

ASSEMBLY BILL NO. 388—COMMITTEE ON EDUCATION

MARCH 24, 2005

Referred to Committee on Education

SUMMARY—Revises provisions regarding occupational education. (BDR 34-935)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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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; changing the name of the State Board for Occupational Education to the State Board for Career and Technical Education; changing the term “occupational education” to “career and technical education”; requiring the superintendent of schools of each school district that has established a program of career and technical education to appoint an advisory technical skills committee for the program; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 385.010 is hereby amended to read as follows:
2 385.010 1. A Department of Education is hereby created.
3 2. The Department consists of the State Board of Education,
4 the State Board for ~~Occupational~~ *Career and Technical* Education
5 and the Superintendent of Public Instruction.
6 3. The Superintendent of Public Instruction is the executive
7 head of the Department.
8 **Sec. 2.** NRS 387.050 is hereby amended to read as follows:
9 387.050 1. The State of Nevada accepts the provisions of,
10 and all of the money provided by, the Vocational Education Act of
11 1963, and any amendments thereof or supplements thereto.
12 2. In addition to the provisions of subsection 1, the State Board
13 for ~~Occupational~~ *Career and Technical* Education may accept,



1 and adopt regulations or establish policies for the disbursement of,
2 money appropriated by any Act of Congress and apportioned to the
3 State of Nevada for use in connection with the program for
4 ~~{Occupational}~~ *career and technical* education.

5 3. In accepting the benefits of the Acts of Congress referred to
6 in subsections 1 and 2, the State of Nevada agrees to comply with
7 all of their provisions and to observe all of their requirements.

8 4. The State Treasurer is designated custodian of all money
9 received by the State of Nevada from the appropriations made by
10 the Acts of Congress referred to in subsections 1 and 2, and he may
11 receive and provide for the proper custody thereof and make
12 disbursements therefrom in the manner provided in the Acts and for
13 the purposes therein specified on warrants of the State Controller
14 issued upon the order of the Executive Officer of the State Board for
15 ~~{Occupational}~~ *Career and Technical* Education.

16 5. On warrants of the State Controller issued upon the order of
17 the Executive Officer of the State Board for ~~{Occupational}~~ *Career*
18 *and Technical* Education pursuant to regulations or policies of the
19 Board, the State Treasurer shall also pay out any money
20 appropriated by the State of Nevada to carry out the provisions of
21 this section.

22 **Sec. 3.** Chapter 388 of NRS is hereby amended by adding
23 thereto a new section to read as follows:

24 *1. If the board of trustees of a school district has established*
25 *a program of career and technical education pursuant to NRS*
26 *388.380 that provides instruction for specific careers, the*
27 *superintendent of schools of the school district shall appoint an*
28 *advisory technical skills committee for each career area consisting*
29 *of:*

30 *(a) Representatives of businesses and industries in the*
31 *community;*

32 *(b) Employees of the school district who possess knowledge*
33 *and experience in career and technical education;*

34 *(c) Pupils enrolled in public schools in the school district;*

35 *(d) Parents and legal guardians of pupils enrolled in public*
36 *schools in the school district;*

37 *(e) To the extent practicable, representatives of postsecondary*
38 *educational institutions that provide career and technical*
39 *education in the career area; and*

40 *(f) Other interested persons.*

41 *2. An advisory technical skills committee established*
42 *pursuant to subsection 1 shall:*

43 *(a) Review the curriculum, design, content and operation of*
44 *the program of career and technical education for the specific*
45 *career area to determine its effectiveness in:*



(1) *Preparing pupils enrolled in the program to enter the workforce and meeting the needs of supplying an appropriately trained workforce to businesses and industries in the community; and*

(2) *Complying with the provisions of NRS 388.330 to 388.400, inclusive, and any regulations adopted pursuant thereto.*

(b) *Advise the school district regarding the curriculum, design, content, operation and effectiveness of the program of career and technical education for the specific career area.*

(c) *Provide technical assistance to the school district in designing and revising as necessary the curriculum for the program of career and technical education for the specific career area.*

(d) *In cooperation with businesses, industries, employer associations and employee organizations in the community, develop internships for pupils enrolled in the program of career and technical education.*

(e) *Meet at least three times each calendar year.*

(f) *Provide to the superintendent of schools of the school district any recommendations regarding the program of career and technical education and any actions of the committee.*

(g) *Comply with the provisions of chapter 241 of NRS.*

3. *The members of an advisory technical skills committee serve without compensation.*

Sec. 4. NRS 388.330 is hereby amended to read as follows:

388.330 The State Board for ~~{Occupational}~~ **Career and Technical** Education consists of the members of the State Board of Education.

Sec. 5. NRS 388.340 is hereby amended to read as follows:

388.340 1. The Superintendent of Public Instruction shall serve as Executive Officer of the State Board for ~~{Occupational}~~ **Career and Technical** Education.

2. The Executive Officer shall:

(a) Employ personnel for such positions as are approved by the State Board for ~~{Occupational}~~ **Career and Technical** Education and necessary to carry out properly the provisions of this title relating to ~~{occupational}~~ **career and technical** education.

(b) Carry into effect the regulations of the State Board for ~~{Occupational}~~ **Career and Technical** Education.

(c) Maintain an office for the Board.

(d) Keep all records of the Board in the office of the Board.

Sec. 6. NRS 388.350 is hereby amended to read as follows:

388.350 The State Board for ~~{Occupational}~~ **Career and Technical** Education may hold at least four meetings regularly in



1 each year at the State Capital, coincident with the meetings of the
2 State Board of Education.

3 **Sec. 7.** NRS 388.360 is hereby amended to read as follows:

4 388.360 The State Board for ~~{Occupational}~~ *Career and*
5 *Technical* Education may:

6 1. Cooperate with any federal agency, board or department
7 designated to administer the Acts of Congress apportioning federal
8 money to the State of Nevada for ~~{occupational}~~ *career and*
9 *technical* education.

10 2. Establish policies and adopt regulations for the
11 administration of any legislation enacted pursuant thereto by the
12 State of Nevada.

13 3. Establish policies and adopt regulations for the
14 administration of money provided by the Federal Government and
15 the State of Nevada for the promotion, extension and improvement
16 of ~~{occupational}~~ *career and technical* education in Nevada.

17 4. Establish policies or regulations and formulate plans for the
18 promotion of ~~{occupational}~~ *career and technical* education in such
19 subjects as are an essential and integral part of the system of public
20 education in the State of Nevada.

21 5. Establish policies to provide for the preparation of teachers
22 of such programs and subjects.

23 6. Approve positions for such persons as may be necessary to
24 administer the federal act and provisions of this title enacted
25 pursuant thereto for the State of Nevada.

26 7. Direct its Executive Officer to make studies and
27 investigations relating to ~~{occupational}~~ *career and technical*
28 education.

29 8. Establish policies to promote and aid in the establishment by
30 local communities of schools, departments or classes giving training
31 in ~~{occupational}~~ *career and technical* subjects.

32 9. Cooperate with local communities in the maintenance of
33 such schools, departments or classes.

34 10. Prescribe qualifications for the teachers, directors and
35 supervisors of ~~{occupational}~~ *career and technical* subjects.

36 11. Provide for the certification of such teachers, directors and
37 supervisors.

38 12. Establish policies or regulations to cooperate in the
39 maintenance of classes supported and controlled by the public for
40 the preparation of the teachers, directors and supervisors of
41 ~~{occupational}~~ *career and technical* subjects, or maintain such
42 classes under its own direction and control.

43 13. Establish by regulation the qualifications required for
44 persons engaged in the training of ~~{occupational teachers.}~~ *teachers*
45 *for career and technical education.*



Sec. 8. NRS 388.365 is hereby amended to read as follows:

388.365 1. All gifts of money which the State Board for ~~{Occupational}~~ *Career and Technical* Education is authorized to accept must be deposited in a permanent trust fund in the State Treasury designated as the Gift Fund for ~~{Occupational}~~ *Career and Technical* Education.

2. The money available in the Fund must be used only for the purpose specified by the donor, within the scope of the Board's powers and duties. The Board may adopt regulations or establish policies for the disbursement of money from the Fund in accordance with the terms of the gift or bequest on warrants of the State Controller issued upon the orders of the Executive Officer of the State Board for ~~{Occupational}~~ *Career and Technical* Education. Any expenditures pursuant to this section may include matching state and federal money available for ~~{occupational}~~ *career and technical* education.

3. If all or part of the money accepted by the Board from a donor is not expended before the end of the fiscal year in which the gift was accepted, the remaining balance of the amount donated must remain in the Fund until needed for the purpose specified by the donor.

Sec. 9. NRS 388.370 is hereby amended to read as follows:

388.370 The Executive Officer of the State Board for ~~{Occupational}~~ *Career and Technical* Education shall make a report biennially to the Governor.

Sec. 10. NRS 388.380 is hereby amended to read as follows:

388.380 1. Except as otherwise provided in subsection 2, the board of trustees of a school district in a county whose population is 100,000 or more shall and any other board of trustees of a school district may:

(a) Establish and maintain ~~{occupational schools or classes}~~ *a program of career and technical education* giving instruction in the subjects approved by the State Board for ~~{Occupational}~~ *Career and Technical* Education.

(b) Raise and expend money for the establishment and maintenance of ~~{occupational schools or classes.}~~ *a program of career and technical education.*

2. The board of trustees of each school district shall incorporate into the curriculum:

(a) ~~{Occupational guidance}~~ *Guidance* and counseling *in career and technical education* in accordance with NRS 389.180; and

(b) Technology.

Sec. 11. NRS 388.390 is hereby amended to read as follows:

388.390 If the board of trustees of a school district or the governing body of a charter school organizes a ~~{school or classes for~~



1 ~~occupational~~ *program of career and technical* education in
2 accordance with the regulations adopted by the State Board for
3 ~~{Occupational} Career and Technical~~ Education and the ~~{school or~~
4 ~~classes have}~~ *program has* been approved by the Executive Officer
5 of the ~~{State Board for Occupational Education,} Board,~~ the school
6 district or the charter school is entitled to share in federal and state
7 money available for the promotion of ~~{occupational} career and~~
8 *technical* education in the amount determined by the Executive
9 Officer of the ~~{State Board for Occupational Education,} Board,~~ in
10 accordance with the regulations and policies of the Board.

11 **Sec. 12.** NRS 388.400 is hereby amended to read as follows:

12 388.400 1. The money for ~~{occupational} career and~~
13 *technical* education must be provided for and raised in the manner
14 specified in NRS 387.050 and 388.330 to 388.400, inclusive ~~{ }~~ ,
15 *and section 3 of this act*

16 2. The State Treasurer is the custodian of the money and shall
17 make disbursements therefrom on warrants of the State Controller
18 issued upon the order of the Executive Officer of the State Board for
19 ~~{Occupational} Career and Technical~~ Education.

20 **Sec. 13.** NRS 388.537 is hereby amended to read as follows:

21 388.537 1. The board of trustees of a school district may,
22 subject to the approval of the State Board, operate an alternative
23 program for the education of pupils at risk of dropping out of high
24 school, including pupils who:

25 (a) Because of extenuating circumstances, such as their being
26 pregnant, parents, chronically ill or self-supporting, are not able to
27 attend the classes of instruction regularly provided in high school;

28 (b) Are deficient in the amount of academic credit necessary to
29 graduate with pupils their same age;

30 (c) Are chronically absent from high school; or

31 (d) Require instruction on a more personal basis than that
32 regularly provided in high school.

33 2. An alternative program may include:

34 (a) A shorter school day, and an opportunity for pupils to attend
35 a longer school day, than that regularly provided in high school.

36 (b) An opportunity for pupils to attend classes of instruction
37 during any part of the calendar year.

38 (c) A comprehensive curriculum that includes elective classes of
39 instruction and ~~{occupational} career and technical~~ education.

40 (d) An opportunity for pupils to obtain academic credit through
41 experience gained at work or while engaged in other activities.

42 (e) An opportunity for pupils to satisfy either:

43 (1) The requirements for a regular high school diploma; or

44 (2) The requirements for a high school diploma for adults.

45 (f) The provision of child care for the children of pupils.



(g) The transportation of pupils to and from classes of instruction.

(h) The temporary placement of pupils for independent study, if there are extenuating circumstances which prevent those pupils from attending the alternative program on a daily basis.

3. The board of trustees of a school district may operate an alternative program pursuant to this section through a program of distance education pursuant to NRS 388.820 to 388.874, inclusive.

Sec. 14. NRS 388.575 is hereby amended to read as follows:

388.575 1. The Department of Education, after consulting with the Department of Corrections, shall:

(a) Adopt regulations that establish a statewide program of education for incarcerated persons; and

(b) Coordinate with and assist school districts in operating programs of education for incarcerated persons.

2. The statewide program may include courses of study for:

(a) A high school diploma;

(b) Basic literacy;

(c) English as a second language;

(d) General educational development;

(e) Life skills;

(f) ~~Occupational~~ *Career and technical* education; and

(g) Postsecondary education.

3. The statewide program does not include the programs of general education, vocational education and training established by the Board of State Prison Commissioners pursuant to NRS 209.389.

4. The statewide program must establish:

(a) Standards for each course of study that set forth the:

(1) Curriculum;

(2) Qualifications for entry; and

(3) Evaluation of incarcerated persons for placement; and

(b) Procedures to ensure that an incarcerated person who earns credits in a program of education for incarcerated persons operated by a school district at a facility or institution shall, if transferred to a different facility or institution, transfer those credits to the program operated by a school district at that facility or institution.

5. As used in this section, "general educational development" means preparation for and administration of the standardized examinations that enable persons who have not graduated from high school to demonstrate that they have achieved an educational level which denotes competency in core curriculum. The term includes programs for obtaining a general educational development certificate.

Sec. 15. NRS 388.635 is hereby amended to read as follows:

388.635 Each center shall provide:



1 1. Counseling services specifically designed for the counseling
2 of a displaced homemaker with respect to appropriate employment,
3 including:

- 4 (a) Assessment of his skills;
5 (b) Clarification of his employment goals and information
6 regarding the availability of various types of employment;
7 (c) The development of a personal plan for a career; and
8 (d) Referrals to public and private programs of training and
9 placement.

10 2. Courses of instruction to assist a displaced homemaker in
11 seeking and retaining employment, including instruction in:

- 12 (a) The initial steps in seeking employment;
13 (b) Skills for contacting employers;
14 (c) The proper completion of applications for employment;
15 (d) Writing resumes;
16 (e) Skills for effective interviewing;
17 (f) The importance of a positive attitude and appropriate work
18 habits;
19 (g) Skills for effective communication;
20 (h) Appropriate conduct in an office; and
21 (i) Resolving conflicts involving work and family.

22 3. Weekly meetings to allow the displaced homemakers it
23 serves to share information regarding employment and to discuss
24 their concerns regarding seeking and retaining employment.

25 4. Educational and counseling services relating to health and
26 health care, including education about obtaining and paying for
27 health care and related services, particularly about selecting
28 physicians and others who provide the services, including health
29 maintenance organizations and health insurance.

30 5. Services relating to financial management, including
31 information about insurance, taxes, estates and probate, mortgages,
32 loans and other related financial matters.

33 6. Referrals of displaced homemakers to appropriate agencies
34 in the community which provide:

- 35 (a) Assistance to persons addicted to alcohol or drugs;
36 (b) Personal counseling;
37 (c) Legal assistance;
38 (d) Child care; and
39 (e) Programs of secondary and postsecondary education,
40 including programs for ~~occupational~~ *career and technical*
41 education, English as a second language and improving reading
42 ability.

43 **Sec. 16.** NRS 392.455 is hereby amended to read as follows:

44 392.455 1. If a school district or a charter school has
45 established ~~classes in occupational~~ *a program in career and*



1 *technical* education, the teachers and pupils in ~~those~~ classes
2 *provided pursuant to the program* must wear devices provided by
3 the school district or the charter school which are designed to
4 protect their eyes while they are using power tools, torches or other
5 dangerous equipment or machinery.

6 2. The teachers and pupils in classes in science must wear
7 devices provided by the school district which are designed to protect
8 their eyes when chemicals or toxic substances are used in those
9 classes.

10 **Sec. 17.** NRS 277.065 is hereby amended to read as follows:

11 277.065 1. Within the limits of legislative appropriations, the
12 Department of Education, the county school districts of the various
13 counties of the State, the Nevada Youth Training Center Bureau and
14 the Caliente Youth Center Bureau of the Division of Child and
15 Family Services of the Department of Human Resources and any
16 other state facility for the detention of children that is operated
17 pursuant to title 5 of NRS may enter into cooperative arrangements
18 for improving the quality of the academic and ~~occupational~~ *career*
19 *and technical* education provided at the Nevada Youth Training
20 Center, the Caliente Youth Center and any other state facility for the
21 detention of children that is operated pursuant to title 5 of NRS.

22 2. This authorization includes the right to pay over money
23 appropriated to the Nevada Youth Training Center, the Caliente
24 Youth Center or any other state facility for the detention of children
25 that is operated pursuant to title 5 of NRS to the Department of
26 Education or to a county school district when necessary to
27 accomplish the purpose of this section.

28 **Sec. 18.** NRS 435.300 is hereby amended to read as follows:

29 435.300 1. No center may receive aid under the provisions of
30 NRS 435.130 to 435.320, inclusive, for persons enrolled who would
31 otherwise qualify for care or training under a program offered to the
32 mentally or functionally retarded in the school district in which that
33 person lives or by the county where he lives.

34 2. The provisions of subsection 1 do not preclude aid on
35 account of persons who are receiving ~~occupational~~ *career and*
36 *technical* education at any center in conjunction with a school's
37 program of special education.

38 **Sec. 19.** NRS 563.030 is hereby amended to read as follows:

39 563.030 1. One member of the Board must be a member of
40 the teaching staff of the College of Agriculture of the University of
41 Nevada, Reno;

42 2. One member of the Board must be a member of the staff of
43 the Agricultural Extension Department of the Public Service
44 Division of the University and Community College System of
45 Nevada;



3. One member of the Board must be a member of the staff of the State Board for ~~{Occupational}~~ *Career and Technical* Education; and

4. Four members of the Board must be persons concerned with the raising and improving of livestock in the State of Nevada, not necessarily stock raisers, selected as follows:

(a) Two persons whose interest is in cattle and sheep;

(b) One person whose interest is in horses; and

(c) One person whose interest is in dairying.

➔ All members must be residents of the State of Nevada.

Sec. 20. NRS 610.030 is hereby amended to read as follows:

610.030 1. A State Apprenticeship Council composed of seven members is hereby created.

2. The Labor Commissioner shall appoint:

(a) Three members who are representatives from employer associations and have knowledge concerning occupations in which a person may be apprenticed.

(b) Three members who are representatives from employee organizations and have knowledge concerning occupations in which a person may be apprenticed.

(c) One member who is a representative of the general public and who, before his appointment, must first receive the unanimous approval of the members appointed under the provisions of paragraphs (a) and (b).

3. The state official who has been designated by the State Board for ~~{Occupational}~~ *Career and Technical* Education as being in charge of trade and industrial education is an ex officio member of the State Apprenticeship Council but may not vote.

Sec. 21. NRS 632.2856 is hereby amended to read as follows:

632.2856 1. The training program required for certification as a nursing assistant must consist of 75 hours of instruction. The program must include no less than 60 hours of theory and learning skills in a laboratory setting.

2. Except as otherwise provided in this subsection, the instructor of the program must be a registered nurse with:

(a) Three years of nursing experience which includes direct care of patients and supervision and education of members of the staff; and

(b) Proof of successful completion of training for instructors which has been approved by the Board.

➔ The Board may approve a licensed practical nurse as an instructor if the Board determines that requiring instruction by a registered nurse would create a hardship.

3. Upon completion of the program, a nursing assistant trainee must pass a test in theory with an overall score of 80 percent and a



1 test of skills on a pass or fail basis. The test of skills must be given
2 by a registered nurse. If the nursing assistant trainee fails either of
3 the tests, he must repeat the training in the areas in which he was
4 deficient before taking the certification examination.

5 4. In a program which is based in a facility, a nursing assistant
6 trainee may only perform those tasks he has successfully completed
7 in the training program, and must perform those tasks under the
8 direct supervision of a registered nurse or a licensed practical nurse.

9 5. The Board shall adopt regulations not inconsistent with law:

10 (a) Specifying the scope of the training program and the
11 required components of the program;

12 (b) Establishing standards for the approval of programs and
13 instructors; and

14 (c) Designating the basic nursing services which a nursing
15 assistant may provide upon certification.

16 6. Any medical facility, educational institution or other
17 organization may provide a training program if the program meets
18 the requirements set forth in this chapter and in the regulations of
19 the Board, and is approved by the Board. Such a program must be
20 administered through:

21 (a) The University and Community College System of Nevada;

22 (b) A program for ~~Occupational~~ *career and technical*
23 education approved by the State Board for ~~Occupational~~ *Career*
24 *and Technical* Education;

25 (c) A public school in this State; or

26 (d) Any other nationally recognized body or agency authorized
27 by law to accredit or approve such programs.

28 7. An educational institution or agency that administers a
29 training program shall:

30 (a) Develop or approve the curriculum for training provided in
31 its service district;

32 (b) Manage the training program; and

33 (c) Work with medical and other facilities to carry out the
34 requirements of paragraphs (a) and (b).

35 **Sec. 22.** The Legislative Counsel shall:

36 1. In preparing the reprint and supplements to the Nevada
37 Revised Statutes, with respect to any section that is not amended by
38 this act or is further amended by another act, appropriately change
39 any reference to:

40 (a) "State Board for Occupational Education" to "State Board
41 for Career and Technical Education"; and

42 (b) Any other agency or any officer whose name is changed or
43 whose responsibilities have been transferred pursuant to the
44 provisions of this act refer to the appropriate agency or officer.



- 1 2. In preparing supplements to the Nevada Administrative
2 Code, appropriately change any reference to:
3 (a) “State Board for Occupational Education” to “State Board
4 for Career and Technical Education”; and
5 (b) Any other agency or any officer whose name is changed or
6 whose responsibilities have been transferred pursuant to the
7 provisions of this act refer to the appropriate agency or officer.
8 **Sec. 23.** This act becomes effective on July 1, 2005.

