

Amendment No. 141

Senate Amendment to Senate Bill No. 301	(BDR 34-550)
Proposed by: Senate Committee on Education	
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) 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.

MAS/KCR



Date: 4/9/2017

S.B. No. 301—Revises provisions relating to education. (BDR 34-550)



SENATE BILL NO. 301—COMMITTEE ON EDUCATION

(OH BEHALF OF THE SUNSET SUBCOMMITTEE
OF THE LEGISLATIVE COMMISSION)

MARCH 17, 2017

Referred to Committee on Education

SUMMARY—Revises provisions relating to education. (BDR 34-550)

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 education; ~~revising provisions governing the membership of the State Board of Education;~~ abolishing the State Board for Career and Technical Education and transferring certain duties to the State Board of Education and the Superintendent of Public Instruction; changing the name of the Advisory Council on Parental Involvement and Family Engagement and revising certain duties of the Council; ~~abolishing the Commission on Educational Technology and transferring certain duties to the Department of Education;~~ abolishing the Interagency Panel; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Sunset Subcommittee of the Legislative Commission to review certain boards and commissions in this State to determine whether the board or commission should be terminated, modified, consolidated or continued. (NRS 232B.210-232B.250)

Existing law creates the State Board for Career and Technical Education, which is comprised of the same members who serve on the State Board of Education, and provides that the Superintendent of Public Instruction serves as Executive Officer of the State Board for Career and Technical Education. (NRS 385.010, 388.330-388.400) Existing law also requires the Executive Officer to make a biennial report to the Governor. (NRS 388.370) As recommended by the Sunset Subcommittee, **sections 1, 7-20, 25 and 26** of this bill abolish the State Board for Career and Technical Education and transfer the duties of that Board and its Executive Officer to the State Board of Education and the Superintendent of Public Instruction, as applicable. ~~Section 2 of this bill revises the requirements for appointment of members to the State Board of Education by the Governor to provide that the teacher who is appointed must be a teacher of a course of study in career and technical education.~~ Finally, **section 3** of this bill revises the annual report of the state of public education in this State made by the Department of Education to include a description of any policies, plans and programs for promoting, extending and improving career and technical education and **section 31** repeals the annual report made separately by the Executive Officer. (NRS 385.230)

Existing law requires the Superintendent of Public Instruction to establish an Advisory Council on Parental Involvement and Family Engagement with powers and duties designed to

assist schools with increasing parental involvement, including reviewing certain policies and practices by the State Board, boards of trustees of school districts and schools. (NRS ~~388.610, 388.620~~) **385.610, 385.620** As recommended by the Sunset Subcommittee, sections 4-6 of this bill change the name of the Advisory Council to the Advisory Council for Family Engagement and modify the annual reporting requirements of the Advisory Council.

~~Existing law establishes the Commission on Educational Technology, which is required to establish a plan for educational technology in the public schools, develop technical standards for educational technology, allocate money to school districts from the Trust Fund for Educational Technology and conduct biennial assessments of the needs of each school district relating to educational technology. (NRS 288.780, 288.805) As recommended by the Sunset Subcommittee, sections 21-24 of this bill abolish the Commission on Educational Technology and transfer its duties to the Department of Education.~~

Existing law establishes an Interagency Panel responsible for making recommendations concerning the placement of persons with disabilities who are eligible to receive certain special education services. (NRS 388.5237) As recommended by the Sunset Subcommittee, section 31 of this bill abolishes the Interagency Panel.

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

Section 1. NRS 385.010 is hereby amended to read as follows:

385.010 1. A Department of Education is hereby created.

2. The Department consists of the State Board of Education ~~1, the State Board for Career and Technical Education~~ and the Superintendent of Public Instruction.

3. The Superintendent of Public Instruction is the executive head of the Department.

Sec. 2. ~~NRS 385.021 is hereby amended to read as follows:~~

~~385.021 1. The State Board of Education is hereby created. The State Board consists of the following voting members:~~

~~(a) One member elected by the registered voters of each congressional district described in NRS 304.060 to 304.120, inclusive;~~

~~(b) One member appointed by the Governor;~~

~~(c) One member appointed by the Governor, nominated by the Majority Leader of the Senate; and~~

~~(d) One member appointed by the Governor, nominated by the Speaker of the Assembly.~~

~~2. In addition to the voting members described in subsection 1, the State Board consists of the following four nonvoting members:~~

~~(a) One member appointed by the Governor who is a member of a board of trustees of a school district, nominated by the Nevada Association of School Boards;~~

~~(b) One member appointed by the Governor who is the superintendent of schools of a school district, nominated by the Nevada Association of School Superintendents;~~

~~(c) One member appointed by the Governor who represents the Nevada System of Higher Education, nominated by the Board of Regents of the University of Nevada; and~~

~~(d) One member appointed by the Governor who is a pupil enrolled in a public school in this State, nominated by the Nevada Association of Student Councils or its successor organization and in consultation with the Nevada Youth Legislature. After the initial term, the term of the member appointed pursuant to this paragraph commences on June 1 and expires on May 31 of the following year.~~

~~2. Each member of the State Board elected pursuant to paragraph (a) of subsection 1 must be a qualified elector of the district from which that member is elected.~~

~~4. Each member appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 and each member appointed pursuant to subsection 2 must be a resident of this State.~~

~~5. Except as otherwise provided in paragraphs (a) and (c) of subsection 2, a person who is elected to serve as an officer of this State or any political subdivision thereof or a person appointed to serve for the unexpired term of such an office may not serve or continue to serve on the State Board.~~

~~6. The Governor shall ensure that the members appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 represent the geographic diversity of this State and that:~~

~~(a) One member is a teacher of a course of study in career and technical education at a public school selected from a list of three candidates provided by the Nevada State Education Association.~~

~~(b) One member is the parent or legal guardian of a pupil enrolled in a public school.~~

~~(c) One member is a person active in a private business or industry of this State.~~

~~7. After the initial terms, each member:~~

~~(a) Elected pursuant to paragraph (a) of subsection 1 serves a term of 4 years. A member may be elected to serve not more than three terms but may be appointed to serve pursuant to paragraph (b), (c) or (d) of subsection 1 or subsection 2 after service as an elected member, notwithstanding the number of terms the member served as an elected member.~~

~~(b) Appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 serves a term of 2 years, except that each member continues to serve until a successor is appointed. A member may be reappointed for additional terms of 2 years in the same manner as the original appointment.~~

~~(c) Appointed pursuant to subsection 2 serves a term of 1 year. A member may be reappointed for additional terms of 1 year in the same manner as the original appointment.~~

~~8. If a vacancy occurs during the term of:~~

~~(a) A member who was elected pursuant to paragraph (a) of subsection 1, the Governor shall appoint a member to fill the vacancy until the next general election, at which election a member must be chosen for the balance of the unexpired term. The appointee must be a qualified elector of the district where the vacancy occurs.~~

~~(b) A voting member appointed pursuant to paragraph (b), (c) or (d) of subsection 1 or a nonvoting member appointed pursuant to subsection 2, the vacancy must be filled in the same manner as the original appointment for the remainder of the unexpired term.] (Deleted by amendment.)~~

Sec. 3. NRS 385.230 is hereby amended to read as follows:

385.230 1. The Department shall, in conjunction with the State Board, prepare an annual report of the state of public education in this State. The report must include, without limitation:

(a) An analysis of each annual report of accountability prepared by the State Board pursuant to NRS 385A.400;

(b) An update on the status of K-12 public education in this State;

(c) A description of the most recent vision and mission statements of the State Board and the Department, including, without limitation, the progress made by the State Board and Department in achieving those visions and missions;

(d) A description of the goals and benchmarks for improving the academic achievement of pupils which are included in the plan to improve the achievement of pupils required by NRS 385.111;

(e) A description of any policies, plans and programs for promoting, extending and improving career and technical education for pupils;

~~(f)~~ (f) A description of any significant changes made to the collection, maintenance or transfer of data concerning pupils by the Department, a school district, a sponsor of a charter school or a university school for profoundly gifted pupils;

~~(g)~~ (g) Any new data elements, including, without limitation, data about individual pupils and aggregated data about pupils within a defined group, proposed for inclusion in the automated system of accountability information for Nevada established pursuant to NRS 385A.800;

~~(h)~~ (h) An analysis of the progress the public schools have made in the previous year toward achieving the goals and benchmarks for improving the academic achievement of pupils;

~~(i)~~ (i) An analysis of whether the standards and examinations adopted by the State Board adequately prepare pupils for success in postsecondary educational institutions and in career and workforce readiness;

~~(j)~~ (j) An analysis of the extent to which school districts and charter schools recruit and retain effective teachers and principals;

~~(k)~~ (k) An analysis of the ability of the automated system of accountability information for Nevada established pursuant to NRS 385A.800 to link the achievement of pupils to the performance of the individual teachers assigned to those pupils and to the principals of the schools in which the pupils are enrolled;

~~(l)~~ (l) An analysis of the extent to which the lowest performing public schools have improved the academic achievement of pupils enrolled in those schools;

~~(m)~~ (m) A summary of the innovative educational programs implemented by public schools which have demonstrated the ability to improve the academic achievement of pupils, including, without limitation:

(1) Pupils who are economically disadvantaged, as defined by the State Board;

(2) Pupils from major racial and ethnic groups, as defined by the State Board;

(3) Pupils with disabilities;

(4) Pupils who are limited English proficient; and

(5) Pupils who are migratory children, as defined by the State Board; and

~~(n)~~ (n) A description of any plan of corrective action requested by the Superintendent of Public Instruction from the board of trustees of a school district or the governing body of a charter school and the status of that plan.

2. In odd-numbered years, the Superintendent of Public Instruction shall present the report prepared pursuant to subsection 1 in person to the Governor and each standing committee of the Legislature with primary jurisdiction over matters relating to K-12 public education at the beginning of each regular session of the Legislature.

3. In even-numbered years, the Superintendent of Public Instruction shall, on or before January 31, submit a written copy of the report prepared pursuant to subsection 1 to the Governor and to the Legislative Committee on Education.

Sec. 4. NRS 385.600 is hereby amended to read as follows:

385.600 As used in NRS 385.600 to 385.635, inclusive, unless the context otherwise requires, "Advisory Council" means the Advisory Council ~~for Parental Involvement and~~ *for* Family Engagement established pursuant to NRS 385.610.

1 **Sec. 5.** NRS 385.610 is hereby amended to read as follows:

2 385.610 1. The Superintendent of Public Instruction shall establish an
3 Advisory Council ~~for Parental Involvement and~~ **for** Family Engagement. The
4 Advisory Council is composed of 11 members.

5 2. The Superintendent of Public Instruction shall appoint the following
6 members to the Advisory Council:

- 7 (a) Two parents or legal guardians of pupils enrolled in public schools;
8 (b) Two teachers in public schools;
9 (c) One administrator of a public school;
10 (d) One representative of a private business or industry;
11 (e) One member of the board of trustees of a school district in a county whose
12 population is 100,000 or more;
13 (f) One member of the board of trustees of a school district in a county whose
14 population is less than 100,000; and
15 (g) One member who is the President of the Board of Managers of the Nevada
16 Parent Teacher Association or its successor organization, or a designee nominated
17 by the President.

18 ➤ The Superintendent of Public Instruction shall, to the extent practicable, ensure
19 that the members the Superintendent appoints to the Advisory Council reflect the
20 ethnic, economic and geographic diversity of this State.

21 3. The Speaker of the Assembly shall appoint one member of the Assembly to
22 the Advisory Council.

23 4. The Majority Leader of the Senate shall appoint one member of the Senate
24 to the Advisory Council.

25 5. The Advisory Council shall elect a Chair and Vice Chair from among its
26 members. The Chair and Vice Chair serve a term of 1 year.

27 6. After the initial terms:

28 (a) The term of each member of the Advisory Council who is appointed by the
29 Superintendent of Public Instruction is 3 years.

30 (b) The term of each member of the Advisory Council who is appointed by the
31 Speaker of the Assembly and the Majority Leader of the Senate is 2 years.

32 7. The Department shall provide:

- 33 (a) Administrative support to the Advisory Council; and
34 (b) All information that is necessary for the Advisory Council to carry out its
35 duties.

36 8. For each day or portion of a day during which a member of the Advisory
37 Council who is a Legislator attends a meeting of the Advisory Council or is
38 otherwise engaged in the business of the Advisory Council, except during a regular
39 or special session of the Legislature, the member is entitled to receive the:

40 (a) Compensation provided for a majority of the members of the Legislature
41 during the first 60 days of the preceding regular session;

42 (b) Per diem allowance provided for state officers generally; and

43 (c) Travel expenses provided pursuant to NRS 218A.655.

44 ➤ The compensation, per diem allowances and travel expenses of the legislative
45 members of the Advisory Council must be paid from the Legislative Fund.

46 9. A member of the Advisory Council who is not a Legislator is entitled to
47 receive the per diem allowance and travel expenses provided for state officers and
48 employees generally for each day or portion of a day during which the member
49 attends a meeting of the Advisory Council or is otherwise engaged in the business
50 of the Advisory Council. The per diem allowance and travel expenses for the
51 members of the Advisory Council who are not Legislators must be paid by the
52 Department.

1 **Sec. 6.** NRS 385.620 is hereby amended to read as follows:

2 385.620 The Advisory Council shall:

3 1. Review the policy of parental involvement adopted by the State Board and
4 the policy of parental involvement and family engagement adopted by the board of
5 trustees of each school district pursuant to NRS 392.457;

6 2. Review the information relating to communication with and participation,
7 involvement and engagement of parents and families that is included in the annual
8 report of accountability for each school district pursuant to NRS 385A.320 and
9 similar information in the annual report of accountability prepared by the State
10 Public Charter School Authority, the Achievement School District and a college or
11 university within the Nevada System of Higher Education that sponsors a charter
12 school pursuant to subsection 3 of NRS 385A.070;

13 3. Review any effective practices carried out in individual school districts to
14 increase parental involvement and family engagement and determine the feasibility
15 of carrying out those practices on a statewide basis;

16 4. Review any effective practices carried out in other states to increase
17 parental involvement and family engagement and determine the feasibility of
18 carrying out those practices in this State;

19 5. Identify methods to communicate effectively and provide outreach to
20 parents, legal guardians and families of pupils who have limited time to become
21 involved in the education of their children for various reasons, including, without
22 limitation, work schedules, single-parent homes and other family obligations;

23 6. Identify the manner in which the level of parental involvement and family
24 engagement affects the performance, attendance and discipline of pupils;

25 7. Identify methods to communicate effectively with and provide outreach to
26 parents, legal guardians and families of pupils who are limited English proficient;

27 8. Determine the necessity for the appointment of a statewide parental
28 involvement and family engagement coordinator or a parental involvement and
29 family engagement coordinator in each school district, or both;

30 9. Work in collaboration with the Office of Parental Involvement and Family
31 Engagement created by NRS 385.630 to carry out the duties prescribed in NRS
32 385.635; *and*

33 10. ~~{On or before July 1 of each year, submit a report to the Legislative~~
34 ~~Committee on Education describing the activities of the Advisory Council and any~~
35 ~~recommendations for legislation; and~~

36 ~~—11—~~ On or before February 1 of each ~~{odd-numbered}~~ year, submit a report to
37 the Director of the Legislative Counsel Bureau for transmission to ~~{the next regular~~
38 ~~session of}~~ the Legislature *in odd-numbered years and to the Legislative*
39 *Commission in even-numbered years*, describing the activities of the Advisory
40 Council and any recommendations for legislation.

41 **Sec. 7.** NRS 387.050 is hereby amended to read as follows:

42 387.050 1. The State of Nevada accepts the provisions of, and all of the
43 money provided by, the Vocational Education Act of 1963, and any amendments
44 thereof or supplements thereto.

45 2. In addition to the provisions of subsection 1, the State Board ~~{for Career~~
46 ~~and Technical Education}~~ may accept, and adopt regulations or establish policies
47 for the disbursement of, money appropriated by any Act of Congress and
48 apportioned to the State of Nevada for use in connection with the program for
49 career and technical education.

50 3. In accepting the benefits of the Acts of Congress referred to in subsections
51 1 and 2, the State of Nevada agrees to comply with all of their provisions and to
52 observe all of their requirements.

4. The State Treasurer is designated custodian of all money received by the State of Nevada from the appropriations made by the Acts of Congress referred to in subsections 1 and 2, and the State Treasurer may receive and provide for the proper custody thereof and make disbursements therefrom in the manner provided in the Acts and for the purposes therein specified on warrants of the State Controller issued upon the order of the ~~{Executive Officer of the State Board for Career and Technical Education}~~ *Superintendent of Public Instruction*.

5. On warrants of the State Controller issued upon the order of the ~~{Executive Officer of the State Board for Career and Technical Education}~~ *Superintendent of Public Instruction* pursuant to regulations or policies of the *State Board*, the State Treasurer shall also pay out any money appropriated by the State of Nevada to carry out the provisions of this section.

Sec. 8. NRS 388.340 is hereby amended to read as follows:

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

~~2. The Executive Officer shall:~~

~~(a) Except, except~~ as otherwise provided in NRS 388.342, employ personnel for such positions as are approved by the State Board ~~{for Career and Technical Education}~~ and necessary to carry out properly the provisions of this title relating to career and technical education.

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

~~(c) Maintain an office for the Board.~~

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

Sec. 9. NRS 388.342 is hereby amended to read as follows:

388.342 The ~~{Executive Officer of the State Board for Career and Technical Education}~~ *Superintendent of Public Instruction* shall appoint a person to oversee programs of career and technical education.

Sec. 10. NRS 388.360 is hereby amended to read as follows:

388.360 The State Board ~~{for Career and Technical Education}~~ *is hereby designated as the sole state agency responsible for the administration of career and technical education in the State of Nevada. The State Board may:*

1. Cooperate with any federal agency, board or department designated to administer the Acts of Congress apportioning federal money to the State of Nevada for career and technical education.

2. Establish policies and adopt regulations for the administration of any legislation enacted pursuant thereto by the State of Nevada.

3. Establish policies and adopt regulations for the administration of money provided by the Federal Government and the State of Nevada for the promotion, extension and improvement of career and technical education in Nevada.

4. Establish policies or regulations and formulate plans for the promotion of career and technical education in such subjects as are an essential and integral part of the system of public education in the State of Nevada.

5. Establish policies to provide for the preparation of teachers of such programs and subjects.

6. Approve positions for such persons as may be necessary to administer the federal act and provisions of this title enacted pursuant thereto for the State of Nevada.

7. Direct ~~{its Executive Officer}~~ *the Superintendent of Public Instruction* to make studies and investigations relating to career and technical education.

8. Establish policies to promote and aid in the establishment by local communities of schools, departments or classes giving training in career and technical subjects.

9. Cooperate with local communities in the maintenance of such schools, departments or classes.

10. Prescribe qualifications for the teachers, directors and supervisors of career and technical subjects.

11. Provide for the certification of such teachers, directors and supervisors.

12. Establish policies or regulations to cooperate in the maintenance of classes supported and controlled by the public for the preparation of the teachers, directors and supervisors of career and technical subjects, or maintain such classes under its own direction and control.

13. Establish by regulation the qualifications required for persons engaged in the training of teachers for career and technical education.

Sec. 11. NRS 388.365 is hereby amended to read as follows:

388.365 1. All gifts of money which the State Board ~~{for Career and Technical Education}~~ is authorized to accept *for career and technical education* must be deposited in a permanent trust fund in the State Treasury designated as the Gift Fund for Career and Technical Education.

2. The money available in the Fund must be used only for the purpose specified by the donor, within the scope of the *State* Board's powers and duties. The *State* Board may adopt regulations or establish policies for the disbursement of money from the Fund in accordance with the terms of the gift or bequest on warrants of the State Controller issued upon the orders of the ~~{Executive Officer of the State Board for Career and Technical Education}~~ *Superintendent of Public Instruction*. Any expenditures pursuant to this section may include matching state and federal money available for career and technical education.

3. If all or part of the money accepted by the *State* Board from a donor is not expended before the end of the fiscal year in which the gift was accepted, the remaining balance of the amount donated must remain in the Fund until needed for the purpose specified by the donor.

Sec. 12. NRS 388.380 is hereby amended to read as follows:

388.380 1. Except as otherwise provided in subsection 3, the board of trustees of a school district in a county whose population is 100,000 or more shall and any other board of trustees of a school district may:

(a) Establish and maintain a program of career and technical education giving instruction in the subjects approved by the State Board. ~~{for Career and Technical Education}~~

(b) Raise and expend money for the establishment and maintenance of a program of career and technical education.

2. A pupil who successfully completes a program of career and technical education and who otherwise satisfies the requirements for graduation from high school must be awarded a high school diploma with an endorsement indicating that the pupil has successfully completed the program of career and technical education. The provisions of this subsection do not preclude a pupil from receiving more than one endorsement on his or her diploma, if applicable.

3. The board of trustees of each school district shall incorporate into the curriculum:

(a) Guidance and counseling in career and technical education in accordance with NRS 389.041; and

(b) Technology.

4. The State Board ~~{for Career and Technical Education}~~ shall adopt regulations prescribing the endorsement of career and technical education for a high school diploma.

Sec. 13. NRS 388.385 is hereby amended to read as follows:

388.385 1. If the board of trustees of a school district has established a program of career and technical education pursuant to NRS 388.380 and to the extent that money is available from this State or the Federal Government, the superintendent of schools of the school district shall appoint an advisory technical skills committee consisting of:

- (a) Representatives of businesses and industries in the community;
- (b) Employees of the school district who possess knowledge and experience in career and technical education;
- (c) Pupils enrolled in public schools in the school district;
- (d) Parents and legal guardians of pupils enrolled in public schools in the school district;
- (e) To the extent practicable, representatives of postsecondary educational institutions that provide career and technical education; and
- (f) Other interested persons.

2. An advisory technical skills committee established pursuant to subsection 1 shall:

(a) Review the curriculum, design, content and operation of the program of career and technical education to determine its effectiveness in:

(1) Preparing pupils enrolled in the program to enter the workforce and meeting the needs of supplying an appropriately trained workforce to businesses and industries in the community; and

(2) Complying with the provisions of NRS ~~388.330~~ 388.340 to 388.400, inclusive, and any regulations adopted pursuant thereto.

(b) Advise the school district regarding the curriculum, design, content, operation and effectiveness of the program of career and technical education.

(c) Provide technical assistance to the school district in designing and revising as necessary the curriculum for the program of career and technical education.

(d) In cooperation with businesses, industries, employer associations and employee organizations in the community, develop work-based experiences for pupils enrolled in the program of career and technical education. The work-based experiences must:

(1) Be designed:

(I) For pupils enrolled in grades 11 and 12, but may be offered to pupils enrolled in grades 9 and 10 upon the approval of the principal of the school where the program is offered.

(II) To prepare and train pupils to work as apprentices in business settings.

(2) Allow a pupil to earn academic credit for the work-based experience.

(e) Meet at least three times each calendar year.

(f) Provide to the superintendent of schools of the school district any recommendations regarding the program of career and technical education and any actions of the committee.

(g) Comply with the provisions of chapter 241 of NRS.

3. The members of an advisory technical skills committee serve without compensation.

Sec. 14. NRS 388.390 is hereby amended to read as follows:

388.390 If the board of trustees of a school district or the governing body of a charter school organizes a program of career and technical education in accordance with the regulations adopted by the State Board ~~for Career and Technical Education~~ and the program has been approved by the ~~Executive Officer of the Board~~, *Superintendent of Public Instruction*, the school district or the charter school is entitled to share in federal and state money available for the promotion of

1 career and technical education in the amount determined by the ~~Executive Officer~~
2 ~~of the Board.~~ *Superintendent of Public Instruction*, in accordance with NRS
3 388.390 to 388.397, inclusive, and the regulations and policies of the State Board.

4 **Sec. 15.** NRS 388.392 is hereby amended to read as follows:

5 388.392 1. Of state money appropriated for use in a fiscal year for programs
6 of career and technical education, the State Board ~~for Career and Technical~~
7 ~~Education~~ shall not use more than 7.5 percent to provide leadership and training
8 activities in that fiscal year.

9 2. Before allocating state money, if any, to provide leadership and training
10 activities, the State Board ~~for Career and Technical Education~~ shall:

11 (a) Distribute 30 percent of the state money in the manner set forth in NRS
12 388.393; and

13 (b) Distribute 5 percent of the state money to pupil organizations for career and
14 technical education in the manner set forth in NRS 388.394.

15 3. After distributing the state money pursuant to subsection 2 and allocating
16 state money, if any, to provide leadership and training activities, the State Board
17 ~~for Career and Technical Education~~ shall distribute the remainder of state money
18 in the manner set forth in NRS 388.395.

19 4. The State Board ~~for Career and Technical Education~~ shall request that
20 each industry sector council established pursuant to subsection 2 of NRS 232.935
21 name one representative to provide recommendations to the ~~Executive Officer of~~
22 ~~the State Board for Career and Technical Education~~ *Superintendent of Public*
23 *Instruction* on the awarding of grants pursuant to NRS 388.393.

24 5. As used in this section, “leadership and training activities” means:

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

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

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

30 (d) Promotion and marketing of classes or programs of career and technical
31 education; and

32 (e) The development of standards and assessments of career and technical
33 education for the purposes of leadership and training.

34 **Sec. 16.** NRS 388.393 is hereby amended to read as follows:

35 388.393 1. The board of trustees of a school district or the governing body
36 of a charter school may apply to the State Board ~~for Career and Technical~~
37 ~~Education~~ for a grant for a program of career and technical education, to be paid
38 for with money distributed pursuant to paragraph (a) of subsection 2 of NRS
39 388.392, by submitting an application to the person appointed pursuant to NRS
40 388.342.

41 2. Upon receipt of an application for a grant, the person shall forward the
42 application to each representative of an industry sector council named pursuant to
43 subsection 4 of NRS 388.392 to review the application.

44 3. The ~~Executive Officer of the State Board for Career and Technical~~
45 ~~Education~~ *Superintendent of Public Instruction* shall review the
46 recommendations of the representatives of the industry sector councils and award
47 grants for the purposes of developing new programs of career and technical
48 education or expanding existing programs of career and technical education. The
49 awarding of grants must be based on the following criteria of the program of career
50 and technical education:

51 (a) Standards and instruction.

52 (b) Leadership development.

53 (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) Pupil-teacher ratio.
- (k) Whether the program will lead to a national credential or certification.

Sec. 17. NRS 388.394 is hereby amended to read as follows:

388.394 1. A pupil organization for career and technical education may apply to the State Board ~~{for Career and Technical Education}~~ for a grant to support the activities of the organization, to be paid for with the money distributed pursuant to paragraph (b) of subsection 2 of NRS 388.392.

2. The State Board ~~{for Career and Technical Education}~~ shall review all applications submitted pursuant to subsection 1 and award grants to pupil organizations on a fair and equitable basis.

Sec. 18. NRS 388.395 is hereby amended to read as follows:

388.395 1. The board of trustees of a school district or the governing body of a charter school may apply to the State Board ~~{for Career and Technical Education}~~ for a grant for a program of career and technical education, to be paid for from the remainder of state money described in subsection 3 of NRS 388.392.

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) 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 must not exceed the proportion of the duplicated enrollment of pupils in programs of career and technical education in the school district or charter school during the previous fiscal year, as compared to the duplicated enrollments of pupils in programs of career and technical education throughout the State during the previous fiscal year. For the purposes of determining the duplicated enrollment of pupils in a program of career and technical education, each pupil must be counted once for each program of career and technical education in which he or she is enrolled.

Sec. 19. NRS 388.396 is hereby amended to read as follows:

388.396 For each grant of money awarded pursuant to NRS 388.393, 388.394 or 388.395, the State Board ~~{for Career and Technical Education}~~ shall designate a program professional to:

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

2. Report the results of the review to the State Board . ~~{for Career and Technical Education}~~

1 **Sec. 20.** NRS 388.400 is hereby amended to read as follows:

2 388.400 1. The money for career and technical education must be provided
3 for and raised in the manner specified in NRS 387.050 and ~~388.330~~ **388.340** to
4 388.400, inclusive.

5 2. The State Treasurer is the custodian of the money and shall make
6 disbursements therefrom on warrants of the State Controller issued upon the order
7 of the ~~Executive Officer of the State Board for Career and Technical Education.~~
8 **Superintendent of Public Instruction.**

9 **Sec. 21.** ~~NRS 388.780 is hereby amended to read as follows:~~

10 ~~388.780 As used in NRS 388.780 to 388.805, inclusive, unless the context~~
11 ~~otherwise requires, [the words and terms defined in NRS 388.785 and 388.787 have~~
12 ~~the meanings ascribed to them in those sections.] “Committee” means the~~
13 ~~Legislative Committee on Education created pursuant to NRS 218E.605.]~~
14 **(Deleted by amendment.)**

15 **Sec. 22.** ~~NRS 388.795 is hereby amended to read as follows:~~

16 ~~388.795 1. The [Commission] Department shall establish a plan for the use~~
17 ~~of educational technology in the public schools of this State. In preparing the plan,~~
18 ~~the [Commission] Department shall consider:~~

19 ~~(a) Plans that have been adopted by [the Department and] the school districts~~
20 ~~and charter schools in this State;~~

21 ~~(b) Plans that have been adopted in other states;~~

22 ~~(c) The information reported pursuant to NRS 385A.310 and similar~~
23 ~~information included in the annual report of accountability information prepared by~~
24 ~~the State Public Charter School Authority, the Achievement School District and a~~
25 ~~college or university within the Nevada System of Higher Education that sponsors a~~
26 ~~charter school pursuant to subsection 3 of NRS 385A.070;~~

27 ~~(d) The results of the assessment of needs conducted pursuant to subsection~~
28 ~~[6.] 5; and~~

29 ~~(e) Any other information that the [Commission] Department or the~~
30 ~~Committee deems relevant to the preparation of the plan.~~

31 ~~2. The plan established by the [Commission] Department must include~~
32 ~~recommendations for methods to:~~

33 ~~(a) Incorporate educational technology into the public schools of this State;~~

34 ~~(b) Increase the number of pupils in the public schools of this State who have~~
35 ~~access to educational technology;~~

36 ~~(c) Increase the availability of educational technology to assist licensed~~
37 ~~teachers and other educational personnel in complying with the requirements of~~
38 ~~continuing education, including, without limitation, the receipt of credit for college~~
39 ~~courses completed through the use of educational technology;~~

40 ~~(d) Facilitate the exchange of ideas to improve the achievement of pupils who~~
41 ~~are enrolled in the public schools of this State; and~~

42 ~~(e) Address the needs of teachers in incorporating the use of educational~~
43 ~~technology in the classroom, including, without limitation, the completion of~~
44 ~~training that is sufficient to enable the teachers to instruct pupils in the use of~~
45 ~~educational technology.~~

46 ~~3. [The Department shall provide:~~

47 ~~(a) Administrative support;~~

48 ~~(b) Equipment; and~~

49 ~~(c) Office space;~~

50 ~~as is necessary for the Commission to carry out the provisions of this section.~~

51 ~~4.] The following entities shall cooperate with the [Commission] Department~~
52 ~~in carrying out the provisions of this section:~~

53 ~~(a) The State Board.~~

~~(b) The board of trustees of each school district.~~
~~(c) The superintendent of schools of each school district.~~
~~[(d) The Department.~~
~~5.] 4. The [Commission] **Department** shall:~~
~~(a) Develop technical standards for educational technology and any electrical or structural appurtenances necessary thereto, including, without limitation, uniform specifications for computer hardware and wiring, to ensure that such technology is compatible, uniform and can be interconnected throughout the public schools of this State.~~
~~(b) Allocate money to the school districts from the Trust Fund for Educational Technology created pursuant to NRS 389.800 and any money appropriated by the Legislature for educational technology, subject to any priorities for such allocation established by the Legislature.~~
~~(c) Establish criteria for the board of trustees of a school district that receives an allocation of money from the [Commission] **Department** to:~~
~~(1) Repair, replace and maintain computer systems.~~
~~(2) Upgrade and improve computer hardware and software and other educational technology.~~
~~(3) Provide training, installation and technical support related to the use of educational technology within the district.~~
~~(d) Submit to the Governor [,] and the Committee [and the Department] its plan for the use of educational technology in the public schools of this State and any recommendations for legislation.~~
~~(e) Review the plan annually and make revisions as it deems necessary or as directed by the Committee. [for the Department.]~~
~~(f) In addition to the recommendations set forth in the plan pursuant to subsection 2, make further recommendations to the Committee [and the Department] as the [Commission] **Department** deems necessary.~~
~~[6.] 5. During the spring semester of each even numbered school year, the [Commission] **Department** shall conduct an assessment of the needs of each school district relating to educational technology. In conducting the assessment, the [Commission] **Department** shall consider:~~
~~(a) The recommendations set forth in the plan pursuant to subsection 2;~~
~~(b) The plan for educational technology of each school district, if applicable;~~
~~(c) Evaluations of educational technology conducted for the State or for a school district, if applicable; and~~
~~(d) Any other information deemed relevant by the [Commission.] **Department**.~~
~~→ The [Commission] **Department** shall submit a final written report of the assessment to the Superintendent of Public Instruction on or before April 1 of each even numbered year.~~
~~[7.] 6. The Superintendent of Public Instruction shall prepare a written compilation of the results of the assessment conducted by the [Commission] **Department** and transmit the written compilation on or before June 1 of each even-numbered year to the Legislative Committee on Education and to the Director of the Legislative Counsel Bureau for transmission to the next regular session of the Legislature.~~
~~[8.] 7. The [Commission] **Department** may appoint an advisory committee composed of members of the [Commission] **Department** or other qualified persons to provide recommendations to the [Commission] **Department** regarding standards for the establishment, coordination and use of a telecommunications network in the public schools throughout the various school districts in this State. The advisory committee serves at the pleasure of the [Commission] **Department** and without~~

1 compensation unless an appropriation or other money for that purpose is provided
2 by the Legislature.

3 ~~[9.] 8. As used in this section, "public school" includes the Caliente Youth~~
4 ~~Center, the Nevada Youth Training Center and any other state facility for the~~
5 ~~detention of children that is operated pursuant to title 5 of NRS.] (Deleted by~~
6 ~~amendment.)~~

7 **Sec. 23.** ~~[NRS 388.800 is hereby amended to read as follows:~~

8 ~~388.800 1. The Trust Fund for Educational Technology is hereby created in~~
9 ~~the State General Fund. The Trust Fund must be administered by the~~
10 ~~Superintendent of Public Instruction. The Superintendent may accept gifts and~~
11 ~~grants of money from any source for deposit in the Trust Fund. Any such money~~
12 ~~may be expended in accordance with the terms and conditions of the gift or grant,~~
13 ~~or in accordance with subsection 2.~~

14 ~~2. The interest and income earned on the money in the Trust Fund must be~~
15 ~~credited to the Trust Fund.~~

16 ~~3. The money in the Trust Fund may be used only for the distribution of~~
17 ~~money to school districts and charter schools to be used in kindergarten through~~
18 ~~12th grade to obtain and maintain hardware and software for computer systems,~~
19 ~~equipment for transfer of data by modem through connection to telephone lines,~~
20 ~~and other educational technology as may be approved by the [Commission]~~
21 ~~Department for use in classrooms.] (Deleted by amendment.)~~

22 **Sec. 24.** ~~[NRS 388.805 is hereby amended to read as follows:~~

23 ~~388.805 The Department shall [, in consultation with the Commission,] adopt~~
24 ~~regulations that establish a program whereby school districts and charter schools~~
25 ~~may apply [to the Commission on Educational Technology] for money from the~~
26 ~~Trust Fund for Educational Technology.] (Deleted by amendment.)~~

27 **Sec. 25.** NRS 610.030 is hereby amended to read as follows:

28 610.030 1. A State Apprenticeship Council composed of seven members is
29 hereby created.

30 2. The Labor Commissioner shall appoint:

31 (a) Three members who are representatives from employer associations and
32 have knowledge concerning occupations in which a person may be apprenticed.

33 (b) Three members who are representatives from employee organizations and
34 have knowledge concerning occupations in which a person may be apprenticed.

35 (c) One member who is a representative of the general public and who, before
36 appointment, must first receive the unanimous approval of the members appointed
37 under the provisions of paragraphs (a) and (b).

38 3. The state official who has been designated by the State Board ~~[for Career~~
39 ~~and Technical] of Education as being in charge of trade and industrial education is~~
40 an ex officio member of the State Apprenticeship Council but may not vote.

41 **Sec. 26.** NRS 632.2856 is hereby amended to read as follows:

42 632.2856 1. The training program required for certification as a nursing
43 assistant must consist of 75 hours of instruction. The program must include no less
44 than 60 hours of theory and learning skills in a laboratory setting.

45 2. Except as otherwise provided in this subsection, the instructor of the
46 program must be a registered nurse with:

47 (a) Three years of nursing experience which includes direct care of patients and
48 supervision and education of members of the staff; and

49 (b) Proof of successful completion of training for instructors which has been
50 approved by the Board.

51 ➤ The Board may approve a licensed practical nurse as an instructor if the Board
52 determines that requiring instruction by a registered nurse would create a hardship.

3. Except as otherwise provided in NRS 622.090, upon completion of the program, a nursing assistant trainee must pass a test in theory with an overall score of 80 percent and a test of skills on a pass or fail basis. The test of skills must be given by a registered nurse. If the nursing assistant trainee fails either of the tests, the nursing assistant trainee must repeat the training in the areas in which he or she was deficient before taking the certification examination.

4. In a program which is based in a facility, a nursing assistant trainee may only perform those tasks he or she has successfully completed in the training program, and must perform those tasks under the direct supervision of a registered nurse or a licensed practical nurse.

5. The Board shall adopt regulations not inconsistent with law:

(a) Specifying the scope of the training program and the required components of the program;

(b) Establishing standards for the approval of programs and instructors; and

(c) Designating the basic nursing services which a nursing assistant may provide upon certification.

6. Any medical facility, educational institution or other organization may provide a training program if the program meets the requirements set forth in this chapter and in the regulations of the Board, and is approved by the Board. Such a program must be administered through:

(a) The Nevada System of Higher Education;

(b) A program for career and technical education approved by the State Board ~~for Career and Technical~~ of Education;

(c) A public school in this State; or

(d) Any other nationally recognized body or agency authorized by law to accredit or approve such programs.

7. An educational institution or agency that administers a training program shall:

(a) Develop or approve the curriculum for training provided in its service district;

(b) Manage the training program; and

(c) Work with medical and other facilities to carry out the requirements of paragraphs (a) and (b).

~~Sec. 27. [As soon as practicable after July 1, 2017, the Nevada State Education Association shall provide the Governor with a list of three candidates who are teachers of a course of study in career and technical education at a public school for appointment to the State Board of Education pursuant to paragraph (a) of subsection 6 of NRS 385.021, as amended by section 2 of this act, when a vacancy occurs in that office or the current term of the member serving pursuant to that paragraph expires.] (Deleted by amendment.)~~

Sec. 28. 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. 29. 1. Any administrative regulations adopted by an officer, agency or other entity whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer, agency or other entity remain in force until amended by the officer, agency or other entity to which the responsibility for the adoption of the regulations has been transferred.

2. Any contracts or other agreements entered into by an officer, agency or other entity whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer, agency or other entity are binding upon the officer, agency or other entity to which the responsibility for the administration of the provisions of the contract or other

1 agreement have been transferred. Such contracts and other agreements may be
2 enforced by the officer, agency or other entity to which the responsibility for the
3 enforcement of the provisions of the contract or other agreement has been
4 transferred.

5 3. Any action taken by an officer, agency or other entity whose name has
6 been changed or whose responsibilities have been transferred pursuant to the
7 provisions of this act to another officer, agency or entity remains in effect as if
8 taken by the officer, agency or other entity to which the responsibility for the
9 enforcement of such actions has been transferred.

10 **Sec. 30.** The Legislative Counsel shall:

11 1. In preparing the Nevada Revised Statutes, use the authority set forth in
12 subsection 10 of NRS 220.120 to substitute appropriately the name of any agency,
13 officer or instrumentality of the State whose name is changed by this act for the
14 name which the agency, officer or instrumentality previously used; and

15 2. In preparing supplements to the Nevada Administrative Code, substitute
16 appropriately the name of any agency, officer or instrumentality of the State whose
17 name is changed by this act for the name which the agency, officer or
18 instrumentality previously used.

19 **Sec. 31.** NRS 388.330, 388.350, 388.370 ~~and~~ **and** 388.5237 ~~and~~ **and** 388.785,
20 ~~388.787, 388.789 and 388.790~~ are hereby repealed.

21 **Sec. 32.** This act becomes effective on July 1, 2017.

LEADLINES OF REPEALED SECTIONS

388.330 Composition of Board.

388.350 Meetings.

388.370 Biennial report to Governor.

388.5237 Interagency Panel: Responsibility; membership; duties.

~~**388.785 "Commission" defined.**~~

~~**388.787 "Committee" defined.**~~

~~**388.789 Superintendent of Public Instruction required to ensure Commission carries out duties successfully.**~~

~~**388.790 Commission on Educational Technology: Creation; membership; terms; removal and vacancy; quarterly meetings required; compensation.**~~