

(Reprinted with amendments adopted on April 22, 2019)

FIRST REPRINT

A.B. 461

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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 34-1089)

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 11.1-11.8** of this bill create the Liaison for Post-  
4 Secondary Education for Homeless Pupils within the Nevada System of Higher  
5 Education to assist homeless and unaccompanied pupils in pursuing post-secondary  
6 education. **Sections 11.5 and 11.8** of this bill create the position of the Liaison and  
7 authorize the Liaison to take certain actions to fulfill his or her duties to the extent  
8 that money is available. **Section 11.7** of this bill creates the Account for the Liaison  
9 for Post-Secondary Education for Homeless Pupils. **Section 11.8** of this bill  
10 establishes the 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 11.9** 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.

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\* A B 4 6 1 R 1 \*

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

1       **Section 1.** (Deleted by amendment.)

2       **Sec. 2.** (Deleted by amendment.)

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

4       **Sec. 4.** (Deleted by amendment.)

5       **Sec. 5.** (Deleted by amendment.)

6       **Sec. 6.** (Deleted by amendment.)

7       **Sec. 7.** (Deleted by amendment.)

8       **Sec. 8.** (Deleted by amendment.)

9       **Sec. 9.** (Deleted by amendment.)

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

11       **Sec. 11.** Chapter 396 of NRS is hereby amended by adding the  
12 provisions set forth as sections 11.1 to 11.9, inclusive, of this act.

13       **Sec. 11.1.** *As used in sections 11.1 to 11.8, inclusive, of this*  
14 *act, unless the context otherwise requires, the words and terms*  
15 *defined in sections 11.2, 11.3 and 11.4 of this act have the*  
16 *meanings ascribed to them in those sections.*

17       **Sec. 11.2.** *“Homeless pupil” has the meaning ascribed to it*  
18 *in 45 C.F.R. § 1355.20.*

19       **Sec. 11.3.** *“Liaison” means the Liaison for Post-Secondary*  
20 *Education for Homeless Pupils.*

21       **Sec. 11.4.** *“Unaccompanied pupil” has the meaning ascribed*  
22 *to the term “unaccompanied youth” in 42 U.S.C. § 11434a(6).*

23       **Sec. 11.5.** *1. There is hereby created the Liaison for Post-*  
24 *Secondary Education for Homeless Pupils within the System.*

25       *2. The Governor shall, to the extent that money is available*  
26 *for that purpose, appoint the Liaison for Post-Secondary*  
27 *Education for Homeless Pupils for a term of 4 years. The Liaison*  
28 *is in the unclassified service of the State. The person appointed:*

29       *(a) Must be knowledgeable in the various issues relating to*  
30 *homeless and unaccompanied pupils, including, without*  
31 *limitation, the McKinney-Vento Homeless Assistance Act of 1987,*  
32 *42 U.S.C. §§ 11301 et seq.;*

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*  
38 *not pursue any other business or vocation or hold any other office*  
39 *of profit; and*

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



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

3       **Sec. 11.6.** *To the extent that money is available, the Liaison*  
4 *may:*

5       1. *Employ such staff as is necessary to carry out his or her*  
6 *duties and the functions of his or her office, in accordance with*  
7 *the personnel practices and procedures established within the*  
8 *System. The Liaison has sole discretion to employ and remove any*  
9 *member of his or her staff.*

10       2. *Purchase necessary equipment.*

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

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

18       **Sec. 11.7.** 1. *The Board of Regents may accept gifts, grants*  
19 *and donations from any source for the purpose of carrying out the*  
20 *provisions of sections 11.1 to 11.8, inclusive, of this act.*

21       2. *All gifts, grants and donations from any source which the*  
22 *Board of Regents is authorized to accept must be deposited with*  
23 *the State Treasurer for credit to the Account for the Liaison for*  
24 *Post-Secondary Education for Homeless Pupils, which is hereby*  
25 *created in the State General Fund. The Board of Regents shall*  
26 *administer the Account. The money in the Account must be*  
27 *expended only to pay the costs of administering sections 11.1 to*  
28 *11.8, inclusive, of this act.*

29       3. *The interest and income earned on the money in the*  
30 *Account, after deducting any applicable charges, must be credited*  
31 *to the Account. Money that remains in the Account at the end of*  
32 *the fiscal year does not revert to the State General Fund, and the*  
33 *balance in the Account must be carried forward to the next fiscal*  
34 *year.*

35       **Sec. 11.8.** 1. *To the extent that money is available, the*  
36 *Liaison shall:*

37       (a) *Conduct an annual analysis of homeless and*  
38 *unaccompanied pupils in this State to assess the needs of such*  
39 *pupils;*

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

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



1 (d) Collaborate with persons at a high school responsible for  
2 assisting homeless and unaccompanied pupils;

3 (e) Collaborate with high schools to identify homeless and  
4 unaccompanied pupils to refer such pupils to appropriate support  
5 services after the admission of such pupils to an institution of  
6 higher education within this State;

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

10 (g) Identify and refer homeless and unaccompanied pupils to  
11 mentoring programs;

12 (h) Increase awareness among teachers, instructors,  
13 professors and other staff members of institutions of higher  
14 education who work with pupils on issues relating to homeless and  
15 unaccompanied pupils, including, without limitation, identifying  
16 such pupils and referring such pupils to appropriate resources;

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

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

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

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

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

33 **Sec. 11.9.** 1. The Board of Regents may grant a waiver of  
34 registration fees and laboratory fees for a person who is identified  
35 as a homeless or unaccompanied pupil. For the purpose of  
36 assessing fees and charges against a person to whom such a  
37 waiver is granted, including, without limitation, tuition charges  
38 pursuant to NRS 396.540, the person shall be deemed to be a bona  
39 fide resident of this State.

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

44 3. A person may use a waiver granted pursuant to subsection  
45 1 for 10 years after the person attains the age of 18 years or, if the



1 *person enrolls in the System before the age of 18 years, for 10*  
2 *years after the date of such enrollment.*

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

7 *5. As used in this section:*

8 *(a) "Homeless pupil" has the meaning ascribed to it in 45*  
9 *C.F.R. § 1355.20.*

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

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

