

Amendment No. 545

Senate Amendment to Senate Bill No. 328 (BDR 34-937)

Proposed by: Senate Committee on Education

Amendment Box: Replaces Amendment No. 449.

Amends: Summary: No Title: Yes 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.

SJA/HAC



Date: 4/19/2013

S.B. No. 328—Makes various changes relating to education. (BDR 34-937)



SENATE BILL NO. 328--SENATORS SETTELMAYER;
GOICOECHEA AND GUSTAVSON

MARCH 18, 2013

JOINT SPONSORS: ASSEMBLYMEN GRADY,
HICKEY AND KIRKPATRICK

Referred to Committee on Education

SUMMARY—Makes various changes relating to education. (BDR 34-937)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 education; requiring the Executive Officer of the State Board for Career and Technical Education to employ certain persons; setting forth limitations on the use of ~~federal and~~ state money for leadership and training activities relating to programs of career and technical education; setting forth the methods by which the state money must be distributed to programs of career and technical education; making various other changes relating to programs of career and technical education; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the State Board for Career and Technical Education to oversee programs of career and technical education in the public schools of this State. (NRS 388.330-388.370) Existing law also requires the board of trustees of each school district in a county whose population is 100,000 or more (currently Clark and Washoe Counties), and authorizes the board of trustees of any other school district, to establish and maintain a program of career and technical education to provide instruction in subjects approved by the Board. (NRS 388.380) This bill specifies the manner in which certain federal and state money may be allocated and for what purposes the money may be used.

Section 3 of this bill: (1) ~~prohibits the Board from using federal money to provide leadership and training activities unless federal law requires such use; and (2)~~ provides that not more than 5 percent of any state money appropriated for use in a fiscal year may be used by the Board to provide leadership and training activities ~~++~~ **and (2) provides that no state money appropriated for use in a fiscal year may be used by the Board to provide leadership and training activities relating to any program of career and technical education that receives federal funding.** **Section 3** also provides that state money must be distributed equally among programs of career and technical education in the following areas: (1) agriculture and natural resource sciences; (2) business and marketing; (3) family and consumer sciences; (4) health sciences; (5) information and media technology; and (6) trade and industrial sciences. Further, **section 3** provides that if the Board distributes \$1,500,000 or less in a fiscal year, the money must be distributed through the grant process set forth in

section 4 of this bill. Alternatively, if the Board distributes more than \$1,500,000 in a fiscal year: (1) \$1,500,000 must be distributed through the grant process set forth in **section 4** of this bill; and (2) any amount distributed in excess of \$1,500,000 must be distributed through the grant process set forth in **section 5** of this bill.

Section 6 of this bill provides that a school district or charter school may be awarded a grant pursuant to **section 4 or 5** if the school district or charter school, as applicable, matches the amount of the grant to fund the program of career and technical education. **Section 6** also authorizes the Executive Officer of the Board to waive that requirement if he or she determines that the school district or charter school is financially unable to provide the matching amount.

Section 7 of this bill provides that any state money that is not distributed pursuant to **sections 3-5** does not revert to the State General Fund.

Section 2 of this bill requires the Executive Officer to appoint a person to oversee a program of career and technical education in each of the following areas: (1) agriculture and natural resource sciences; (2) business and marketing; (3) family and consumer sciences; (4) health sciences; (5) information and media technology; and (6) trade and industrial sciences.

Section 9 of this bill requires the persons appointed to oversee programs of career and technical education to evaluate the effectiveness of the programs and report that information to the Board.

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

Section 1. Chapter 388 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this act.

Sec. 2. 1. *The Executive Officer of the State Board for Career and Technical Education shall appoint a person to oversee a program of career and technical education in each of the following areas:*

(a) Agriculture and natural resource sciences.

(b) Business and marketing.

(c) Family and consumer sciences.

(d) Health sciences.

(e) Information and media technology.

(f) Trade and industrial sciences.

2. *In addition to any other qualifications set forth by the State Board for Career and Technical Education, the person appointed pursuant to paragraph (a) of subsection 1 must have a minimum of 3 years of experience teaching secondary education in the area of agriculture.*

3. *The person appointed pursuant to paragraph (a) of subsection 1 shall:*

(a) *Provide leadership for programs of career and technical education in agriculture and natural resource sciences, which must include, without limitation:*

(1) Classroom instruction in the area of agriculture;

(2) Work-based experiences for ~~students~~ pupils in the area of agriculture, including, without limitation, internships, apprenticeships and mentoring programs; and

(3) Programs to develop leadership through membership in or coordination of activities with the National FFA Organization or any similar organization that promotes and supports education in the area of agriculture;

(b) Develop, organize and facilitate professional development activities and other training or in-service activities for persons who teach pursuant to this title in the area of agriculture; and

(c) Manage any grants of money from federal, state or other sources awarded to programs at secondary schools in the area of agriculture, except as otherwise provided by the terms of the grant or the statutory authority for the grant.

Sec. 3. 1. ~~1.4.1~~ Of state money appropriated for use in a fiscal year for programs of career and technical education, the State Board for Career and Technical Education shall not use federal money to provide leadership and training activities unless federal law requires such use.

~~2. The State Board for Career and Technical Education shall not use:~~

(a) Except as otherwise provided in paragraph (b), more than 5 percent of any state money appropriated for use in a fiscal year to provide leadership and training activities in that fiscal year.

(b) Any amount to provide leadership and training activities relating to any program of career and technical education that receives federal funding.

~~2.1~~ 2. After allocating state money, if any, to provide leadership and training activities, the state money that the State Board for Career and Technical Education distributes for a fiscal year to programs of career and technical education must be divided equally among the following areas:

(a) Agriculture and natural resource sciences.

(b) Business and marketing.

(c) Family and consumer sciences.

(d) Health sciences.

(e) Information and media technology.

(f) Trade and industrial sciences.

~~1.4.2~~ 3. If, after allocating state money, if any, to provide leadership and training activities, the State Board for Career and Technical Education determines that the Board will distribute \$1,500,000 or less to programs of career and technical education, the Board shall distribute the state money in the manner set forth in section 4 of this act.

~~1.5.1~~ 4. If, after allocating state money, if any, to provide leadership and training activities, the State Board for Career and Technical Education determines that the Board will distribute more than \$1,500,000 for distribution to programs of career and technical education, the Board shall:

(a) Distribute \$1,500,000 of the state money in the manner set forth in section 4 of this act; and

(b) Distribute the remainder of state money in the manner set forth in section 5 of this act.

5. As used in this section, "leadership and training activities" means:

(a) Activities by or for pupil organizations for career and technical education;

(b) Training activities for teachers of classes or programs of career and technical education;

(c) Activities at or for a conference of teachers of classes or programs of career and technical education; and

(d) Promotion and marketing of classes or programs of career and technical education.

Sec. 4. 1. The board of trustees of a school district or the governing body of a charter school may apply for a grant for a program of career and technical education, to be paid for with money distributed pursuant to subsection ~~1.4~~ 3 of section 3 of this act or paragraph (b) of subsection ~~1.5~~ 4 of that section by submitting an application to the person appointed pursuant to section 2 of this act to oversee that program area.

2. Upon receipt of an application for a grant, the person shall forward the application to the industry sector council established pursuant to subsection 2 of NRS 232.935 which the person determines is most qualified to review the application.

3. An industry sector council shall review all applications forwarded to it pursuant to subsection 2 and award grants for the purposes of developing new programs of career and technical education or expanding existing programs of career and technical education. The awarding of grants must be based on the following criteria of the program of career and technical education:

- (a) Standards and instruction.
- (b) Leadership development.
- (c) Practical application of occupational skills.
- (d) Quality and competence of personnel.
- (e) Facilities, equipment and materials.
- (f) Community, business and industry involvement.
- (g) Career guidance.
- (h) Program promotion.
- (i) Program accountability and planning.
- (j) ~~Student-teacher~~ Pupil-teacher ratio.
- (k) Whether the program will lead to a national credential or certification.

Sec. 5. 1. If the State Board for Career and Technical Education distributes money pursuant to paragraph (b) of subsection ~~15~~ 4 of section 3 of this act, the board of trustees of a school district or the governing body of a charter school may apply for a grant for a program of career and technical education.

2. The State Board for Career and Technical Education shall review all applications submitted pursuant to subsection 1 and award grants based on the following criteria of the program of career and technical education:

- (a) Standards and instruction.
- (b) Leadership development.
- (c) Practical application of occupational skills.
- (d) Quality and competence of personnel.
- (e) Facilities, equipment and materials.
- (f) Community, business and industry involvement.
- (g) Career guidance.
- (h) Program promotion.
- (i) Program accountability and planning.
- (j) ~~Student-teacher~~ Pupil-teacher ratio.
- (k) Whether the program will lead to a national credential or certification.

3. The proportion of the total amount awarded pursuant to subsection 2 to a school district or charter school during a fiscal year ~~shall~~ must not exceed the proportion of the duplicated enrollment of ~~students~~ pupils in programs of career and ~~technology~~ technical education in the school district or charter school during the previous fiscal year, as compared to the duplicated enrollments of ~~students~~ pupils in programs of career and ~~technology~~ technical education throughout the State during the previous fiscal year. For the purposes of determining the duplicated enrollment of ~~students~~ pupils in a program of career and ~~technology~~ technical education, each ~~student~~ pupil must be counted once for each program of career and technology education in which he or she is enrolled.

Sec. 6. 1. Except as otherwise provided in subsection 2, a school district or charter school may be awarded a grant pursuant to section 4 or 5 of this act

1 *only if it matches the amount of the grant to fund the program of career and*
2 *technical education.*

3 *2. A school district or charter school may be awarded a grant without*
4 *providing a matching amount if the Executive Officer of the State Board for*
5 *Career and Technical Education determines that the school district or charter*
6 *school is financially unable to match the amount to be allocated by the grant.*

7 *Sec. 7. Any state money that is not distributed pursuant to section 3, 4 or 5*
8 *of this act by the end of the fiscal year does not revert to the State General Fund*
9 *and must be carried forward for distribution in the following fiscal year.*

10 *Sec. 8. For each grant of money awarded pursuant to section 4 or 5 of this*
11 *act, the State Board for Career and Technical Education shall designate a*
12 *program professional to:*

13 *1. Evaluate the manner in which the money was expended and the*
14 *effectiveness of the program for career and technical education for which the*
15 *money was granted; and*

16 *2. Report the results of the review to the State Board for Career and*
17 *Technical Education.*

18 **Sec. 9.** NRS 388.340 is hereby amended to read as follows:

19 388.340 1. The Superintendent of Public Instruction shall serve as
20 Executive Officer of the State Board for Career and Technical Education.

21 2. The Executive Officer shall:

22 (a) ~~Employ~~ *Except as otherwise provided in section 2 of this act, employ*
23 *personnel for such positions as are approved by the State Board for Career and*
24 *Technical Education and necessary to carry out properly the provisions of this title*
25 *relating to career and technical education.*

26 (b) Carry into effect the regulations of the State Board for Career and
27 Technical Education.

28 (c) Maintain an office for the Board.

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

30 **Sec. 10.** NRS 388.390 is hereby amended to read as follows:

31 388.390 If the board of trustees of a school district or the governing body of a
32 charter school organizes a program of career and technical education in accordance
33 with the regulations adopted by the State Board for Career and Technical Education
34 and the program has been approved by the Executive Officer of the Board, the
35 school district or the charter school is entitled to share in federal and state money
36 available for the promotion of career and technical education in the amount
37 determined by the Executive Officer of the Board, in accordance with *this section*
38 *and sections 2 to 8, inclusive, of this act, and* the regulations and policies of the
39 Board.

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

41 388.400 1. The money for career and technical education must be provided
42 for and raised in the manner specified in NRS 387.050 and 388.330 to 388.400,
43 inclusive ~~H~~, *and sections 2 to 8, inclusive, of this act.*

44 2. The State Treasurer is the custodian of the money and shall make
45 disbursements therefrom on warrants of the State Controller issued upon the order
46 of the Executive Officer of the State Board for Career and Technical Education.

47 **Sec. 12.** This act becomes effective on July 1, 2013.