

---

---

SENATE BILL NO. 145—COMMITTEE ON EDUCATION

(ON BEHALF OF THE COMMITTEE TO CONDUCT  
A STUDY CONCERNING THE COST AND  
AFFORDABILITY OF HIGHER EDUCATION)

FEBRUARY 12, 2019

Referred to Committee on Education

SUMMARY—Creates the Battle Born Opportunity Grant Program for university students. (BDR 34-384)

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

~

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

---

---

AN ACT relating to education; creating the Battle Born Opportunity Grant Program; providing for the calculation and award of grants under the Program to qualified students enrolled in universities of the Nevada System of Higher Education; requiring the Board of Regents of the University of Nevada to submit to the Legislature a biennial report on the Program; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Under existing law, the Silver State Opportunity Grant Program provides grants  
2 to eligible students who attend a community college or state college within the  
3 Nevada System of Higher Education. (NRS 396.952) This bill similarly creates the  
4 Battle Born Opportunity Grant Program to provide grants to eligible students who  
5 attend a university within the System. **Section 3** of this bill creates the Program and  
6 sets forth the criteria for eligibility for such a grant. **Section 4** of this bill requires  
7 the Board of Regents or a designee of the Board to: (1) calculate the maximum  
8 amount of the grant which a student is eligible to receive; (2) determine the actual  
9 amount each eligible student will receive; and (3) award grants to all eligible  
10 students. **Section 4** allows a student who receives a grant under the Program to use  
11 the money to pay for the cost of education at more than one community college,  
12 state college or university within the System. **Section 4** also requires that any  
13 money received under the Program by a university that is not used does not revert  
14 and must be carried forward for eligible students in a subsequent academic year.  
15 **Section 5** of this bill requires the Board of Regents to adopt regulations: (1)  
16 prescribing the procedures and standards for determining eligibility; (2) prescribing



17 the methodology for calculating the financial need of a student; (3) prescribing the  
18 process by which a student may meet certain requirements for eligibility for a grant;  
19 (4) requiring an eligible student who applies for a grant to complete an academic  
20 plan with a university to ensure the student can enroll in the required number of  
21 credit hours; (5) allowing a student in the final year of his or her program of study  
22 and who needs less than the required number of credit hours to complete the  
23 program of study to request an exception to the credit requirement; (6) authorizing  
24 a university to establish a methodology for awarding grants based on the student  
25 population and credit load at the university; and (7) prescribing the process by  
26 which a university within the System will coordinate with a community college or  
27 state college within the System in determining a student's eligibility in the  
28 Program. **Section 6** of this bill authorizes the Board of Regents to accept gifts,  
29 grants, bequests and donations to fund grants awarded under the Program.

30 **Section 7** of this bill requires the Board of Regents to submit a biennial report  
31 on the Program to the Legislature. The report must include information regarding:  
32 (1) the number of students awarded grants under the Program; (2) the average  
33 amount of each grant; (3) credit load data indicating how students obtained the  
34 required number of credits each academic year; and (4) the success of the Program.

35 Existing law establishes the Nevada Promise Scholarship program and various  
36 requirements regarding the reporting of "gift aid" when applying for and being  
37 considered as eligible for the program. (NRS 396.9615, 396.9665, 396.968)

38 **Section 8** of this bill revises the definition of "gift aid" to include grants awarded  
39 under the Battle Born Opportunity Grant Program, therefore requiring any grants  
40 awarded under the Program to be included in such applications and considerations.

---

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 to 7, inclusive, of this  
3 act.

4 **Sec. 2.** *As used in sections 2 to 7, inclusive, of this act, unless*  
5 *the context otherwise requires, "Program" means the Battle Born*  
6 *Opportunity Grant Program created by section 3 of this act.*

7 **Sec. 3. 1.** *The Battle Born Opportunity Grant Program is*  
8 *hereby created for the purpose of awarding grants to eligible*  
9 *students to pay for a portion of the cost of education at a*  
10 *university within the System.*

11 *2. The Board of Regents shall administer the Program.*

12 *3. In administering the Program, the Board of Regents shall*  
13 *for each academic year, subject to the limits of money available*  
14 *for this purpose, award a grant to each eligible student to pay for a*  
15 *portion of the cost of education at a university within the System.*

16 *4. To be eligible for a grant awarded under the Program, a*  
17 *student must apply to participate in the Program and:*

18 *(a) Except as otherwise provided in subsection 5, be enrolled,*  
19 *or accepted to be enrolled, during an academic year in at least 30*  
20 *credit hours that are required for his or her program of study at a*  
21 *university within the System;*



1 (b) Be enrolled in a program of study leading to a recognized  
2 degree or certificate;

3 (c) Demonstrate proficiency in English and mathematics  
4 sufficient for placement into college-level English and  
5 mathematics courses pursuant to regulations adopted by the Board  
6 of Regents for such placement;

7 (d) Be a bona fide resident of the State of Nevada for the  
8 purposes of determining pursuant to NRS 396.540 whether the  
9 student is assessed a tuition charge; and

10 (e) Complete the Free Application for Federal Student Aid  
11 provided for by 20 U.S.C. § 1090.

12 ➔ If a student is enrolled or accepted to be enrolled at more than  
13 one institution within the System, including, without limitation, a  
14 community college, state college or university, the number of  
15 credit hours that are required for the program of study in which  
16 the student is enrolled or accepted to be enrolled at those  
17 institutions must be aggregated for the purposes of paragraph (a).

18 5. A student who is enrolled, or accepted to be enrolled, in  
19 less than 30 credit hours during an academic year is eligible for a  
20 grant awarded under the Program if the student is enrolled, or  
21 accepted to be enrolled, in the final academic year of his or her  
22 program of study and submits a request for an exception to the  
23 credit-hour requirement which complies with the regulations  
24 adopted by the Board of Regents pursuant to paragraph (e) of  
25 subsection 1 of section 5 and is approved by the Board of Regents.

26 **Sec. 4. 1.** For each eligible student, the Board of Regents  
27 or a designee thereof shall:

28 (a) Calculate the maximum amount of the grant which the  
29 student is eligible to receive. The maximum amount of such a  
30 grant must not exceed the amount equal to the cost of education of  
31 the student minus the amounts determined for the student  
32 contribution, family contribution and federal contribution to the  
33 cost of education of the student.

34 (b) Determine the actual amount of the grant which will be  
35 awarded to each student, which amount must not exceed the  
36 maximum amount calculated pursuant to paragraph (a), but  
37 which may be in a lesser amount if the Board of Regents, or a  
38 designee thereof, as applicable, determines that the amount of  
39 money available for all grants for any academic year is  
40 insufficient to award to all eligible students the maximum amount  
41 of the grant which each student is eligible to receive.

42 (c) Award to each eligible student a grant in the amount  
43 determined pursuant to paragraph (b).

44 2. Money received from a grant awarded under the Program:



1 (a) *Must be used by a student only to pay for the cost of*  
2 *education of the student at a university within the System and not*  
3 *for any other purpose.*

4 (b) *May be used by a student to pay for the cost of education of*  
5 *the student at more than one community college, state college or*  
6 *university within the System.*

7 3. *Any money received by a community college, state college*  
8 *or university within the System for a grant awarded under the*  
9 *Program on behalf of an eligible student does not revert and any*  
10 *remaining amount must be carried forward and used for grants*  
11 *awarded under the Program for eligible students in a subsequent*  
12 *academic year.*

13 **Sec. 5. 1. The Board of Regents:**

14 (a) *Shall adopt regulations prescribing the procedures and*  
15 *standards for determining the eligibility of a student for a grant*  
16 *from the Program.*

17 (b) *Shall adopt regulations prescribing the methodology by*  
18 *which the Board of Regents or a designee thereof will calculate:*

19 (1) *The cost of education of a student at each university*  
20 *within the System, which must be consistent with the provisions of*  
21 *20 U.S.C. § 1087ll.*

22 (2) *For each student, the amounts of the student*  
23 *contribution, family contribution and federal contribution to the*  
24 *cost of education of the student.*

25 (3) *The maximum amount of the grant for which a student*  
26 *is eligible.*

27 (c) *Shall adopt regulations prescribing the process by which*  
28 *each student may meet the credit hour requirement described in*  
29 *paragraph (a) of subsection 4 of section 3 of this act for eligibility*  
30 *for a grant awarded under the Program.*

31 (d) *Shall adopt regulations requiring eligible students who*  
32 *apply to participate in the Program to complete an academic plan*  
33 *with the university in which the student is enrolled, or accepted to*  
34 *be enrolled, that ensures the student can enroll in at least the*  
35 *number of credit hours required by paragraph (a) of subsection 4*  
36 *of section 3 of this act.*

37 (e) *Shall adopt regulations permitting a student to request an*  
38 *exception to the credit hour requirement described in paragraph*  
39 *(a) of subsection 4 of section 3 of this act under the academic plan*  
40 *if the student is in his or her final academic year and his or her*  
41 *program of study requires less than the number of credit hours*  
42 *required by paragraph (a) of subsection 4 of section 3 of this act in*  
43 *the final academic year to complete his or her program of study.*



1 (f) Shall adopt regulations authorizing a university within the  
2 System to establish a methodology for awarding grants to students  
3 based on the student population and credit load at the university.

4 (g) Shall adopt regulations prescribing the process by which a  
5 university within the System at which a student is enrolled, or  
6 accepted to be enrolled, will coordinate with a community college  
7 or state college within the System at which a student is also  
8 enrolled, or accepted to be enrolled, in determining a student's  
9 eligibility in the Program for the purposes of paragraph (a) of  
10 subsection 4 of section 3.

11 (h) May adopt any other regulations necessary to carry out the  
12 Program.

13 2. The regulations prescribed pursuant to this section must  
14 provide that:

15 (a) In determining the student contribution to the cost of  
16 education, the student contribution must not exceed the amount  
17 that the Board of Regents determines the student reasonably could  
18 be expected to earn from employment during the time the student  
19 is enrolled at a community college, state college or university  
20 within the System, including, without limitation, during breaks  
21 between semesters. This paragraph and any regulations adopted  
22 pursuant to this section must not be construed to require a student  
23 to seek or obtain employment as a condition of eligibility for a  
24 grant under the Program.

25 (b) Determination of the family contribution to the cost of  
26 education must be based on the family resources reported in the  
27 Free Application for Federal Student Aid submitted by the student  
28 pursuant to paragraph (e) of subsection 4 of section 3 of this act.

29 (c) Determination of the federal contribution to the cost of  
30 education must be equal to the total amount that the student and  
31 his or her family are expected to receive from the Federal  
32 Government as grants.

33 **Sec. 6.** In addition to any direct legislative appropriation  
34 from the State General Fund, the Board of Regents may accept  
35 gifts, grants, bequests and donations to fund grants awarded  
36 under the Program.

37 **Sec. 7.** On or before February 1 of each odd-numbered year,  
38 the Board of Regents shall submit to the Director of the  
39 Legislative Counsel Bureau for transmittal to the next regular  
40 session of the Legislature a written report on the Program which  
41 must include, without limitation, information regarding:

42 1. The number of students during the immediately preceding  
43 school year who were awarded grants under the Program.

44 2. The average amount of each grant awarded under the  
45 Program for the immediately preceding school year.



1       3. *Credit load data indicating how students met the number*  
2 *of credit hours required by paragraph (a) of subsection 4 of*  
3 *section 3 of this act each academic year.*

4       4. *The success of the Program, including, without limitation,*  
5 *information regarding the percentage of students awarded grants*  
6 *since the creation of the Program who have remained enrolled at*  
7 *a university within the System and the percentage of students*  
8 *awarded grants since the creation of the Program who have been*  
9 *awarded a degree or certificate.*

10       **Sec. 8.** NRS 396.9615 is hereby amended to read as follows:

11       396.9615 “Gift aid” means a federal Pell grant, a Federal  
12 Supplemental Educational Opportunity Grant, a Governor Guinn  
13 Millennium Scholarship awarded pursuant to NRS 396.911 to  
14 396.945, inclusive, ~~or~~ a grant awarded under the Silver State  
15 Opportunity Grant Program pursuant to NRS 396.950 to 396.960,  
16 inclusive, *or a grant awarded under the Battle Born Opportunity*  
17 *Grant Program pursuant to sections 2 to 7, inclusive, of this act*  
18 received by a student.

19       **Sec. 9.** The provisions of subsection 1 of NRS 218D.380 do  
20 not apply to any provision of this act which adds or revises a  
21 requirement to submit a report to the Legislature.

22       **Sec. 10.** This act becomes effective upon passage and approval  
23 for the purpose of adopting regulations and performing any  
24 preliminary tasks that are necessary to carry out the provisions of  
25 this act, and on July 1, 2019, for all other purposes.

