

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; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill makes various changes to the provisions governing early childhood
2 care and education. The Nevada Early Childhood Advisory Council was created by
3 an Executive Order of the Governor on September 11, 2009. By the terms of the
4 Executive Order, the Council will cease to exist on July 31, 2011, if it is not
5 continued by Executive Order. **Section 5** of this bill statutorily provides for the
6 establishment of the Early Childhood Advisory Council by the Director of the
7 Department of Health and Human Services. The statutory Council has substantially
8 the same duties as the Council created by the Executive Order. **Section 13** of this
9 bill provides that the Nevada Early Childhood Advisory Council created by the
10 Governor shall be deemed to be the Council required to be established by the
11 Director until such time as the Director revises the membership or duties of
12 the Council. **Section 6** of this bill requires the Council, in consultation with the
13 Department of Education, to establish goals for the training of persons who are
14 employed in early childhood care in the Pre-Kindergarten Content Standards
15 developed by the Department of Education, assist in developing standards and
16 qualifications for such training, develop standards for professional development,



create or adopt a model for highly effective teachers for use as a resource in early childhood education and study and develop recommendations for appropriate group sizes in early childhood education and care. **Section 7** of this bill requires the Department of Education to develop the training module that must be used in such training and authorizes the Department of Education to accept gifts, grants and donations to develop the training module. **Section 12.2** of this bill makes an appropriation to the Department of Education to fund the development of the training module. **Section 8** of this bill requires licensed child care facilities which receive certain government subsidies to ensure that each employee who provides child care services to children who are in early childhood receives approved training in the Pre-Kindergarten Content Standards. **Section 9** of this bill requires the Council to submit an annual report to the Department of Education and the Legislative Committee on Education concerning such training. **Section 12** of this bill requires the Board for Child Care to adopt regulations establishing requirements for courses of training in child care for employees of a child care facility. The regulations must provide for the annual completion of not less than 24 hours of such training, at least 16 hours of which must be training relating to early childhood development and the Pre-Kindergarten Content Standards.

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

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

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

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

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

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

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

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

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

Sec. 5. *The Director shall establish the Early Childhood Advisory Council within the Department and shall appoint such*



1 *members to the Council as the Director determines appropriate.*
2 *The Council shall:*

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

6 *2. Conduct periodic statewide assessments of needs relating*
7 *to the quality and availability of programs and services for*
8 *children who are in early childhood and identify opportunities for*
9 *and barriers to coordination and collaboration among existing*
10 *federally-funded and state-funded early childhood programs.*

11 *3. Develop recommendations for:*

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

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

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

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

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

28 *5. Perform such other duties relating to early childhood*
29 *education and programs as designated by the Director.*

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

32 *1. Establish goals for the training of all persons who are*
33 *employed in early childhood care in the Pre-Kindergarten Content*
34 *Standards;*

35 *2. Assist the Nevada Registry or its successor organization, or*
36 *any other agency designated by the Director of the Department of*
37 *Health and Human Services, in developing the qualifications*
38 *required of persons who conduct training in the Pre-Kindergarten*
39 *Content Standards and the approval of such training;*

40 *3. Develop standards for professional development in the Pre-*
41 *Kindergarten Content Standards;*

42 *4. Create or adopt a model for highly effective teachers that*
43 *can be used as a resource in early childhood education for*
44 *teachers and caregivers of children; and*



1 5. Study and develop recommendations for appropriate group
2 sizes in early childhood education and care.

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

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

11 3. The Department of Education may accept gifts, grants and
12 donations from any source for assistance in developing the
13 training module required by this section.

14 **Sec. 8.** Each child care facility which is licensed pursuant to
15 this chapter or by a city or county or which receives
16 reimbursement from the Program for Child Care and
17 Development administered by the Division of Welfare and
18 Supportive Services of the Department pursuant to chapter 422A
19 of NRS shall ensure that, in accordance with the regulations
20 adopted by the Board pursuant to paragraph (c) of subsection 1 of
21 NRS 432A.077, each employee of the child care facility who
22 provides child care services in the child care facility to children
23 who are in early childhood receives training which is approved by
24 the Nevada Registry or its successor organization, or any other
25 agency designated by the Director, in the Pre-Kindergarten
26 Content Standards.

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

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

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

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

37 **Sec. 10.** NRS 432A.020 is hereby amended to read as follows:
38 432A.020 As used in this chapter, unless the context otherwise
39 requires, the words and terms defined in NRS 432A.0205 to
40 432A.028, inclusive, *and sections 2, 3 and 4 of this act* have the
41 meanings ascribed to them in those sections.

42 **Sec. 11.** NRS 432A.035 is hereby amended to read as follows:
43 432A.035 ~~[The]~~ *Except as otherwise provided in section 8 of*
44 *this act, the* provisions of this chapter do not apply to the Program
45 for Child Care and Development administered by the Division of



1 Welfare and Supportive Services of the Department pursuant to
2 chapter 422A of NRS.

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

4 432A.077 1. The Board shall adopt:

5 (a) Licensing standards for child care facilities.

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

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

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

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

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

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

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

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

34 **Sec. 12.2.** 1. There is hereby appropriated from the State
35 General Fund to the Department of Education the sum of \$10,000 to
36 fund the development of the training module that must be used to
37 conduct training in Pre-Kindergarten Content Standards pursuant
38 to section 7 of this act.

39 2. Any remaining balance of the appropriation made by
40 subsection 1 must not be committed for expenditure after June 30,
41 2013, by the entity to which the appropriation is made or any entity
42 to which money from the appropriation is granted or otherwise
43 transferred in any manner, and any portion of the appropriated
44 money remaining must not be spent for any purpose after
45 September 20, 2013, by either the entity to which the money was



1 appropriated or the entity to which the money was subsequently
2 granted or transferred, and must be reverted to the State General
3 Fund on or before September 20, 2013.

4 **Sec. 12.5.** The Board for Child Care shall, on or before July 1,
5 2012, adopt the regulations required by paragraph (c) of subsection
6 1 of NRS 432A.077, as amended by section 12 of this act.

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

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

16 2. Sections 1 to 4, inclusive, and 6, 7, 9, 10, 12, 12.2 and 12.5
17 of this act become effective on July 1, 2011.

18 3. Sections 8 and 11 of this act become effective on July 1,
19 2012.

