

ASSEMBLY BILL NO. 153—ASSEMBLYMEMBER MILLER

PREFILED JANUARY 30, 2025

Referred to Committee on Education

SUMMARY—Revises provisions relating to education of incarcerated persons. (BDR 34-234)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1) (NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 of incarcerated persons; requiring a school district that operates a program of education for incarcerated persons to provide support and assistance to certain incarcerated persons in completing the Free Application for Federal Student Aid; requiring the board of trustees of a school district that operates a program of education for incarcerated persons to report certain information to the State Treasurer; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides for the establishment of a statewide program of education
2 for incarcerated persons and sets forth certain requirements for the program. (NRS
3 388H.020) To carry out the statewide program of education for incarcerated
4 persons, existing law authorizes the board of trustees of a school district to operate
5 a program of education for incarcerated persons in any facility or institution
6 operated by the Department of Corrections in the county of the school district.
7 (NRS 388H.040)

8 Under existing law, the board of trustees of a school district and the governing
9 bodies of certain charter schools and private schools are required to: (1) provide
10 support and assistance to certain pupils and their parents or legal guardians in
11 completing the Free Application for Federal Student Aid; and (2) report to the State
12 Treasurer certain information relating to the provision of such support and
13 assistance. (NRS 388.224, 394.151) Section 1 of this bill imposes similar
14 requirements on a school district that operates a program of education for
15 incarcerated persons.



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

1 **Section 1.** NRS 388H.040 is hereby amended to read as
2 follows:

3 388H.040 1. The board of trustees of a school district may,
4 with the cooperation of the Department of Corrections, operate a
5 program of education for incarcerated persons in any facility or
6 institution operated by the Department of Corrections in the county
7 of the school district.

8 2. A school district that operates a program of education for
9 incarcerated persons shall:

10 (a) Comply with the standards for such programs established by
11 the Department of Education in the statewide program established
12 pursuant to NRS 388H.020;

13 (b) *Ensure that a person participating in the program receives*
14 *the education and information described in subsections 1 and 2 of*
15 *NRS 388.224 if the person is enrolled in one or more courses*
16 *normally provided by a high school; and*

17 (c) *Hold at least one annual event at each facility or institution*
18 *in which the school district operates such a program at which a*
19 *person participating in the program may complete, or receive*
20 *assistance in completing, the Free Application for Federal Student*
21 *Aid provided for by 20 U.S.C. § 1090. To the extent practicable, a*
22 *facility or institution that holds any such event shall comply with*
23 *the requirements prescribed by subsection 3 of NRS 388.224.*

24 3. As a condition for obtaining an allocation from the Fund for
25 Programs of Education for Incarcerated Persons, *a school district*
26 *that operates a program of education for incarcerated persons*
27 *must* submit to the Department of Education:

28 ~~[(1)]~~ (a) An application to operate such a program; and

29 ~~[(2)]~~ (b) A detailed budget for the program. ~~[-and~~

30 ~~-(c) If the]~~

31 4. A school district *that* receives an allocation from the Fund
32 ~~[-]~~ *must* obtain the approval of the Department of Education before
33 it makes any changes in categorical expenditures.

34 5. *On or before July 1 of each year, the board of trustees of a*
35 *school district that operates a program of education for*
36 *incarcerated persons shall report to the State Treasurer the*
37 *information prescribed in subsection 5 of NRS 388.224, to the*
38 *extent such information is available.*

39 **Sec. 2.** The provisions of NRS 354.599 do not apply to any
40 additional expenses of a local government that are related to the
41 provisions of this act.



1 **Sec. 3.** This act becomes effective on July 1, 2025.

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