

ASSEMBLY BILL NO. 110—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE  
ON EDUCATION)

PREFILED FEBRUARY 7, 2017

Referred to Committee on Education

SUMMARY—Revises provisions governing education.  
(BDR 34-327)

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 Department of Education to establish a pilot program to provide competency-based education; requiring the State Board of Education to adopt regulations relating to the pilot program; establishing the Competency-Based Education Network; revising provisions governing the requirements for a pupil to receive credit for a course of study without attending the classes for the course; requiring the Department of Education to conduct a public awareness campaign regarding competency-based education; authorizing the Department to distribute certain money through a competitive grants program to carry out the pilot program to provide competency-based education; requiring the Competency-Based Education Network to prepare a comprehensive report relating to competency-based education; making an appropriation; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

- 1 **Section 1.2** of this bill requires the Department of Education to establish a pilot
- 2 program to provide competency-based education and requires the State Board of
- 3 Education to adopt regulations that prescribe the process for submission of an
- 4 application by a school district or charter school to participate in the pilot program
- 5 and the qualifications and conditions for participation by a school in the pilot
- 6 program. **Section 1.2** also requires the Department to select at least one school that



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7 primarily serves pupils who are at-risk or credit deficient for participation in the  
8 program if an application is made on behalf of such a school to participate in the  
9 program. **Section 1.1** of this bill defines “competency-based education” to mean a  
10 system of instruction by which a pupil advances to a higher level of learning when  
11 the pupil demonstrates mastery of a concept or skill, regardless of the time, place or  
12 pace at which the pupil progresses.

13 **Section 1.4** of this bill requires the Department to establish a Competency-  
14 Based Education Network and prescribes the membership and duties of the  
15 Network, including a requirement that the Network submit a report to the Governor  
16 and the Legislature on the implementation of competency-based education once  
17 each biennium.

18 **Section 1.6** of this bill requires the Department of Education to: (1) conduct a  
19 public campaign to raise awareness about competency-based education; and (2)  
20 conduct at least one meeting with the superintendents of the school districts relating  
21 to competency-based education. **Section 3.5** of this bill appropriates money to the  
22 Department for the cost of travel associated with such a meeting with the  
23 superintendents of the school districts. **Section 1.6** also authorizes the Department  
24 to distribute through a competitive grants program money appropriated to the  
25 Department to carry out the pilot program to provide competency-based education.

26 Existing law provides that a pupil may be granted credit for certain courses in  
27 lieu of course attendance if the pupil: (1) demonstrates proficiency on certain  
28 examinations; and (2) applies to the board of trustees of the school district in which  
29 the pupil attends school to be granted credit. (NRS 389.171) **Section 1.8** of this bill  
30 provides that a pupil may also be granted credit in lieu of course attendance if the  
31 pupil demonstrates proficiency to meet the objectives of a course or of a particular  
32 area or areas of a course: (1) through a portfolio of the pupil’s work; (2) through the  
33 pupil’s performance of a task that is designed to measure the proficiency of the  
34 pupil; or (3) as measured by criteria prescribed by the State Board of Education.  
35 **Section 1.8** also requires the State Board to adopt regulations that: (1) provide that  
36 a pupil may apply to the governing body of the charter school in which the pupil is  
37 enrolled to be granted credit in lieu of course attendance; and (2) prescribe other  
38 criteria that may be used to determine whether a pupil has achieved proficiency in a  
39 course.

40 **Section 4** of this bill requires the Competency-Based Education Network to  
41 prepare a comprehensive report with its findings and recommendations on or before  
42 April 1, 2022, which must be posted on the Internet website of the Department of  
43 Education and submitted to the Governor, the Legislative Committee on Education  
44 and the Director of the Legislative Counsel Bureau for distribution to the next  
45 regular session of the Legislature.

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

1 **Section 1.** Chapter 389 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 1.1 to 1.6, inclusive, of  
3 this act.

4 **Sec. 1.1.** *As used in sections 1.1 to 1.6, inclusive, of this act,*  
5 *“competency-based education” means a system of instruction by*  
6 *which a pupil advances to a higher level of learning when the*  
7 *pupil demonstrates mastery of a concept or skill, regardless of the*  
8 *time, place or pace at which the pupil progresses.*



1     **Sec. 1.2. 1. The Department shall establish a pilot program**  
2 **to provide competency-based education.**

3     **2. The State Board shall adopt regulations that prescribe:**

4     **(a) The process for submission of an application by the board**  
5 **of trustees of a school district or the governing body of a charter**  
6 **school to participate in the pilot program; and**

7     **(b) The qualifications and conditions for participation by a**  
8 **school in the pilot program, including, without limitation:**

9     **(1) A commitment by the school district or charter school to**  
10 **implement competency-based education for not less than 5 years;**

11     **(2) Evidence of support for the implementation of**  
12 **competency-based education by the community served by the**  
13 **school district or charter school; and**

14     **(3) A commitment to participate in the Competency-Based**  
15 **Education Network established by section 1.4 of this act.**

16     **3. A school selected to participate in the pilot program to**  
17 **provide competency-based education shall:**

18     **(a) Implement a system of instruction by which a pupil**  
19 **advances to a higher level of learning when the pupil**  
20 **demonstrates mastery of a concept or skill;**

21     **(b) Establish concrete skills on which a pupil will be evaluated**  
22 **that include explicit, measurable and transferable learning**  
23 **objectives;**

24     **(c) Ensure that assessment is a meaningful and positive**  
25 **learning experience for pupils;**

26     **(d) Ensure that pupils receive timely and differentiated support**  
27 **based upon their individual learning needs; and**

28     **(e) Ensure that pupils are able to apply knowledge learned,**  
29 **create new knowledge and develop important skills and**  
30 **dispositions relating to such knowledge.**

31     **4. If at least one application to participate in the pilot**  
32 **program is made on behalf of a school that primarily serves pupils**  
33 **who are at-risk or credit deficient, or in need of credit retrieval,**  
34 **the Department must select at least one such school to participate**  
35 **in the pilot program.**

36     **5. As used in this section, a pupil is “at risk” if the pupil has**  
37 **an economic or academic disadvantage such that he or she**  
38 **requires special services and assistance to enable him or her to**  
39 **succeed in educational programs. The term includes, without**  
40 **limitation, pupils who are members of economically disadvantaged**  
41 **families, pupils who are limited English proficient, pupils who are**  
42 **at risk of dropping out of high school and pupils who do not meet**  
43 **minimum standards of academic proficiency. The term does not**  
44 **include a pupil with a disability.**



1     **Sec. 1.4. 1. The Department shall establish a Competency-**  
2     **Based Education Network.**

3     **2. The Competency-Based Education Network must consist of**  
4     **the following members:**

5     **(a) The principal of each school selected to participate in the**  
6     **pilot program established pursuant to section 1.2 of this act.**

7     **(b) At least one teacher who teaches in each school selected to**  
8     **participate in the pilot program established pursuant to section 1.2**  
9     **of this act, selected by the principal of the school.**

10    **(c) The Chancellor of the Nevada System of Higher Education**  
11    **or his or her designee.**

12    **(d) The Chancellor of Western Governors University Nevada**  
13    **or his or her designee.**

14    **(e) One teacher who does not teach in a school selected to**  
15    **participate in the pilot program established pursuant to section 1.2**  
16    **of this act, selected by the Nevada State Education Association to**  
17    **represent the Association.**

18    **(f) One parent or guardian of a pupil who is enrolled in a**  
19    **school selected to participate in the pilot program established**  
20    **pursuant to section 1.2 of this act, selected by the Nevada Parent**  
21    **Teacher Association to represent the Association.**

22    **(g) One parent or guardian of a pupil who is not enrolled in a**  
23    **school selected to participate in the pilot program established**  
24    **pursuant to section 1.2 of this act, selected by the Nevada Parent**  
25    **Teacher Association to represent the Association.**

26    **3. The Competency-Based Education Network shall:**

27    **(a) Study approaches to converting requirements regarding the**  
28    **amount of time a pupil is required to spend in a classroom into**  
29    **competency measures;**

30    **(b) Study tools for use in personalized learning and**  
31    **competency-based education;**

32    **(c) Study approaches to ensure appropriate examinations are**  
33    **prescribed by the State Board pursuant to NRS 389.171;**

34    **(d) Study strategies for improving competency-based education**  
35    **through the use of technology;**

36    **(e) Study professional development relating to competency-**  
37    **based education and other support to assist educators in**  
38    **transitioning to a system of competency-based education;**

39    **(f) Provide support and share data and best practices among**  
40    **schools participating in the pilot program established pursuant to**  
41    **section 1.2 of this act;**

42    **(g) Identify barriers and possible solutions to implementing a**  
43    **statewide system of competency-based education;**



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1     (h) *Develop evidence-based recommendations for the*  
2 *continued implementation of a system of competency-based*  
3 *education; and*

4     (i) *On or before January 31 of every even-numbered year,*  
5 *submit a report to the Governor and the Legislature on the*  
6 *implementation of a system of competency-based education in this*  
7 *State.*

8     4. *The Competency-Based Education Network shall initially*  
9 *meet at the call of the Superintendent of Public Instruction. After*  
10 *the first meeting, the Network shall meet at the call of the Chair.*

11     5. *At the first meeting of the Competency-Based Education*  
12 *Network, the members of the Network shall elect a Chair by*  
13 *majority vote.*

14     6. *A majority of the members of the Competency-Based*  
15 *Education Network constitutes a quorum for the transaction of*  
16 *business, and a majority of those members present at any meeting*  
17 *is sufficient for any official action taken by the Network.*

18     7. *The Department of Education shall provide the*  
19 *Competency-Based Education Network with such staff as is*  
20 *necessary to carry out the duties of the Network.*

21     8. *Members of the Competency-Based Education Network*  
22 *serve without compensation, and travel and per diem expenses*  
23 *may not be reimbursed.*

24     **Sec. 1.6.** *1. The Department of Education shall:*

25     (a) *Conduct a public campaign to raise awareness about*  
26 *competency-based education.*

27     (b) *Conduct one or more meetings with the superintendents of*  
28 *the school districts for the purpose of increasing:*

29         (1) *Understanding of competency-based education; and*

30         (2) *Interest in implementing a system of competency-based*  
31 *education.*

32     2. *To the extent that money is available for that purpose, the*  
33 *Department of Education may, through a competitive grants*  
34 *program, distribute any money appropriated to the Department to*  
35 *carry out the pilot program to provide competency-based*  
36 *education established pursuant to section 1.2 of this act. Grants*  
37 *must be awarded by the Department to schools selected to*  
38 *participate in the program based upon money available for this*  
39 *purpose.*

40     **Sec. 1.8.** *NRS 389.171 is hereby amended to read as follows:*

41         389.171 1. *A pupil may be granted credit for a specific*  
42 *course of study without having attended the regularly scheduled*  
43 *classes in the course if the pupil demonstrates his or her proficiency*  
44 *to meet the:*



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(a) Objectives of the course through the pupil's performance on an examination prescribed by the State Board;

(b) Objectives of a particular area or areas of the course in which the pupil is deficient through the pupil's performance on an examination developed by the principal and the pupil's teacher who provides instruction in the course that is designed to measure the proficiency of the pupil in that particular area or areas; ~~for~~

(c) Objectives of the course through the pupil's performance on an examination that the principal determines is as rigorous or more rigorous than the examination prescribed by the State Board pursuant to paragraph (a), including, without limitation, an advanced placement examination in the subject area of the course ~~for~~;

*(d) Objectives of the course through a portfolio of the pupil's work;*

*(e) Objectives of a particular area or areas of the course through the pupil's performance of a task that is designed to measure the proficiency of the pupil in that particular area or areas; or*

*(f) Objectives of the course as measured against the criteria prescribed by the State Board pursuant to paragraph (d) of subsection 2.*

2. The State Board shall adopt regulations that prescribe the:

(a) Form on which a pupil may apply to the board of trustees of a school district in which the pupil attends school *or the governing body of the charter school in which the pupil is enrolled* to be granted credit pursuant to subsection 1;

(b) Courses of study for which pupils may be granted credit pursuant to subsection 1; ~~and~~

(c) Minimum score on the examination prescribed pursuant to paragraph (a) of subsection 1 that is required to demonstrate proficiency in a course ~~for~~; *and*

*(d) Criteria, other than the criteria described in paragraphs (a) to (e), inclusive, of subsection 1, that may be used to determine whether a pupil has achieved proficiency in a course.*

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

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

**Sec. 3.5.** 1. There is hereby appropriated from the State General Fund to the Department of Education for the cost of travel related to meetings with the superintendents of the school districts required by section 1.6 of this act the following sums:

For the Fiscal Year 2017-2018..... \$1,500

For the Fiscal Year 2018-2019..... \$1,500

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal



1 years by the entity to which the appropriation is made or any entity  
2 to which money from the appropriation is granted or otherwise  
3 transferred in any manner, and any portion of the appropriated  
4 money remaining must not be spent for any purpose after  
5 September 21, 2018, and September 20, 2019, respectively, by  
6 either the entity to which the money was appropriated or the entity  
7 to which the money was subsequently granted or transferred, and  
8 must be reverted to the State General Fund on or before  
9 September 21, 2018, and September 20, 2019, respectively.

10 **Sec. 4.** In addition to the report required by section 1.4 of this  
11 act, the Competency-Based Education Network shall, on or before  
12 April 1, 2022:

13 1. Complete a comprehensive report with its findings and any  
14 recommendations relating to competency-based education;

15 2. Post a copy of the report on the Internet website maintained  
16 by the Department of Education; and

17 3. Submit a copy of the report to the Governor, the Legislative  
18 Committee on Education and the Director of the Legislative Counsel  
19 Bureau for transmittal to the next regular session of the Legislature.

20 **Sec. 5.** The provisions of subsection 1 of NRS 218D.380 do  
21 not apply to any provision of this act which adds or revises a  
22 requirement to submit a report to the Legislature.

23 **Sec. 6.** This act becomes effective upon passage and approval  
24 for the purposes of adopting regulations and performing any other  
25 administrative tasks that are necessary to carry out the provisions of  
26 this act, and on July 1, 2017, for all other purposes.

