures & Guidelines Manual: Chapter #_____ Section #_____

☐ Other: _____

☒ Fiscal Impact: Yes X No _____

Explain: The Nevada Promise Scholarship Program is funded by the state through an appropriation for the scholarships for eligible students. The costs to administer the Program are not funded through this appropriation and are absorbed by the colleges and system administration.

POLICY PROPOSAL
TITLE 4, CHAPTER 18, NEW SECTION 11
Nevada Promise Scholarship Program

Additions appear in ***boldface italics***; deletions are [~~stricken~~ and bracketed]

Section 11. Nevada Promise Scholarship: Policy and Procedures

1. **Eligible Institutions.** *An eligible institution is an NSHE community college, specifically: The College of Southern Nevada (CSN); Great Basin College (GBC); Truckee Meadows Community College (TMCC); and Western Nevada College (WNC).*
2. **Eligibility Requirements for Students.** *To be eligible to receive a Nevada Promise Scholarship (scholarship), a student must:*
 - a. *Be a Nevada resident in accordance with the provisions of Title 4, Chapter 15;*
 - b. *Have not previously been awarded an associate degree or bachelor's degree;*
 - c. *Have:*
 - i. *Obtained a high school diploma from a public or private high school located in Nevada;*
 - ii. *Obtained a high school diploma from a public high school that is located in a county that borders Nevada and accepts students who are residents of Nevada; or*
 - iii. *Successfully completed the high school equivalency assessment selected by the State Board of Education pursuant to NRS 390.055 before 20 years of age;*
 - d. *Complete the Nevada Promise Scholarship Program (the Program) application;*
 - e. *Complete the Free Application for Federal Student Aid (FAFSA), or if the student is prohibited by law from completing the FAFSA, complete an alternative form acknowledging said prohibition, for each academic year of participation in the Program;*
 - f. *Before enrolling in a community college, participate in one training meeting related to financial aid, the FAFSA, and college orientation;*
 - g. *Have met at least once with a mentor assigned to the student through the mentoring program before the first semester of enrollment at a community college, and at least twice during each academic year while in the Program;*
 - h. *Complete at least eight hours of community service during the last year of high school and before the first semester of enrollment at a community college;*
 - i. *Beginning with the first semester of enrollment at a community college and each semester thereafter, not including summer academic terms, complete at least eight hours of community service while participating in the Program;*
 - j. *Submit all information deemed necessary by the community college to determine the student's eligibility for gift aid;*
 - k. *Except as otherwise provided, be enrolled in at least 12 credits in a program of study leading to a recognized degree or certificate at a community college for the fall semester of the academic year immediately following the school year in which the student either was awarded a high school diploma or successfully*

completed the high school assessment selected by the State Board of Education pursuant to NRS 390.055;

- I. Except as otherwise provided, be enrolled in at least 12 credits in a program of study leading to a recognized degree or certificate at a community college for each fall semester and spring semester beginning with the first semester for which the student is eligible pursuant to this subsection, not including summer academic terms. A student who is on schedule to graduate at:***
 - i. The end of a semester may enroll in the number of credits required to graduate;***
 - ii. The end of a fall semester is not required to enroll in credits for the following spring semester.***
- m. Meet "satisfactory academic progress," as defined in Title IV of the Higher Education Act of 1965, 20 U.S.C. section(s) 1001 et seq.; and***
- n. Except as otherwise provided, have not already received the scholarship for three (3) academic years.***
- 3. Students with Disabilities. Students who have a documented physical or mental disability or students who were previously subject to an individualized education program under either the Individuals with Disabilities Education Act, 20 U.S.C. section(s) 1400 et seq. or a plan under Title V of the Rehabilitation Act of 1973, 29 U.S.C. section(s) 791 et seq., are exempt from the following eligibility requirements:***
 - a. The minimum number of credits prescribed in subsections k. and l. of subsection 2; and***
 - b. The limitation on the number of academic years a student may receive the scholarship as set forth in subsection n. of subsection 2.***
- 4. Appeals***
 - a. Grounds for Appeal: Each community college shall allow an applicant or a scholarship recipient to appeal any adverse decision concerning his or her eligibility to receive a scholarship.***
 - b. Process for Appeal: Each community college shall develop a process for appeals that, at a minimum, meets the requirements of the federal Title IV satisfactory academic progress appeals process.***
 - c. Documentation from the Student: Each community college may request any additional information reasonably necessary to properly and thoroughly review the appeal.***
 - d. Review of the Appeal: Except as otherwise provided, the final determination on any appeal pursued under this subsection shall be reached on a case-by-case basis and shall be based on the facts of each case as presented by the appellant and the community college.***
 - e. Notification to Student of Action: Each community college shall notify the student in writing of the final determination on the appeal.***
- 5. Leaves of Absence. A student may request a leave of absence from the Program 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 community college.*

A leave of absence may be granted only for one or more of the reasons stated above. If approved by the community college, the student may be temporarily exempted from any of the requirements set forth in subsections d. through l. of subsection 2, inclusive, while leave of absence is in effect.

A leave of absence may not exceed four (4) years in length.

- 6. **Transferability.** *A student receiving the scholarship who transfers to another eligible institution shall continue to receive the scholarship so long as the student has maintained eligibility as defined in subsection 2. After transferring, a student must meet all the conditions of subsection 2 at the new institution in order to remain eligible for the scholarship.*

7. **Community Service.**

- a. *Each community college shall:*

- i. *Maintain a list of community service opportunities available to scholarship applicants and recipients to allow them to satisfy the eligibility requirements for participation in the Program concerning the completion of community service; and*
- ii. *Post the list of community service opportunities on a publicly available website maintained by the community college or local partnering organization.*

- b. *The list of community service opportunities maintained by each community college is not exclusive, and students may perform other community service that meets the requirements of this section in order to satisfy the eligibility requirements for participation in the Program.*

- c. *Community service performed to satisfy the eligibility requirements must benefit or support the community and shall not:*

- i. *Result in compensation, payment or remuneration of any kind for the student;*
- ii. *Directly benefit a member of the family of the applicant or student, as applicable;*
- iii. *Include paid or unpaid internships;*
- iv. *Include donation of money or items as community service; or*
- v. *Include participation in fund-raising events but may include volunteering to assist in the administration of the event. For example, as a "walker" in a "cancer walk" to raise money for cancer research does not qualify as community service, but volunteering to assist with registration, set-up or similar activities at the event may qualify as community service.*

- d. *Community service may be performed with or under the direction of a faith-based organization but must not include religious proselytizing or persuasion.*

8. **Awarding of Scholarships.**

- a. *Community colleges shall notify students that scholarship awards are contingent on available funding.*
- b. *Pursuant to NRS 396.968, community colleges shall not award any money to a student who is prohibited by law from completing the FAFSA unless all students who have completed the FAFSA have been awarded the maximum amount.*
- c. *In the event that sufficient funds are not available to award scholarships to all eligible students, community colleges shall award based on the following priorities:*
 - i. *First, to students who have received the award in previous academic years, on a first-come, first-served basis, based on the FAFSA completion date; and*
 - ii. *Second, to students who would be receiving the award for the first time on a first-come, first-served basis based on the FAFSA completion date.*

9. Definitions

- a. *“Academic year” means two (2) consecutive semesters, beginning with a fall semester, and one (1) summer academic term at a community college.*
- b. *“FAFSA” is the Free Application for Federal Student Aid provided for by 20 U.S.C. section 1090.*
- c. *“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, or a grant awarded under the Silver State Opportunity Grant Program pursuant to NRS 396.950 to 396.960, inclusive, received by a student.*
- d. *“Nevada Promise Scholarship” means a scholarship awarded in accordance with this policy and pursuant to NRS 396.965.*
- e. *“Nevada Promise Scholarship Account” is the account created in the Nevada State General Fund and administered by the Nevada State Treasurer pursuant to NRS 396.9645.*
- f. *“Registration fee and other mandatory fees” means a registration fee assessed per credit and mandatory fees assessed per credit pursuant to Title 4, Chapter 17 of the Handbook, and charged to all students by a community college. This term does not include special course fees, differential program fees, or fees charged for specific programs of study, books or supplies even if such fees are considered necessary for enrollment.*
- g. *“Scholarship retention rate” means the percentage of students who received a scholarship for the academic year immediately preceding the academic year to which a report compiled pursuant to subsection 10 pertains who did not graduate by the end of that academic year and who also received a scholarship for the academic year to which the report pertains.*

10. Reporting. *On an annual basis, the community colleges shall submit to the Vice Chancellor for Community Colleges data to include the number of students who applied for a scholarship, the number of students who received a scholarship, the total cost associated with the award of scholarships, the total number of hours of community service performed pursuant to subsection 7, the graduation rate of students who received a scholarship and the scholarship retention rate, as well as any other information deemed necessary to evaluate the Program.*

11. Procedures and Guidelines.

- a. The Chancellor shall establish in Procedures & Guidelines the following:**
 - i. Any deadlines necessary for the implementation of the program;**
 - ii. A common application for the program;**
 - iii. An acknowledgment form pursuant to subsection 2 for students who are prohibited by law from completing the FAFSA;**
 - iv. Reporting requirements related to the number of appeals received, the reason for appeals, and the final determinations on appeals pursuant to subsection 4;**
 - v. Requirements for mentoring programs administered by the community colleges; and**
 - vi. Any other provisions necessary to guide the community colleges in fulfilling the statutory requirements of the program.**
 - b. The Chancellor may establish procedures authorizing a community college to enter into an agreement with one or more nonprofit organizations or governmental entities to conduct any activities required by this section for a training program that allows a student to satisfy the requirements of subsection f. of subsection 2 and/or a mentoring program that allows a student to satisfy the requirements of subsection g. of subsection 2.**
- 12. Disclaimer. The standards set forth in this section are subject to amendment and are not intended to and do not create any right or interest in liberty or property or establish a basis for any cause of action against the state, its political subdivisions, agencies, boards, commissions, departments, officers or employees.**

Senate Bill No. 350—Senators Denis, Woodhouse,
D. Harris and Dondero Loop

Joint Sponsors: Assemblymen Torres, Thompson, Flores, Carrillo,
Neal; Benitez-Thompson, Duran and Martinez

CHAPTER.....

AN ACT relating to higher education; revising provisions governing the awarding of Nevada Promise Scholarships; creating the Nevada Promise Scholarship Program to be administered by the Board of Regents of the University of Nevada; authorizing the Board of Regents to waive certain requirements for eligibility for certain students who are granted a leave of absence from the Program; revising the eligibility criteria for a student to receive a Nevada Promise Scholarship; revising provisions governing the disbursement of money from the Nevada Promise Scholarship Account; eliminating provisions requiring a community college to maintain certain records relating to Nevada Promise Scholarships; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, a community college is authorized, but not required, to award Nevada Promise Scholarships to students who meet certain requirements for eligibility. (NRS 396.965, 396.9665) This bill transfers authority for the awarding of Nevada Promise Scholarships from each community college to the Board of Regents of the University of Nevada. **Section 9** of this bill creates the Nevada Promise Scholarship Program for the purpose of awarding Nevada Promise Scholarships and requires the Board of Regents to administer the Program.

Under existing law, Nevada Promise Scholarships must be used to pay the difference between the amount of the registration fee and other mandatory fees a community college charges to a student and the total amount of any other gift aid the student receives for the school year. (NRS 396.968) **Section 4** of this bill defines "registration fee and other mandatory fees." **Section 15** of this bill repeals the term "school year" as it relates to the Nevada Promise Scholarship Program and **sections 9-12** of this bill replace it with the term "academic year." **Section 2** of this bill defines the term "academic year."

Under existing law, if a community college chooses to award Nevada Promise Scholarships, it is required to perform certain specified duties, including holding training meetings for scholarship applicants and establishing a mentoring program, or entering into an agreement with a nonprofit organization or governmental entity to perform those duties. (NRS 396.965, 396.9655) **Sections 9, 10 and 15** of this bill remove provisions specifying these duties and instead require the Board of Regents to adopt regulations governing the Program.

Existing law sets forth the requirements a student must meet to be eligible to receive or renew a Nevada Promise Scholarship. (NRS 396.9665, 396.967) **Section 15** repeals the provision requiring that a student renew a Nevada Promise Scholarship each year. **Section 10** instead provides that a student remains eligible

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for a Nevada Promise Scholarship so long as he or she meets certain prescribed requirements. **Section 10** also decreases the number of hours of community service that a student must perform, from 20 hours before receiving a scholarship and 20 hours each year the student receives a scholarship to 8 hours before receiving a scholarship and 8 hours each semester the student receives a scholarship. **Section 10** similarly decreases the number of training meetings a student must attend from two meetings to one meeting. **Sections 9 and 10** remove deadlines for a student to complete certain requirements for eligibility for a Nevada Promise Scholarship and instead require the Board of Regents to adopt regulations prescribing such deadlines.

Existing law requires a student to be less than 20 years of age and have obtained a high school diploma or a general equivalency diploma or equivalent document to be eligible to receive a Nevada Promise Scholarship. (NRS 396.9665) **Section 10** requires that a student have obtained a high school diploma or successfully completed the high school equivalency assessment selected by the State Board of Education before 20 years of age to be eligible to receive a Nevada Promise Scholarship.

Existing law requires a student to complete the Free Application for Federal Student Aid to be eligible to receive a Nevada Promise Scholarship. (NRS 396.9665) **Section 10** provides that a student who is prohibited by law from completing the Free Application for Federal Student Aid is authorized to complete an alternative determination for financial aid as the Board of Regents may prescribe.

Section 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.

Existing law creates the Nevada Promise Scholarship Account and requires each participating community college to award Nevada Promise Scholarships in accordance with certain procedures for determining the amount of a scholarship for each eligible student and requesting a disbursement from the Account. If there is insufficient money available to award a full scholarship to all eligible students, existing law requires the State Treasurer to provide notice to certain entities and disburse money from the Account in a certain manner. (NRS 396.9645, 396.968) **Section 11** of this bill requires the Board of Regents to: (1) calculate the maximum amount of the Scholarship each eligible student is eligible to receive; (2) determine the actual amount, if any, the eligible student will receive; and (3) award a Nevada Promise Scholarship to the student by disbursing money directly to the community college in which the student is enrolled. **Section 11** also requires the State Treasurer to disburse money from the Account to the Board of Regents upon request and, if there is insufficient money in the Account, to provide notice to the Board of Regents.

Section 11 further requires the Board of Regents to adopt regulations for the disbursement of money if there is insufficient money in the Account to award a full scholarship to all eligible students. **Section 11** requires such regulations to prohibit the Board of Regents from awarding any money to a student who is prohibited by law from completing the Free Application for Federal Student Aid unless all students who have completed the Free Application for Federal Student Aid have been awarded a full scholarship.

Section 12 of this bill revises certain requirements relating to an annual report that the Board of Regents must prepare and eliminates the requirement that a community college maintain certain records relating to Nevada Promise Scholarships.



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Section 15 repeals certain provisions relating to Nevada Promise Scholarships to conform to the changes made in this bill.

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

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 5, inclusive, of this act.

Sec. 2. *“Academic year” means 2 consecutive semesters, beginning with a fall semester, and 1 summer academic term at a community college.*

Sec. 3. *“Program” means the Nevada Promise Scholarship Program created by NRS 396.965.*

Sec. 4. *“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. 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 NRS 396.9665 are appropriate to waive for the student; and



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(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. 6. NRS 396.961 is hereby amended to read as follows:

396.961 As used in NRS 396.961 to 396.9685, inclusive, *and sections 2 to 5, inclusive, of this act*, unless the context otherwise requires, the words and terms defined in NRS 396.9615 to 396.964, inclusive, *and sections 2, 3 and 4 of this act* have the meanings ascribed to them in those sections.

Sec. 7. NRS 396.9625 is hereby amended to read as follows:

396.9625 “Nevada Promise Scholarship” means a scholarship awarded by ~~[a participating community college]~~ *the Board of Regents* pursuant to NRS 396.968.

Sec. 8. NRS 396.9645 is hereby amended to read as follows:

396.9645 1. The Nevada Promise Scholarship 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 ~~[participating community colleges]~~ *the Board of Regents* for the purpose of awarding Nevada Promise Scholarships to students who are eligible to receive ~~[or renew]~~ such scholarships under the provisions of NRS 396.9665 . ~~[and 396.967.]~~



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Sec. 9. NRS 396.965 is hereby amended to read as follows:

396.965 1. ~~{On or before October 1 of each year, each community college shall:~~

~~—(a) Determine whether it will participate in the}~~ *The Nevada Promise Scholarship [program established by NRS 396.961 to 396.9685, inclusive, for the immediately following school year; and*

~~—(b) Post on a publicly accessible Internet website maintained by the community college notice of the determination described in paragraph (a).~~

~~—2. Each community college that elects to participate in the}~~ *Program is hereby created for the purpose of awarding Nevada Promise [Scholarship program established by NRS 396.961 to 396.9685, inclusive, for the immediately following school year shall:*

~~—(a) Conduct the activities required by NRS 396.9655 or enter into an agreement with one or more nonprofit organizations or governmental entities to conduct those activities.~~

~~—(b) Allow an applicant or scholarship recipient}~~ *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 Promise Scholarship pursuant to NRS 396.9665.

(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 (f) of subsection 1 of NRS 396.9665.

(e) A mentoring program administered through the community colleges which allows a student to satisfy the requirements of paragraph (g) of subsection 1 of NRS 396.9665.

(f) The criteria for completing the community service requirements of paragraph (h) of subsection 1 of NRS 396.9665.



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(g) Procedures which allow a student to appeal any adverse decision concerning his or her eligibility to receive ~~for renew~~ a Nevada Promise Scholarship . ~~under the provisions of NRS 396.9665 or 396.967 or request a waiver, for good cause, of the requirements of paragraph (c) of subsection 2 of NRS 396.967 concerning continuous enrollment. If the participating community college has established a process by which a student may appeal other decisions, the participating community college must use the same process for appealing an adverse decision described in this subsection.~~

~~—3. A participating~~

(h) Procedures for a community college ~~may~~ *to* accept gifts, grants and donations from any source for the purposes of ~~administering~~ *carrying out its duties under* the ~~Nevada Promise Scholarship program established by NRS 396.961 to 396.9685, inclusive.~~ *Program as prescribed by the Board of Regents.*

(i) Procedures and standards for determining the eligibility of a student for financial aid if the student is prohibited by law from completing the Free Application for Federal Student Aid provided for by 20 U.S.C. § 1090.

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 (f) of subsection 1 of NRS 396.9665 and a mentoring program which allows a student to satisfy the requirements of paragraph (g) of subsection 1 of NRS 396.9665.

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

Sec. 10. NRS 396.9665 is hereby amended to read as follows:
396.9665 ~~[A student is]~~

1. To be eligible to receive a Nevada Promise Scholarship ~~for the first school year in which the student is enrolled at a participating community college if the~~ , *a* student ~~is~~

~~—1. Is] must:~~

(a) Be a bona fide resident of this State, as construed in NRS 396.540 . ~~[, is less than 20 years of age and has]~~

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

~~[2.—Has]~~

(c) Have obtained ~~is~~



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~~—(a) 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]~~ *have successfully completed the high school 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 school year for which the student wishes to receive a]~~ *assessment selected by the State Board pursuant to NRS 390.055 before 20 years of age.*

(d) Complete the application for the Nevada Promise Scholarship [; submits an application in the form prescribed by the participating community college.

~~—5. On or before April 1 immediately preceding the school year for which the student wishes to receive a Nevada Promise Scholarship, completes]~~ *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 ~~[;~~

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

~~—7. Attends at least]~~ *or, if the student is prohibited by law from completing the Free Application for Federal Student Aid, an alternative determination for financial aid prescribed by the Board of Regents for each academic year of participation in the Program on or before the deadline prescribed by the Board of Regents.*

(f) Before enrolling in a community college, participate in one training meeting ~~[held by a participating community college or local partnering organization pursuant to subsection 2 of NRS 396.9655 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.~~

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

~~—(a) Has]~~ *related to financial aid, the Free Application for Federal Student Aid and college orientation, as prescribed by the Board of Regents by regulation.*

(g) Have met at least once with ~~[the]~~ *a* mentor assigned to the student *through the mentoring program established by the Board of Regents* pursuant to NRS ~~[396.9655.~~



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~~—(b) Completes~~ 396.965 before the first semester of enrollment at a community college and at least twice for each academic year while participating in the Program.

(h) ~~Complete~~ at least ~~[20]~~ 8 hours of community service ~~[that meets the requirements of NRS 396.9675 and submits to the participating]~~ during the last year of high school and before the first semester of enrollment at a community college ~~[verification of the completion of that]~~ and at least 8 hours of community service ~~[~~. The verification must include:

~~—(1) A description of the community]~~ each semester thereafter, not including summer academic terms, while participating in the Program. Community service performed ~~;~~

~~—(2) The dates on which the service was performed and the number of hours of]~~ to satisfy the requirements of this paragraph must not include religious proselytizing or service ~~[performed on each date;~~

~~—(3) The name of the organization for which the service was performed; and~~

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

~~—(c) Submits]~~ for which the student receives any type of compensation or which directly benefits a member of the family of the student.

(i) ~~Submit~~ all information deemed necessary by the ~~[participating community college]~~ Board of Regents to determine the ~~[applicant's]~~ student's eligibility for gift aid.

~~[9. Is]~~

(j) ~~Except as otherwise provided in subsection 2, be~~ enrolled in ~~[or plans to enroll in]~~ at least 12 semester credit hours in ~~[an associate's degree]~~ a program ~~[, a bachelor's]~~ of study leading to a recognized degree ~~[program]~~ or ~~[a]~~ certificate ~~[of achievement program]~~ at a ~~[participating]~~ community college for ~~[each]~~ the fall semester of the ~~[school]~~ academic year immediately following the school year in which the student was awarded a high school diploma or ~~[a general]~~ have successfully completed the high school equivalency ~~[diploma or equivalent document.]~~ assessment selected by the State Board pursuant to NRS 390.055.

(k) ~~Except as otherwise provided in subsection 2 and this paragraph, be enrolled in at least 12 semester credit hours in a program of study leading to a recognized degree or certificate at a community college for each fall semester and spring semester beginning with the first semester for which the student received a~~



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Nevada Promise 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 Promise Scholarship set forth in paragraph (b) of subsection 3; and

(b) The minimum number of credits prescribed in paragraphs (j) and (k) of subsection 1.

3. A student who meets the requirements of subsection 1 is eligible for a Nevada Promise 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 receives a Nevada Promise Scholarship from the Program for 2 academic years, not including the initial academic year.

Sec. 11. NRS 396.968 is hereby amended to read as follows:

396.968 1. ~~{Each participating community college}~~ *The Board of Regents* shall award Nevada Promise Scholarships in accordance with this section to students who are enrolled at ~~{the participating}~~ *a* community college and are eligible to receive ~~{or renew}~~ such scholarships under the provisions of NRS 396.9665 . ~~{and 396.967.}~~

2. ~~{On or before July 1 of each year, a participating community college}~~ *For each eligible student, the Board of Regents* shall:

(a) ~~{Review all timely applications received pursuant to NRS 396.9665 and 396.967 to determine the eligibility of each applicant for}~~ *Calculate the maximum amount of* a Nevada Promise Scholarship ~~{and for gift aid;}~~ *which the student is eligible to*



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receive based on criteria established by regulation pursuant to this section.

(b) ~~[Review information submitted by each eligible applicant to determine the amount of]~~ *Determine the actual amount of the Nevada Promise 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 Promise Scholarship [the student would receive under the provisions of subsection 6 and notify each applicant whether the applicant is] *Account for any semester is insufficient to award to all eligible [to receive] students the maximum amount of a Nevada Promise Scholarship [for the immediately following school year; and] which each student is eligible to receive.**

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

3. ~~[On the date prescribed by regulation of the State Treasurer, a participating community college]~~ *The Board of Regents* shall submit a request for a disbursement from the Nevada Promise Scholarship Account created by NRS 396.9645 ~~[in]~~ *for the maximum amount [prescribed by subsection 6] of money that will be required to fund a scholarship* for each eligible student.

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

~~—5.]~~ Within the limits of money available in the Nevada Promise Scholarship Account, the State Treasurer shall disburse ~~[to a~~



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~~participating community college]~~ the amount requested ~~[pursuant to subsection 3.]~~ *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 ~~[participating]~~ community college ~~[:~~

~~—(a) The]~~ *, the* State Treasurer shall ~~[determine whether there is sufficient money in the Account to disburse the amount requested for all students who applied to renew a Nevada Promise Scholarship and disburse the available money in the Account to each participating community college in the following manner:~~

~~—(1) If there is insufficient money in the Account to disburse the amount requested for all students who applied to renew a Nevada Promise Scholarship, the State Treasurer shall not disburse any amount requested for first time recipients of a Nevada Promise Scholarship and shall disburse money to each participating community college to fund a scholarship for each student who applied to renew a Nevada Promise Scholarship, in the order in which applications were received by the participating community college, until the money in the Account is exhausted; and~~

~~—(2) If there is sufficient money in the Account to disburse the amount requested for all students who applied to renew a Nevada Promise Scholarship, the State Treasurer shall first disburse the money requested by each participating community college for all students who applied to renew a Nevada Promise Scholarship and then disburse money to each participating community college to fund a scholarship for each student who applied for the first time to receive a Nevada Promise Scholarship, in the order in which applications were received by the participating community college, until the money in the Account is exhausted.~~

~~—(b) The State Treasurer shall]~~ provide notice that insufficient money remains in the Nevada Promise Scholarship Account to ~~[:~~

~~—(1) 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~~

~~—(2) 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.~~

~~—(c) A participating community college shall]~~ *the Board of Regents. The State Treasurer shall include in the notice the amount of money available for the* award *of* Nevada Promise



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Scholarships ~~[in accordance with the provisions of paragraph (a) in a manner that gives priority first to students applying for renewal of a Nevada Promise Scholarship and then to applications received by the participating community college pursuant to NRS 396.9665, in the order in which they were received.~~

~~— 6. Within the limits of money available in the~~ *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 Promise Scholarship ~~[Account, the amount of money awarded to a scholarship recipient pursuant to this section must be]~~ *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 ~~[participating]~~ community college *in which the student is enrolled* for the ~~[school]~~ academic year, excluding any amount of those fees that is waived by the ~~[participating]~~ community college ~~[,]~~ *in which the student is enrolled*, and the total amount of any other gift aid received by the student for the ~~[school]~~ academic year.

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

(c) The procedures and standards for determining the actual amount of the Nevada Promise 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:

(1) Must prohibit the Board of Regents from awarding any money to a student who is prohibited by law from completing the Free Application for Federal Student Aid provided for by 20 U.S.C. § 1090 unless all students who have completed the Free Application for Federal Student Aid have been awarded the maximum amount calculated pursuant to paragraph (a) of subsection 2; and

(2) May include, without limitation, administration of the program on a first-come, first-served basis for all students who have completed the Free Application for Federal Student Aid and are otherwise eligible to participate in the Program.

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



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Sec. 12. NRS 396.9685 is hereby amended to read as follows:

396.9685 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]~~ *academic* year;

(b) Compile a report for the immediately preceding ~~[school]~~ *academic* year, which must include the number of *students who applied for a scholarship, the number of students who received a scholarship*, ~~[recipients,]~~ the total cost associated with the award of Nevada Promise Scholarships, the total number of hours of community service performed pursuant to NRS 396.9665, ~~[and 396.967,]~~ the ~~[overall]~~ graduation rate of *students who received a scholarship* ~~[recipients, the graduation rate of scholarship recipients enrolled at each participating community college,]~~ *and* the ~~[overall]~~ scholarship retention rate; ~~[and the scholarship retention rate for students at each participating 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 participating community college shall maintain a record for each scholarship recipient for at least 3 years after the end of the final 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 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 participating community college and, if not, whether he or she earned an associate's degree, a bachelor's degree or a certificate of achievement; and~~

~~—(f) The records of community service submitted by the scholarship recipient pursuant to NRS 396.9665 and 396.967.~~

~~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 participating community college or local partnering organization to carry out the provisions of NRS 396.961 to~~



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~~396.9685, inclusive. The Board of Regents and State Treasurer shall not conduct an audit less than 6 months after the most recently conducted audit.~~

~~—4.— A participating 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 *students who received a* scholarship ~~[recipients]~~ for the ~~[school]~~ *academic* year immediately preceding the ~~[school]~~ *academic* year to which a report compiled pursuant to subsection 1 pertains who did not graduate by the end of that ~~[school]~~ *academic* year and who also received a Nevada Promise Scholarship for the ~~[school]~~ *academic* year to which the report pertains.

Sec. 13. The amendatory provisions of paragraph (h) of subsection 1 of NRS 396.9665, as amended by section 10 of this act, apply to any student who obtained a high school diploma or successfully completed the high school equivalency assessment selected by the State Board of Education pursuant to NRS 390.055 on or after June 1, 2018.

Sec. 14. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 15. NRS 396.962, 396.963, 396.9635, 396.964, 396.9655, 396.966, 396.967 and 396.9675 are hereby repealed.

Sec. 16. This act becomes effective upon passage and approval for the purposes of adopting regulations and performing any other administrative tasks that are necessary to carry out the provisions of this act, and on July 1, 2019, for all other purposes.

