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FIRST REPRINT

A.B. 217

ASSEMBLY BILL NO. 217—ASSEMBLYMEN WATTS, GONZÁLEZ, ANDERSON, CONSIDINE, C.H. MILLER; BACKUS, BILBRAY-AXELROD, BROWN-MAY, CARTER, COHEN, D’SILVA, GORELOW, LA RUE HATCH, MOSCA, PETERS, SUMMERS-ARMSTRONG, TAYLOR, THOMAS AND TORRES

FEBRUARY 22, 2023

JOINT SPONSORS: SENATORS FLORES, DONATE, NEAL; LANGE, NGUYEN AND PAZINA

Referred to Committee on Education

SUMMARY—Revises provisions governing higher education. (BDR 34-464)

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 education; revising provisions relating to the Liaison for Post-Secondary Education for Homeless Pupils within the Nevada System of Higher Education; revising provisions governing the waiver of fees by the Board of Regents for certain homeless or unaccompanied pupils; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

- 1 Existing law authorizes the Board of Regents of the University of Nevada to
- 2 grant a waiver of registration and laboratory fees for a pupil who is homeless or
- 3 unaccompanied. (NRS 396.5448) **Section 4** of this bill requires the Board of
- 4 Regents to waive such fees, as well as any other mandatory fees, for a pupil who, at
- 5 any time before reaching the age of 25 years, was identified as homeless or
- 6 unaccompanied.
- 7 Existing law authorizes the Board of Regents to request documentation from a
- 8 person requesting such a waiver of fees to verify that the person was a homeless or
- 9 unaccompanied pupil. (NRS 396.5448) **Section 4:** (1) requires the Board of
- 10 Regents to request such documentation; and (2) limits the documentation which the
- 11 Board of Regents is required to request under certain circumstances. **Section 4**
- 12 provides for the adjustment of the amount of the fee waiver based upon the amount



13 of federal educational benefits the pupil receives. **Section 4** requires each  
14 institution within the Nevada System of Higher Education to designate one  
15 employee to act as a point of contact for questions about the fee waiver.

16 Existing law creates the position of the Liaison for Post-Secondary Education  
17 for Homeless Pupils within the System to assist homeless and unaccompanied  
18 pupils in pursuing post-secondary education. (NRS 396.5926, 396.594) **Section 2**  
19 of this bill requires a university, state college or community college within the  
20 System to take certain steps to disseminate the name and contact information of the  
21 Liaison. **Section 5** of this bill makes a conforming change to indicate the proper  
22 placement of **section 2** in the Nevada Revised Statutes. **Section 6** of this bill revises  
23 the definition of “homeless pupil” for the purposes of the provisions of law relating  
24 to the Liaison. **Section 7** of this bill requires that a person appointed to be the  
25 Liaison be familiar with certain federal laws as well as the federal application for  
26 student aid and other federal programs, grants and assistance which benefit  
27 homeless and unaccompanied pupils. **Section 8** of this bill revises the duties of the  
28 Liaison.

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

1 **Section 1.** Chapter 396 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2.** *A university, state college or community college*  
4 *within the System shall:*

5 *1. Provide the name and contact information of the Liaison*  
6 *to each student who is granted a waiver pursuant to*  
7 *NRS 396.5448.*

8 *2. Publish the name and contact information of the Liaison*  
9 *on the Internet website of the institution.*

10 **Sec. 3.** (Deleted by amendment.)

11 **Sec. 4.** NRS 396.5448 is hereby amended to read as follows:

12 396.5448 1. The Board of Regents ~~[may]~~ *shall* grant a waiver  
13 of *the payment of* registration fees , ~~[and]~~ laboratory fees ~~[for]~~ *and*  
14 *any other mandatory fees assessed each semester against* a person  
15 who ~~[is]~~ :

16 *(a) At any time before reaching the age of 25 years, was*  
17 *identified as a homeless or unaccompanied pupil* ~~[. For the purpose~~  
18 ~~of assessing fees and charges against a person to whom such a~~  
19 ~~waiver is granted, including, without limitation, tuition charges~~  
20 ~~pursuant to NRS 396.540, the person shall be deemed to be a bona~~  
21 ~~fide resident of this State.~~

22 ~~—2. A person is eligible for a waiver pursuant to subsection 1 if~~  
23 ~~the person maintains]; and~~

24 *(b) Has maintained* at least a 2.0 grade point average, on a 4.0  
25 grading scale, each semester or the equivalent of a 2.0 grade point  
26 average if a different scale is used.



1       2. *For the purpose of assessing fees and charges against a*  
2 *person to whom a waiver is granted pursuant to subsection 1,*  
3 *including, without limitation, tuition charges assessed pursuant to*  
4 *NRS 396.540, the person shall be deemed to be a bona fide*  
5 *resident of this State.*

6       3. A person may use a waiver granted pursuant to subsection 1  
7 for 10 years after the person attains the age of 18 years or, if the  
8 person enrolls in the System before the age of 18 years, for 10 years  
9 after the date of such enrollment.

10      4. The Board of Regents ~~may~~ *shall* request documentation  
11 from a person requesting a waiver pursuant to subsection 1 as it  
12 deems necessary to verify that such a person was a homeless or  
13 unaccompanied pupil ~~if~~, *except that:*

14      (a) *A person who provides documentation which meets the*  
15 *standards under 20 U.S.C. § 1087uu-2(a) and related federal*  
16 *regulations shall not be required to provide any additional*  
17 *documentation to verify that such a person was a homeless or*  
18 *unaccompanied pupil.*

19      (b) *Any person who has been verified as a homeless or*  
20 *unaccompanied pupil for one academic year is presumed to be a*  
21 *homeless or unaccompanied pupil for each subsequent year,*  
22 *unless the person informs an institution within the System that*  
23 *circumstances have changed or the institution has specific*  
24 *conflicting information about the person's status and has*  
25 *informed the person of the conflicting information.*

26      5. *The amount of any waiver granted pursuant to subsection*  
27 *I must be equal to:*

28      (a) *If the person is entitled to receive any federal educational*  
29 *benefits for a semester, the balance of registration fees, laboratory*  
30 *fees and any other mandatory fees assessed against the person that*  
31 *remain unpaid after the person's account has been credited with*  
32 *the full amount of the federal educational benefits to which the*  
33 *person is entitled for that semester; or*

34      (b) *If the person is not entitled to receive any federal*  
35 *educational benefits for a semester, the full amount of the*  
36 *registration fees, laboratory fees and any other mandatory fees*  
37 *assessed against the pupil for that semester.*

38      6. *A waiver granted pursuant to subsection 1 must be granted*  
39 *to a person who enrolls in a program offered by a school within*  
40 *the System, including, without limitation, a trade or vocational*  
41 *program, a graduate program or a professional program.*

42      7. *Each institution within the System shall designate one*  
43 *employee as a point of contact for questions concerning the*  
44 *administration of the waiver of fees pursuant to this section.*

45      8. As used in this section:



1 (a) "Homeless pupil" has the meaning ascribed to the term  
2 "homeless children and youths" in 42 U.S.C. § 11434a(2).

3 (b) "Unaccompanied pupil" has the meaning ascribed to the  
4 term "unaccompanied youth" in 42 U.S.C. § 11434a(6).

5 **Sec. 5.** NRS 396.5913 is hereby amended to read as follows:

6 396.5913 As used in NRS 396.5913 to 396.594, inclusive, *and*  
7 *section 2 of this act*, unless the context otherwise requires, the  
8 words and terms defined in NRS 396.5916, 396.592 and 396.5923  
9 have the meanings ascribed to them in those sections.

10 **Sec. 6.** NRS 396.5916 is hereby amended to read as follows:

11 396.5916 "Homeless pupil" has the meaning ascribed to ~~fit in~~  
12 ~~45 C.F.R. § 1355.20.~~ *the term "homeless children and youths" in*  
13 *42 U.S.C. § 11434a(2).*

14 **Sec. 7.** NRS 396.5926 is hereby amended to read as follows:

15 396.5926 1. There is hereby created the Liaison for Post-  
16 Secondary Education for Homeless Pupils within the System.

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

21 (a) Must be knowledgeable in the various issues relating to  
22 homeless and unaccompanied pupils, including, without limitation ~~[~~  
23 ~~the]~~ :

24 (1) *The provisions of the* McKinney-Vento Homeless  
25 Assistance Act of 1987, 42 U.S.C. §§ 11301 et ~~[seq.];~~ *seq. relating*  
26 *to education for homeless children and youths;*

27 (2) *The provisions of the College Cost Reduction and*  
28 *Access Act of 2007, Public Law 110-84;*

29 (3) *The Free Application for Federal Student Aid provided*  
30 *for by 20 U.S.C. § 1090; and*

31 (4) *Other federal programs, grants and assistance which*  
32 *benefit homeless and unaccompanied pupils;*

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

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

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

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



1       **Sec. 8.** NRS 396.594 is hereby amended to read as follows:  
2       396.594 1. ~~{To the extent that money is available, the}~~ *The*  
3       Liaison shall:

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

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

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

11       (d) Collaborate with ~~{persons at a high school}~~ *the local*  
12       *educational agency liaisons for homeless pupils designated in*  
13       *accordance with the McKinney-Vento Homeless Assistance Act of*  
14       *1987, 42 U.S.C. §§ 11301 et seq. and* responsible for assisting  
15       homeless and unaccompanied pupils;

16       (e) Collaborate with high schools *and the local educational*  
17       *agency liaison for homeless pupils designated in accordance with*  
18       *the McKinney-Vento Homeless Assistance Act of 1987, 42 U.S.C.*  
19       *§§ 11301 et seq.* to identify homeless and unaccompanied pupils to  
20       refer such pupils to appropriate support services after the admission  
21       of such pupils to an institution of higher education within this State;

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

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

27       (h) Increase awareness among teachers, instructors, professors ,  
28       *staff of financial aid offices, student support services and campus*  
29       *housing services* and other staff members of institutions of higher  
30       education who work with pupils on issues relating to homeless and  
31       unaccompanied pupils, including, without limitation, identifying  
32       such pupils and referring such pupils to appropriate resources;

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

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

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



1 (l) Apply for and accept grants awarded through the College  
2 Cost Reduction and Access Act of 2007, Public Law 110-84 ~~(H)~~;

3 *(m) Assist students in resolving any problems related to the*  
4 *waiver of fees for homeless or unaccompanied pupils granted*  
5 *pursuant to NRS 396.5448; and*

6 *(n) Establish a plan to ensure access by homeless and*  
7 *unaccompanied pupils to on-campus support, including, without*  
8 *limitation, academic support, mental and physical health services,*  
9 *transportation and life skills instruction.*

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

12 **Sec. 9.** This act becomes effective on July 1, 2023.

