

Amendment No. 221

Assembly Amendment to Assembly Bill No. 110	(BDR 34-327)
<b>Proposed by:</b> Assembly Committee on Education	
<b>Amends:</b> 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) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

KRO/JWP



Date: 4/19/2017

A.B. No. 110—Revises provisions governing education. (BDR 34-327)





## 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; ~~creating the Competency-Based Education Task Force~~; 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 ~~one or more programs of~~ the pilot program to provide competency-based education; requiring the Competency-Based Education Network to prepare a comprehensive report relating to competency-based education; and providing other matters properly relating thereto.

## Legislative Counsel's Digest:

Section 1.2 of this bill requires the Department of Education to establish a pilot program to provide competency-based education and requires the State Board of Education to adopt regulations that prescribe the process for submission of an application by a school district or charter school to participate in the pilot program and the qualifications and conditions for participation by a school in the pilot program. Section 1.1 of this bill defines "competency-based education" to mean a system of instruction by which a pupil advances to a higher level of learning when the pupil demonstrates mastery of a concept or skill, regardless of the time, place or pace at which the pupil progresses.

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

Section 1.6 of this bill requires the Department of Education to: (1) conduct a public campaign to raise awareness about competency-based education; and (2) conduct at least one meeting with the superintendents of the school districts relating to competency-based education. Section 1.6 also authorizes the Department to use money appropriated by the 2017 Legislature to the Account for Programs for Innovation and the Prevention of Remediation to carry out the pilot program to provide competency-based education.

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

~~[Section 2 of this bill creates the Competency Based Education Task Force to study certain issues relating to personalized learning and competency-based education. The Task Force is required.] Section 4 of this bill requires the Competency-Based Education Network to prepare a final comprehensive report with its findings and recommendations on or before April 1, 2022,~~ which must be posted on the Internet website of the Department of Education and submitted to the Governor, the Legislative Committee on Education and the Director of the Legislative Counsel Bureau for distribution to the next regular session of the Legislature.

~~[Section 3 of this bill requires the Department of Education to: (1) conduct a public campaign to raise awareness about competency-based education; and (2) conduct at least one meeting with the superintendents of the school districts relating to competency-based education. Section 3 also authorizes the Department to use money appropriated by the 2017 Legislature to the Account for Programs for Innovation and the Prevention of Remediation to carry out one or more programs of competency-based education through a competitive grants program.]~~

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

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

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

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

2. The State Board shall adopt regulations that prescribe:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. The Competency-Based Education Network shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) Understanding of competency-based education; and

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

2. To the extent that money is available for that purpose, the Department of Education may, through a competitive grants program, distribute any money appropriated by the 2017 Legislature to the Account for Programs for Innovation and the Prevention of Remediation created by NRS 387.1247 to carry out the pilot program to provide competency-based education established pursuant to section 1.2 of this act. Grants must be awarded by the Department to schools selected to participate in the program based upon money available.

~~Section 1.1~~ Sec. 1.8. NRS 389.171 is hereby amended to read as follows:

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

(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; ~~to~~

(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 ~~to~~;

(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

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

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

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

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

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

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

14 ~~Sec. 2. 1. The Competency-Based Education Task Force is hereby created.~~

15 ~~2. The Task Force must consist of at least 4 but not more than 12 members~~  
16 ~~appointed by the Governor. The Task Force:~~

17 ~~(a) Must consist of:~~

18 ~~(1) At least one member who is a representative of the Department of~~  
19 ~~Education;~~

20 ~~(2) At least one member who is a representative of a school district;~~

21 ~~(3) At least one member who is a representative of a community college in~~  
22 ~~the Nevada System of Higher Education; and~~

23 ~~(4) At least one member who is a representative of Western Governors~~  
24 ~~University; and~~

25 ~~(b) May include not more than nine additional members appointed by the~~  
26 ~~Governor, each of whom must be a representative of an entity described in~~  
27 ~~subparagraphs (1) to (4), inclusive, of paragraph (a).~~

28 ~~3. The Governor shall appoint the members of the Task Force as soon as~~  
29 ~~practicable after the effective date of this act but not later than July 31, 2017.~~

30 ~~4. The Task Force shall study:~~

31 ~~(a) Approaches to converting requirements regarding the amount of time a~~  
32 ~~pupil is required to spend in a classroom into competency measures;~~

33 ~~(b) Tools for use in personalized learning and competency based education;~~

34 ~~(c) Approaches to ensure appropriate examinations are prescribed by the State~~  
35 ~~Board pursuant to NRS 389.171;~~

36 ~~(d) Strategies for improving competency based education through the use of~~  
37 ~~technology; and~~

38 ~~(e) Professional development relating to competency based education and~~  
39 ~~other support to assist educators in transitioning to a system of competency based~~  
40 ~~education.~~

41 ~~5. The Task Force shall meet at the call of the Governor or, after the first~~  
42 ~~meeting of the Task Force, at the call of the Chair.~~

43 ~~6. At the first meeting of the Task Force, the members of the Task Force shall~~  
44 ~~elect a Chair by majority vote.~~

45 ~~7. A majority of the members of the Task Force constitutes a quorum for the~~  
46 ~~transaction of business, and a majority of those members present at any meeting is~~  
47 ~~sufficient for any official action taken by the Task Force.~~

48 ~~8. The Department of Education shall provide the Task Force with such staff~~  
49 ~~as is necessary to carry out the duties of the Task Force.~~

50 ~~9. Members of the Task Force serve without compensation, and necessary~~  
51 ~~travel and per diem expenses may not be reimbursed.~~

52 ~~10. The Task Force shall, on or before April 30, 2018:~~

~~(a) Complete a final report with its findings and any recommendations, including, without limitation, recommendations regarding approaches to converting requirements regarding the amount of time a pupil is required to spend in a classroom into competency measures and recommendations regarding professional development relating to competency based education;~~

~~(b) Post a copy of the final report on the Internet website maintained by the Department of Education; and~~

~~(c) Submit a copy of the final report to the Governor, the Legislative Committee on Education and the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature.~~

~~11. As used in this section, "competency based education" means a system of instruction in which a pupil is granted credit for a course of study when the pupil demonstrates proficiency to meet the objectives of the course or the objectives of a particular area or areas of the course in the manner described in NRS 389.171.]~~  
~~(Deleted by amendment.)~~

**Sec. 3. ~~11.~~ The Department of Education shall:**

~~(a) Conduct a public campaign to raise awareness about competency based education.~~

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

~~(1) Understanding of competency based education; and~~

~~(2) Interest in implementing competency based education.~~

~~(c) Establish and coordinate a network of teachers who practice competency based education in public schools for the purpose of providing support and sharing effective practices.~~

~~2. The Department of Education may, through a competitive grants program, distribute any money appropriated by the 2017 Legislature to the Account for Programs for Innovation and the Prevention of Remediation created by NRS 287.1247 to carry out one or more programs of competency based education. Grants must be awarded by the Department based upon money available and proposals submitted by school districts and charter schools that have been approved by the State Public Charter School Authority. Grants must be used for programs of competency based education which may include, without limitation, programs for:~~

~~(a) Investigating, developing and implementing competency based educational pathways for pupils;~~

~~(b) Developing performance measures through which a pupil may demonstrate his or her proficiency to meet the objectives of a course or the objectives of a particular area or areas of a course and receive credit for the course without having attended regularly scheduled classes;~~

~~(c) Developing or acquiring examinations or assessments through which a pupil may demonstrate his or her proficiency pursuant to paragraph (a) of subsection 1 of NRS 389.171;~~

~~(d) Establishing school sites at which competency based education can be observed;~~

~~(e) Supporting the transition of schools to competency based education;~~

~~(f) Identifying and purchasing technical assistance and professional development materials; and~~

~~(g) Documenting and sharing results, challenges and lessons learned relating to the implementation of programs of competency based education.~~

~~3. As used in this section, "competency based education" means a system of instruction in which a pupil is granted credit for a course of study when the pupil demonstrates proficiency to meet the objectives of the course or the objectives of a~~



~~particular area or areas of the course in the manner described in NRS 389.171.~~  
~~(Deleted by amendment.)~~

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

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

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

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

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

~~Sec. 4.~~ Sec. 6. ~~1-1~~ This act becomes effective upon passage and approval for the purposes of adopting regulations and performing any other administrative tasks that are necessary to carry out the provisions of this act, and on July 1, 2017, for all other purposes.

~~2. Sections 2 and 3 of this act expire by limitation on June 30, 2019.~~