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ASSEMBLY BILL NO. 461—COMMITTEE ON EDUCATION

MARCH 25, 2019

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Referred to Committee on Government Affairs

**SUMMARY**—Makes changes to provide assistance to homeless youth to access opportunities for post-secondary education. (BDR 18-1089)

**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.

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**AN ACT** relating to education; creating the position of the Liaison for Post-Secondary Education for Homeless Pupils; establishing the duties of the Liaison; authorizing the Board of Regents of the University of Nevada to grant certain waivers of fees for certain pupils; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing federal law provides for the continued secondary education of  
2 homeless pupils. (The McKinney-Vento Homeless Assistance Act of 1987, 42  
3 U.S.C. §§ 11301 et seq.) **Sections 2-9** of this bill create the Liaison for Post-  
4 Secondary Education for Homeless Pupils within the Department of Employment,  
5 Training and Rehabilitation to assist homeless and unaccompanied pupils in  
6 pursuing post-secondary education. **Sections 6 and 12** of this bill create the  
7 position of the Liaison and authorize the Liaison to take certain actions to fulfill his  
8 or her duties. **Section 8** of this bill creates the Account for the Liaison for Post-  
9 Secondary Education for Homeless Pupils. **Section 9** of this bill establishes the  
10 duties of the Liaison.

11 Existing law authorizes the Board of Regents of the University of Nevada to  
12 grant a waiver of registration and laboratory fees for certain pupils. (NRS 396.544,  
13 396.5442, 396.5445) **Section 11** of this bill similarly authorizes the Board of  
14 Regents to grant a waiver of registration and laboratory fees for homeless and  
15 unaccompanied pupils.

16 **Section 10** of this bill makes a conforming change.

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

1     **Section 1.** Chapter 232 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 9, inclusive, of this  
3 act.

4     **Sec. 2.** *As used in sections 2 to 9, inclusive, of this act, unless*  
5 *the context otherwise requires, the words and terms defined in*  
6 *sections 3, 4 and 5 of this act have the meanings ascribed to them*  
7 *in those sections.*

8     **Sec. 3.** *“Homeless pupil” has the meaning ascribed to it in*  
9 *45 C.F.R. § 1355.20.*

10    **Sec. 4.** *“Liaison” means the Liaison for Post-Secondary*  
11 *Education for Homeless Pupils.*

12    **Sec. 5.** *“Unaccompanied pupil” has the meaning ascribed to*  
13 *the term “unaccompanied youth” in 42 U.S.C. § 11434a(6).*

14    **Sec. 6. 1.** *There is hereby created the Liaison for Post-*  
15 *Secondary Education for Homeless Pupils within the Department*  
16 *of Employment, Training and Rehabilitation.*

17    **2.** *The Governor shall appoint the Liaison for Post-*  
18 *Secondary Education for Homeless Pupils for a term of 4 years.*  
19 *The Liaison is in the unclassified service of the State. The person*  
20 *appointed:*

21    *(a) Must be knowledgeable in the various issues relating to*  
22 *homeless and unaccompanied pupils, including, without*  
23 *limitation, the McKinney-Vento Homeless Assistance Act of 1987,*  
24 *42 U.S.C. §§ 11301 et seq.;*

25    *(b) Must be independent of and have no pecuniary interest in*  
26 *any organization or entity that provides services to homeless and*  
27 *unaccompanied pupils;*

28    *(c) Except as otherwise provided in NRS 284.143, shall devote*  
29 *all of his or her time to the business of his or her office and shall*  
30 *not pursue any other business or vocation or hold any other office*  
31 *of profit; and*

32    *(d) Must not be a member of any political convention or a*  
33 *member of any committee of any political party.*

34    **3.** *The Governor may remove the Liaison from office for*  
35 *inefficiency, neglect of duty or malfeasance in office.*

36    **Sec. 7.** *The Liaison may:*

37    **1.** *Employ such staff as is necessary to carry out his or her*  
38 *duties and the functions of his or her office, in accordance with*  
39 *the personnel practices and procedures established within the*  
40 *Department. The Liaison has sole discretion to employ and remove*  
41 *any member of his or her staff.*

42    **2.** *Purchase necessary equipment.*



1       3. *Lease or make other suitable arrangements for office*  
2 *space, but any lease which extends beyond the term of 1 year must*  
3 *be reviewed and approved by a majority of the members of the*  
4 *State Board of Examiners.*

5       4. *Perform such other functions and make such other*  
6 *arrangements as may be necessary to carry out his or her duties*  
7 *and the functions of his or her office.*

8       **Sec. 8. 1.** *The Liaison may accept gifts, grants and*  
9 *donations from any source for the purpose of carrying out the*  
10 *provisions of sections 2 to 9, inclusive, of this act.*

11       2. *All gifts, grants and donations from any source which the*  
12 *Liaison is authorized to accept must be deposited with the State*  
13 *Treasurer for credit to the Account for the Liaison for Post-*  
14 *Secondary Education for Homeless Pupils, which is hereby*  
15 *created in the State General Fund. The Liaison shall administer*  
16 *the Account. The money in the Account must be expended only to*  
17 *pay for the costs to the Department to administer sections 2 to 9,*  
18 *inclusive, of this act.*

19       3. *The interest and income earned on the money in the*  
20 *Account, after deducting any applicable charges, must be credited*  
21 *to the Account. Money that remains in the Account at the end of*  
22 *the fiscal year does not revert to the State General Fund, and the*  
23 *balance in the Account must be carried forward to the next fiscal*  
24 *year.*

25       **Sec. 9. 1.** *The Liaison shall:*

26       (a) *Conduct an annual analysis of homeless and*  
27 *unaccompanied pupils in this State to assess the needs of such*  
28 *pupils;*

29       (b) *Develop a database to track, monitor and analyze trends in*  
30 *the rates of graduation and retention of homeless and*  
31 *unaccompanied pupils;*

32       (c) *Develop a model for college and career readiness for*  
33 *homeless and unaccompanied pupils;*

34       (d) *Collaborate with persons at a high school responsible for*  
35 *assisting homeless and unaccompanied pupils;*

36       (e) *Collaborate with high schools to identify homeless and*  
37 *unaccompanied pupils to refer such pupils to appropriate support*  
38 *services after the admission of such pupils to an institution of*  
39 *higher education within this State;*

40       (f) *Establish connections between and collaborate with*  
41 *financial aid offices, student support services and campus housing*  
42 *services of institutions of higher education within this State;*

43       (g) *Identify and refer homeless and unaccompanied pupils to*  
44 *mentoring programs;*



1 (h) Increase awareness among teachers, instructors,  
2 professors and other staff members of institutions of higher  
3 education who work with pupils on issues relating to homeless and  
4 unaccompanied pupils, including, without limitation, identifying  
5 such pupils and referring such pupils to appropriate resources;

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

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

14 (k) Establish a plan for housing homeless and unaccompanied  
15 pupils when campus housing is not available, including, without  
16 limitation, establishing a list of host homes in the local community  
17 and keeping one or more campus housing buildings open; and

18 (l) Apply for and accept grants awarded through the College  
19 Cost Reduction and Access Act of 2007, Public Law 110-84.

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

22 **Sec. 10.** NRS 232.900 is hereby amended to read as follows:

23 232.900 As used in NRS 232.900 to 232.960, inclusive, *and*  
24 *sections 2 to 9, inclusive, of this act*, unless the context otherwise  
25 requires:

26 1. "Department" means the Department of Employment,  
27 Training and Rehabilitation.

28 2. "Director" means the Director of the Department.

29 **Sec. 11.** Chapter 396 of NRS is hereby amended by adding  
30 thereto a new section to read as follows:

31 1. *The Board of Regents may grant a waiver of registration*  
32 *fees and laboratory fees for a person who is identified as a*  
33 *homeless or unaccompanied pupil. For the purpose of assessing*  
34 *fees and charges against a person to whom such a waiver is*  
35 *granted, including, without limitation, tuition charges pursuant to*  
36 *NRS 396.540, the person shall be deemed to be a bona fide*  
37 *resident of this State.*

38 2. *A person is eligible for a waiver pursuant to subsection 1 if*  
39 *the person maintains at least a 2.0 grade point average, on a 4.0*  
40 *grading scale, each semester or the equivalent of a 2.0 grade point*  
41 *average if a different scale is used.*

42 3. *A person may use a waiver granted pursuant to this section*  
43 *for 10 years after the person attains the age of 18 years or, if the*  
44 *person enrolls in the System before the age of 18 years, for 10*  
45 *years after the date of such enrollment.*



1       4. *The Board of Regents may request documentation from a*  
2 *person requesting a waiver pursuant to subsection 1 as it deems*  
3 *necessary to verify that such a person was a homeless or*  
4 *unaccompanied pupil.*

5       5. *As used in this section:*

6       (a) *“Homeless pupil” has the meaning ascribed to it in 45*  
7 *C.F.R. § 1355.20.*

8       (b) *“Unaccompanied pupil” has the meaning ascribed to the*  
9 *term “unaccompanied youth” in 42 U.S.C. § 11434a(6).*

10      **Sec. 12.** This act becomes effective on July 1, 2019.

