

Amendment No. 417

Assembly Amendment to Assembly Bill No. 546	(BDR 38-739)
Proposed by: Assembly Committee on Education	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION		Initial and Date		SENATE ACTION		Initial and Date			
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) green bold italic underlining is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) green bold underlining is newly added transitory language.

TMC/MSN



Date: 4/17/2011

A.B. No. 546—Makes various changes to provisions governing early childhood care and education. (BDR 38-739)



ASSEMBLY BILL NO. 546—COMMITTEE ON EDUCATION

MARCH 28, 2011

Referred to Committee on Education

SUMMARY—Makes various changes to provisions governing early childhood care and education. (BDR 38-739)

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.

AN ACT relating to children; making various changes to provisions governing early childhood care and education; providing for the establishment by statute of the Early Childhood Advisory Council; requiring certain training of persons who are employed in early childhood care; requiring annual reports concerning such training to be submitted to the Department of Education and the Legislative Committee on Education; requiring the Board for Child Care to adopt regulations establishing requirements for courses of training in child care for employees of a child care facility; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill makes various changes to the provisions governing early childhood care and
2 education. The Nevada Early Childhood Advisory Council was created by an Executive Order
3 of the Governor on September 11, 2009. By the terms of the Executive Order, the Council will
4 cease to exist on July 31, 2011, if it is not continued by Executive Order. **Section 5** of this bill
5 statutorily provides for the establishment of the Early Childhood Advisory Council by the
6 Director of the Department of Health and Human Services. The statutory Council has
7 substantially the same duties as the Council created by the Executive Order. **Section 13** of this
8 bill provides that the Nevada Early Childhood Advisory Council created by the Governor
9 shall be deemed to be the Council required to be established by the Director until such time as
10 the Director revises the membership or duties of the Council. **Section 6** of this bill requires the
11 Council, in consultation with the Department of Education, to establish goals for the training
12 of persons who are employed in early childhood care in the Pre-Kindergarten Content
13 Standards developed by the Department of Education, assist in developing standards and
14 qualifications for such training, develop standards for professional development, ~~and~~ create
15 or adopt a model for highly effective teachers for use as a resource in early childhood
16 education. ~~It~~ **and study and develop recommendations for appropriate group sizes in**
17 **early childhood education and care.** **Section 7** of this bill requires the Department of
18 Education to develop the training module that must be used in such training. **Section 8** of this
19 bill requires licensed child care facilities which receive certain government subsidies to ensure
20 that each employee who provides child care services to children who are in early childhood
21 receives approved training in the Pre-Kindergarten Content Standards. **Section 9** of this bill
22 requires the Council to submit an annual report to the Department of Education and the

23 Legislative Committee on Education concerning such training. **Section 12** of this bill requires
24 the Board for Child Care to adopt regulations establishing requirements for courses of training
25 in child care for employees of a child care facility. The regulations must provide for the
26 annual completion of not less than ~~20~~ 24 hours of such training, at least 16 hours of which
27 must be training relating to early childhood development and the Pre-Kindergarten Content
28 Standards.

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

1 **Section 1.** Chapter 432A of NRS is hereby amended by adding thereto the
2 provisions set forth as sections 2 to 9, inclusive, of this act.

3 **Sec. 2.** *“Council” means the Early Childhood Advisory Council established*
4 *within the Department pursuant to section 5 of this act.*

5 **Sec. 3.** *“Nevada Registry” means the organization that operates the*
6 *statewide system of career development and recognition created to:*

7 1. *Acknowledge and encourage professional achievement in the early*
8 *childhood care and education workforce in this State;*

9 2. *Establish a professional development system in this State in the field of*
10 *early childhood care and education;*

11 3. *Approve and track all informal training in the field of early childhood*
12 *care and education in this State; and*

13 4. *Act as a statewide clearinghouse for information concerning early*
14 *childhood care and education.*

15 **Sec. 4.** *“Pre-Kindergarten Content Standards” means the content*
16 *standards developed by the Department of Education in conjunction with various*
17 *other state agencies which describe appropriate outcomes for children who are*
18 *completing their preschool development.*

19 **Sec. 5.** *The Director shall establish the Early Childhood Advisory Council*
20 *within the Department and shall appoint such members to the Council as the*
21 *Director determines appropriate. The Council shall:*

22 1. *Work to strengthen state-level coordination and collaboration among the*
23 *various sectors and settings of early childhood programs in this State.*

24 2. *Conduct periodic statewide assessments of needs relating to the quality*
25 *and availability of programs and services for children who are in early childhood*
26 *and identify opportunities for and barriers to coordination and collaboration*
27 *among existing federally-funded and state-funded early childhood programs.*

28 3. *Develop recommendations for:*

29 (a) *Increasing the overall participation of children in existing federal, state*
30 *and local programs for child care and early childhood education, including,*
31 *without limitation, providing information on such programs to underrepresented*
32 *and special populations;*

33 (b) *The establishment or improvement of core elements of the early*
34 *childhood system in this State, including, without limitation, a statewide unified*
35 *system for collecting data relating to early childhood programs;*

36 (c) *A statewide professional development system for teachers engaged in*
37 *early childhood education; and*

38 (d) *The establishment of statewide standards for early childhood education*
39 *in this State.*

40 4. *Assess the capacity and effectiveness of institutions of higher education*
41 *in this State in developing teachers in the field of early childhood education.*

1 5. Perform such other duties relating to early childhood education and
2 programs as designated by the Director.

3 **Sec. 6.** The Council, in consultation with the Department of Education,
4 shall, to the extent practicable:

5 1. Establish goals for the training of all persons who are employed in early
6 childhood care in the Pre-Kindergarten Content Standards;

7 2. Assist the Nevada Registry or its successor organization, or any other
8 agency designated by the Director of the Department of Health and Human
9 Services, in developing the qualifications required of persons who conduct
10 training in the Pre-Kindergarten Content Standards and the approval of such
11 training;

12 3. Develop standards for professional development in the Pre-Kindergarten
13 Content Standards; ~~and~~

14 4. Create or adopt a model for highly effective teachers that can be used as
15 a resource in early childhood education for teachers and caregivers of children
16 ~~and~~; and

17 5. Study and develop recommendations for appropriate group sizes in early
18 childhood education and care.

19 **Sec. 7. 1.** The Department of Education shall, in consultation with
20 persons who are qualified to conduct training in the Pre-Kindergarten Content
21 Standards, develop the training module that must be used in such training.

22 2. To the extent that money is available to pay for the training, the
23 Department of Education shall arrange to have the training provided at no or
24 reduced cost to the employees of child care facilities.

25 **Sec. 8.** Each child care facility which is licensed pursuant to this chapter or
26 by a city or county ~~and~~ or which receives reimbursement from the Program for
27 Child Care and Development administered by the Division of Welfare and
28 Supportive Services of the Department pursuant to chapter 422A of NRS shall
29 ensure that, ~~on or before January 1, 2012, or within 90 days after employment,~~
30 ~~whichever is later,~~ in accordance with the regulations adopted by the Board
31 pursuant to paragraph (c) of subsection 1 of NRS 432A.077, each employee of
32 the child care facility who provides child care services in the child care facility to
33 children who are in early childhood receives training which is approved by the
34 Nevada Registry or its successor organization, or any other agency designated by
35 the Director, in the Pre-Kindergarten Content Standards.

36 **Sec. 9.** The Council shall submit annually to the Department of Education
37 and the Legislative Committee on Education a report concerning:

38 1. The number of persons employed in early childhood care in this State,
39 categorized by types of early childhood certification held, if any;

40 2. The status of the goals for the training of all such persons in the Pre-
41 Kindergarten Content Standards; and

42 3. The money spent on the training of all such persons in the Pre-
43 Kindergarten Content Standards.

44 **Sec. 10.** NRS 432A.020 is hereby amended to read as follows:

45 432A.020 As used in this chapter, unless the context otherwise requires, the
46 words and terms defined in NRS 432A.0205 to 432A.028, inclusive, and sections
47 2, 3 and 4 of this act have the meanings ascribed to them in those sections.

48 **Sec. 11.** NRS 432A.035 is hereby amended to read as follows:

49 432A.035 ~~The~~ Except as otherwise provided in section 8 of this act, the
50 provisions of this chapter do not apply to the Program for Child Care and
51 Development administered by the Division of Welfare and Supportive Services of
52 the Department pursuant to chapter 422A of NRS.

1 **Sec. 12.** NRS 432A.077 is hereby amended to read as follows:

2 432A.077 1. The Board shall adopt:

3 (a) Licensing standards for child care facilities.

4 (b) In consultation with the State Fire Marshal, plans and requirements to
5 ensure that each child care facility and its staff is prepared to respond to
6 emergencies, including, without limitation:

7 (1) The conducting of fire drills on a monthly basis;

8 (2) The adoption of plans to respond to natural disasters and emergencies
9 other than those involving fire; and

10 (3) The adoption of plans to provide for evacuation of child care facilities
11 in an emergency.

12 (c) *Regulations establishing the requirements for courses of training in child
13 care for employees of a child care facility. The regulations must provide for
14 continuing training in child care which must include, without limitation, the
15 annual completion by each employee of not less than ~~24~~ 24 hours of such
16 training, not less than 16 hours of which must be training relating to early
17 childhood development and the Pre-Kindergarten Content Standards which is
18 approved by the Nevada Registry or its successor organization, or any other
19 agency designated by the Director.*

20 (d) Such other regulations as it deems necessary or convenient to carry out the
21 provisions of this chapter.

22 2. The Board shall require that the practices and policies of each child care
23 facility provide adequately for the protection of the health and safety and the
24 physical, moral and mental well-being of each child accommodated in the facility.

25 3. If the Board finds that the practices and policies of a child care facility are
26 substantially equivalent to those required by the Board in its regulations, it may
27 waive compliance with a particular standard or other regulation by that facility.

28 **Sec. 12.5. The Board for Child Care shall, on or before July 1, 2012,**
29 **adopt the regulations required by paragraph (c) of subsection 1 of NRS**
30 **432A.077, as amended by section 12 of this act.**

31 **Sec. 13.** Notwithstanding the provisions of section 5 of this act, the Nevada
32 Early Childhood Advisory Council created by the Governor by Executive Order on
33 September 11, 2009, shall be deemed to be the Early Childhood Advisory Council
34 required to be established by the Director of the Department of Health and Human
35 Services pursuant to section 5 of this act until such time as the Director revises the
36 membership or duties of the Council.

37 **Sec. 14.** 1. This section and sections 5 and 13 of this act become effective
38 upon passage and approval.

39 2. Sections 1 to 4, inclusive, and 6 ~~(to 12, inclusive),~~ **7, 9, 10, 12 and 12.5** of
40 this act become effective on ~~October~~ **July** 1, 2011.

41 **3. Sections 8 and 11 of this act become effective on July 1, 2012.**