

SCHOLARSHIP AND GRANT PROVISIONS FOR STUDENTS EXPERIENCING POWER-BASED VIOLENCE

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Prepared by the Nevada System of Higher Education (NSHE)
Department of Academic and Student Affairs

For Presentation to the Board of Regents'
Task Force on Power-based Violence
at Institutions of Higher Education



TODAY'S PRESENTATION

- Senate Bill 347 (2021)
- Assembly Bill 245 (2023)
- Nevada Revised Statutes (NRS) 396.158
- Board of Regents' *Handbook*, Title 4, Chapters 8 and 18
- Conditions to Qualify for a Waiver
- Procedure for Seeking Waiver

SENATE BILL 347 (2021)

- In addition to creating the *Task Force on Sexual Misconduct at Institutions of Higher Education*, SB 347 also established provisions authorizing a student who has experienced sexual misconduct to request a waiver from certain requirements of various scholarships or academic activities.
- Board of Regents' Policy – *Handbook, Title 4, Chapters 8 and 18* were updated in December 2021
- In 2023 Assembly Bill 245 updated the name of the Task Force to *Task Force on Power-based Violence at Institutions of Higher Education* and all references to “sexual misconduct” were changed to “power-based violence.”

NRS 396.158

NRS 396.158 Person who experiences power-based violence: Request for waiver of certain requirements; request for leave of absence or extended benefits of employment.

1. A student who experiences power-based violence may request a waiver from any requirement to maintain a certain grade point average, credit enrollment, or other academic or disciplinary record requirement relating to academic success for any scholarship, grant or other academic program offered by an institution within the System. A waiver may be granted by a provost, dean, academic advisor or other appropriate staff or faculty member of the institution.

2. A student or employee who experiences power-based violence may be granted a request to take a leave of absence or, to the extent practicable, extend benefits of employment.

HANDBOOK, TITLE 4, CH 18, SEC 9

Section 9. Governor Guinn Millennium Scholarship: Policy and Procedures

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9.23 A party to a matter falling within Title 4, Chapter 8, Section 13 (Unlawful Discrimination and Harassment Complaint Procedure), may request a waiver from the continuing eligibility requirements established in Subsection 9.6 and 9.14. Waiver requests shall be considered pursuant to the provisions established in Title 4, Chapter 18, Section 3. The Chancellor's Office, Department of Academic and Student Affairs, shall establish a process for reporting waivers granted pursuant to this Subsection to the Treasurer's Office for the purpose of updating the student's official Millennium Scholarship record.

HANDBOOK, TITLE 4, CH 18, SEC 3

Section 3. Scholarship and Grant Waiver Related to Sexual Harassment

1. A party to a matter falling within Title 4, Chapter 8, Section 13 (Unlawful Discrimination and Harassment Complaint Procedure), may request a waiver from any requirement to maintain a grade point average, credit enrollment or other requirement for the purpose of maintaining eligibility for a state or institutional scholarship or grant.
2. Except as otherwise provided in Chapter 18, Section 9, each institution shall establish a process whereby a party to a matter pursuant to Title 4, Chapter 8, Section 13, may request a scholarship or grant waiver, including but not limited to an established institutional financial aid appeals process.
3. The waiver may be granted by an institutionally designated individual or through an appeals process.

HANDBOOK, TITLE 4, CH 8, SEC 14B & D

Section 14. Policy Against Unlawful Discrimination and Harassment; Complaint Procedure

- Section B applies to “Unlawful Discrimination and Unlawful Harassment that Does Not Constitute Sexual Harassment under Title IV.”
- Section D applies to “Sexual Harassment under Title IV.”
- Both sections provide for supportive measures and remedies that may include, for students:
 - Submitting a request for a waiver of scholarship or grant requirements pursuant to Title 4, Chapter 18, Section 3
 - Submitting a request for a waiver of requirements of the Governor Guinn Millennium Scholarship pursuant to Title 4, Chapter 18, Section 9.23.

GENERAL GUIDELINES

- Students wishing to request a waiver for scholarship or grant requirements (institutional or GGMS) are required to take part in the campus complaint process.
 - A waiver is one possible supportive measure or remedy.
 - Power-based violence/sexual harassment is the only basis for a waiver of GGMS eligibility requirements.
- If the campus determines a GGMS waiver is an appropriate remedy, they should notify System Administration, which will then inform the State Treasurer's GGMS Office. For institutional grant or scholarship waivers, the appropriate campus office should be notified.

BUILDING A TRANSPARENT PROCESS FOR STUDENTS

- NSHE will develop a web page detailing the steps a student would need to undertake to request a scholarship or grant waiver, including for GGMS.
- Contact information will be provided for the appropriate authority on each NSHE campus for addressing sexual harassment/power-based violence waiver requests.
- NSHE will collaborate with the systemwide Title IX coordinators group to increase awareness of these policy provisions and to develop a seamless process for students and the staff who support them.

QUESTIONS?

