

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



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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) 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 388.780-388.805) 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 ~~†~~
~~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.

3. 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



1 member, notwithstanding the number of terms the member served as
2 an elected member.

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

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

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

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

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

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

22 385.230 1. The Department shall, in conjunction with the
23 State Board, prepare an annual report of the state of public
24 education in this State. The report must include, without limitation:

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

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

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

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

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

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

43 ~~(f)~~ (g) Any new data elements, including, without limitation,
44 data about individual pupils and aggregated data about pupils within
45 a defined group, proposed for inclusion in the automated system of



1 accountability information for Nevada established pursuant to
2 NRS 385A.800;

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

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

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

12 ~~(h)~~ (k) An analysis of the ability of the automated system of
13 accountability information for Nevada established pursuant to NRS
14 385A.800 to link the achievement of pupils to the performance of
15 the individual teachers assigned to those pupils and to the principals
16 of the schools in which the pupils are enrolled;

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

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

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

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

28 (3) Pupils with disabilities;

29 (4) Pupils who are limited English proficient; and

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

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

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

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



1 **Sec. 4.** NRS 385.600 is hereby amended to read as follows:
2 385.600 As used in NRS 385.600 to 385.635, inclusive, unless
3 the context otherwise requires, "Advisory Council" means the
4 Advisory Council ~~for Parental Involvement and~~ **for** Family
5 Engagement established pursuant to NRS 385.610.

6 **Sec. 5.** NRS 385.610 is hereby amended to read as follows:
7 385.610 1. The Superintendent of Public Instruction shall
8 establish an Advisory Council ~~for Parental Involvement and~~ **for**
9 Family Engagement. The Advisory Council is composed of 11
10 members.

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

13 (a) Two parents or legal guardians of pupils enrolled in public
14 schools;

15 (b) Two teachers in public schools;

16 (c) One administrator of a public school;

17 (d) One representative of a private business or industry;

18 (e) One member of the board of trustees of a school district in a
19 county whose population is 100,000 or more;

20 (f) One member of the board of trustees of a school district in a
21 county whose population is less than 100,000; and

22 (g) One member who is the President of the Board of Managers
23 of the Nevada Parent Teacher Association or its successor
24 organization, or a designee nominated by the President.

25 ➤ The Superintendent of Public Instruction shall, to the extent
26 practicable, ensure that the members the Superintendent appoints to
27 the Advisory Council reflect the ethnic, economic and geographic
28 diversity of this State.

29 3. The Speaker of the Assembly shall appoint one member of
30 the Assembly to the Advisory Council.

31 4. The Majority Leader of the Senate shall appoint one member
32 of the Senate to the Advisory Council.

33 5. The Advisory Council shall elect a Chair and Vice Chair
34 from among its members. The Chair and Vice Chair serve a term of
35 1 year.

36 6. After the initial terms:

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

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

42 7. The Department shall provide:

43 (a) Administrative support to the Advisory Council; and

44 (b) All information that is necessary for the Advisory Council to
45 carry out its duties.



1 8. For each day or portion of a day during which a member of
2 the Advisory Council who is a Legislator attends a meeting of the
3 Advisory Council or is otherwise engaged in the business of the
4 Advisory Council, except during a regular or special session of
5 the Legislature, the member is entitled to receive the:

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

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

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

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

13 9. A member of the Advisory Council who is not a Legislator
14 is entitled to receive the per diem allowance and travel expenses
15 provided for state officers and employees generally for each day or
16 portion of a day during which the member attends a meeting of the
17 Advisory Council or is otherwise engaged in the business of the
18 Advisory Council. The per diem allowance and travel expenses for
19 the members of the Advisory Council who are not Legislators must
20 be paid by the Department.

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

22 385.620 The Advisory Council shall:

23 1. Review the policy of parental involvement adopted by the
24 State Board and the policy of parental involvement and family
25 engagement adopted by the board of trustees of each school district
26 pursuant to NRS 392.457;

27 2. Review the information relating to communication with and
28 participation, involvement and engagement of parents and families
29 that is included in the annual report of accountability for each school
30 district pursuant to NRS 385A.320 and similar information in the
31 annual report of accountability prepared by the State Public Charter
32 School Authority, the Achievement School District and a college or
33 university within the Nevada System of Higher Education that
34 sponsors a charter school pursuant to subsection 3 of
35 NRS 385A.070;

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

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

43 5. Identify methods to communicate effectively and provide
44 outreach to parents, legal guardians and families of pupils who have
45 limited time to become involved in the education of their children



1 for various reasons, including, without limitation, work schedules,
2 single-parent homes and other family obligations;

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

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

9 8. Determine the necessity for the appointment of a statewide
10 parental involvement and family engagement coordinator or a
11 parental involvement and family engagement coordinator in each
12 school district, or both;

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

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

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

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

26 387.050 1. The State of Nevada accepts the provisions of,
27 and all of the money provided by, the Vocational Education Act of
28 1963, and any amendments thereof or supplements thereto.

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

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

38 4. The State Treasurer is designated custodian of all money
39 received by the State of Nevada from the appropriations made by
40 the Acts of Congress referred to in subsections 1 and 2, and the
41 State Treasurer may receive and provide for the proper custody
42 thereof and make disbursements therefrom in the manner provided
43 in the Acts and for the purposes therein specified on warrants of the
44 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 ~~{1.} 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



1 an essential and integral part of the system of public education in the
2 State of Nevada.

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

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

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

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

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

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

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

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

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

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

29 388.365 1. All gifts of money which the State Board ~~for~~
30 ~~Career and Technical Education~~ is authorized to accept *for career*
31 *and technical education* must be deposited in a permanent trust
32 fund in the State Treasury designated as the Gift Fund for Career
33 and Technical Education.

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

44 3. If all or part of the money accepted by the *State* Board from
45 a donor is not expended before the end of the fiscal year in which



1 the gift was accepted, the remaining balance of the amount donated
2 must remain in the Fund until needed for the purpose specified by
3 the donor.

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

5 388.380 1. Except as otherwise provided in subsection 3, the
6 board of trustees of a school district in a county whose population is
7 100,000 or more shall and any other board of trustees of a school
8 district may:

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

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

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

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

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

25 (b) Technology.

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

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

30 388.385 1. If the board of trustees of a school district has
31 established a program of career and technical education pursuant to
32 NRS 388.380 and to the extent that money is available from this
33 State or the Federal Government, the superintendent of schools of
34 the school district shall appoint an advisory technical skills
35 committee consisting of:

36 (a) Representatives of businesses and industries in the
37 community;

38 (b) Employees of the school district who possess knowledge and
39 experience in career and technical education;

40 (c) Pupils enrolled in public schools in the school district;

41 (d) Parents and legal guardians of pupils enrolled in public
42 schools in the school district;

43 (e) To the extent practicable, representatives of postsecondary
44 educational institutions that provide career and technical education;
45 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



1 charter school is entitled to share in federal and state money
2 available for the promotion of career and technical education in the
3 amount determined by the ~~{Executive Officer of the Board,}~~
4 *Superintendent of Public Instruction*, in accordance with NRS
5 388.390 to 388.397, inclusive, and the regulations and policies of
6 the Board.

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

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

13 2. Before allocating state money, if any, to provide leadership
14 and training activities, the State Board ~~{for Career and Technical}~~
15 ~~Education}~~ shall:

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

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

21 3. After distributing the state money pursuant to subsection 2
22 and allocating state money, if any, to provide leadership and training
23 activities, the State Board ~~{for Career and Technical Education}~~
24 shall distribute the remainder of state money in the manner set forth
25 in NRS 388.395.

26 4. The State Board ~~{for Career and Technical Education}~~ shall
27 request that each industry sector council established pursuant to
28 subsection 2 of NRS 232.935 name one representative to provide
29 recommendations to the ~~{Executive Officer of the State Board for}~~
30 ~~Career and Technical Education}~~ *Superintendent of Public*
31 *Instruction* on the awarding of grants pursuant to NRS 388.393.

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

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

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

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

40 (d) Promotion and marketing of classes or programs of career
41 and technical education; and

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



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

388.393 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 with money distributed pursuant to paragraph (a) of subsection 2 of NRS 388.392, by submitting an application to the person appointed pursuant to NRS 388.342.

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

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

- (a) Standards and instruction.
- (b) Leadership development.
- (c) Practical application of occupational skills.
- (d) Quality and competence of personnel.
- (e) Facilities, equipment and materials.
- (f) Community, business and industry involvement.
- (g) Career guidance.
- (h) Program promotion.
- (i) Program accountability and planning.
- (j) 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



1 career and technical education, to be paid for from the remainder of
2 state money described in subsection 3 of NRS 388.392.

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

- 7 (a) Standards and instruction.
- 8 (b) Leadership development.
- 9 (c) Practical application of occupational skills.
- 10 (d) Quality and competence of personnel.
- 11 (e) Facilities, equipment and materials.
- 12 (f) Community, business and industry involvement.
- 13 (g) Career guidance.
- 14 (h) Program promotion.
- 15 (i) Program accountability and planning.
- 16 (j) Pupil-teacher ratio.
- 17 (k) Whether the program will lead to a national credential or
18 certification.

19 3. The proportion of the total amount awarded pursuant to
20 subsection 2 to a school district or charter school during a fiscal year
21 must not exceed the proportion of the duplicated enrollment of
22 pupils in programs of career and technical education in the school
23 district or charter school during the previous fiscal year, as
24 compared to the duplicated enrollments of pupils in programs of
25 career and technical education throughout the State during the
26 previous fiscal year. For the purposes of determining the duplicated
27 enrollment of pupils in a program of career and technical education,
28 each pupil must be counted once for each program of career and
29 technical education in which he or she is enrolled.

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

31 388.396 For each grant of money awarded pursuant to NRS
32 388.393, 388.394 or 388.395, the State Board ~~for Career and~~
33 ~~Technical Education~~ shall designate a program professional to:

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

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

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

40 388.400 1. The money for career and technical education
41 must be provided for and raised in the manner specified in NRS
42 387.050 and ~~388.330~~ **388.340** to 388.400, inclusive.

43 2. The State Treasurer is the custodian of the money and shall
44 make disbursements therefrom on warrants of the State Controller
45 issued upon the order of the ~~Executive Officer of the State Board~~



~~for Career and Technical Education.]~~ *Superintendent of Public Instruction.*

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

388.780 As used in NRS 388.780 to 388.805, inclusive, unless the context otherwise requires, ~~the words and terms defined in NRS 388.785 and 388.787 have the meanings ascribed to them in those sections.]~~ *“Committee” means the Legislative Committee on Education created pursuant to NRS 218E.605.*

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

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

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

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

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

(d) The results of the assessment of needs conducted pursuant to subsection ~~6;]~~ *5;* and

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

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

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

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

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

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

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

3. ~~The Department shall provide:~~

~~(a) Administrative support;~~



1 ~~—(b) Equipment; and~~
2 ~~—(c) Office space;~~
3 ~~→ as is necessary for the Commission to carry out the provisions of~~
4 ~~this section.~~
5 ~~—4.~~ The following entities shall cooperate with the
6 ~~{Commission}~~ **Department** in carrying out the provisions of this
7 section:
8 (a) The State Board.
9 (b) The board of trustees of each school district.
10 (c) The superintendent of schools of each school district.
11 ~~{(d) The Department.~~
12 ~~—5.~~ 4. The ~~{Commission}~~ **Department** shall:
13 (a) Develop technical standards for educational technology and
14 any electrical or structural appurtenances necessary thereto,
15 including, without limitation, uniform specifications for computer
16 hardware and wiring, to ensure that such technology is compatible,
17 uniform and can be interconnected throughout the public schools of
18 this State.
19 (b) Allocate money to the school districts from the Trust Fund
20 for Educational Technology created pursuant to NRS 388.800 and
21 any money appropriated by the Legislature for educational
22 technology, subject to any priorities for such allocation established
23 by the Legislature.
24 (c) Establish criteria for the board of trustees of a school district
25 that receives an allocation of money from the ~~{Commission}~~
26 **Department** to:
27 (1) Repair, replace and maintain computer systems.
28 (2) Upgrade and improve computer hardware and software
29 and other educational technology.
30 (3) Provide training, installation and technical support related
31 to the use of educational technology within the district.
32 (d) Submit to the Governor ~~{}~~ **and** the Committee ~~{and the~~
33 ~~Department}~~ its plan for the use of educational technology in the
34 public schools of this State and any recommendations for
35 legislation.
36 (e) Review the plan annually and make revisions as it deems
37 necessary or as directed by the Committee. ~~{for the Department.}~~
38 (f) In addition to the recommendations set forth in the plan
39 pursuant to subsection 2, make further recommendations to the
40 Committee ~~{and the Department}~~ as the ~~{Commission}~~ **Department**
41 deems necessary.
42 ~~{6.}~~ 5. During the spring semester of each even-numbered
43 school year, the ~~{Commission}~~ **Department** shall conduct an
44 assessment of the needs of each school district relating to



1 educational technology. In conducting the assessment, the
2 ~~{Commission}~~ **Department** shall consider:

3 (a) The recommendations set forth in the plan pursuant to
4 subsection 2;

5 (b) The plan for educational technology of each school district,
6 if applicable;

7 (c) Evaluations of educational technology conducted for the
8 State or for a school district, if applicable; and

9 (d) Any other information deemed relevant by the
10 ~~{Commission}~~ **Department**.

11 ↪ The ~~{Commission}~~ **Department** shall submit a final written report
12 of the assessment to the Superintendent of Public Instruction on or
13 before April 1 of each even-numbered year.

14 ~~{7-}~~ 6. The Superintendent of Public Instruction shall prepare a
15 written compilation of the results of the assessment conducted by
16 the ~~{Commission}~~ **Department** and transmit the written compilation
17 on or before June 1 of each even-numbered year to the Legislative
18 Committee on Education and to the Director of the Legislative
19 Counsel Bureau for transmission to the next regular session of the
20 Legislature.

21 ~~{8-}~~ 7. The ~~{Commission}~~ **Department** may appoint an
22 advisory committee composed of members of the ~~{Commission}~~
23 **Department** or other qualified persons to provide recommendations
24 to the ~~{Commission}~~ **Department** regarding standards for the
25 establishment, coordination and use of a telecommunications
26 network in the public schools throughout the various school districts
27 in this State. The advisory committee serves at the pleasure of the
28 ~~{Commission}~~ **Department** and without compensation unless an
29 appropriation or other money for that purpose is provided by the
30 Legislature.

31 ~~{9-}~~ 8. As used in this section, "public school" includes the
32 Caliente Youth Center, the Nevada Youth Training Center and any
33 other state facility for the detention of children that is operated
34 pursuant to title 5 of NRS.

35 **Sec. 23.** NRS 388.800 is hereby amended to read as follows:

36 388.800 1. The Trust Fund for Educational Technology is
37 hereby created in the State General Fund. The Trust Fund must be
38 administered by the Superintendent of Public Instruction. The
39 Superintendent may accept gifts and grants of money from any
40 source for deposit in the Trust Fund. Any such money may be
41 expended in accordance with the terms and conditions of the gift or
42 grant, or in accordance with subsection 3.

43 2. The interest and income earned on the money in the Trust
44 Fund must be credited to the Trust Fund.



3. The money in the Trust Fund may be used only for the distribution of money to school districts and charter schools to be used in kindergarten through 12th grade to obtain and maintain hardware and software for computer systems, equipment for transfer of data by modem through connection to telephone lines, and other educational technology as may be approved by the ~~{Commission}~~ **Department** for use in classrooms.

Sec. 24. NRS 388.805 is hereby amended to read as follows:

388.805 The Department shall ~~{in consultation with the Commission}~~ adopt regulations that establish a program whereby school districts and charter schools may apply ~~{to the Commission on Educational Technology}~~ for money from the Trust Fund for Educational Technology.

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

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

2. The Labor Commissioner shall appoint:

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

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

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

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

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

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

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

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

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



1 ➔ The Board may approve a licensed practical nurse as an instructor
2 if the Board determines that requiring instruction by a registered
3 nurse would create a hardship.

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

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

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

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

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

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

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

29 (a) The Nevada System of Higher Education;

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

32 (c) A public school in this State; or

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

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

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

39 (b) Manage the training program; and

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

42 **Sec. 27.** As soon as practicable after July 1, 2017, the Nevada
43 State Education Association shall provide the Governor with a list
44 of three candidates who are teachers of a course of study in career
45 and technical education at a public school for appointment to the



1 State Board of Education pursuant to paragraph (a) of subsection 6
2 of NRS 385.021, as amended by section 2 of this act, when a
3 vacancy occurs in that office or the current term of the member
4 serving pursuant to that paragraph expires.

5 **Sec. 28.** The provisions of subsection 1 of NRS 218D.380 do
6 not apply to any provision of this act which adds or revises a
7 requirement to submit a report to the Legislature.

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

15 2. Any contracts or other agreements entered into by an officer,
16 agency or other entity whose name has been changed or whose
17 responsibilities have been transferred pursuant to the provisions of
18 this act to another officer, agency or other entity are binding upon
19 the officer, agency or other entity to which the responsibility for the
20 administration of the provisions of the contract or other agreement
21 have been transferred. Such contracts and other agreements may be
22 enforced by the officer, agency or other entity to which the
23 responsibility for the enforcement of the provisions of the contract
24 or other agreement has been transferred.

25 3. Any action taken by an officer, agency or other entity whose
26 name has been changed or whose responsibilities have been
27 transferred pursuant to the provisions of this act to another officer,
28 agency or entity remains in effect as if taken by the officer, agency
29 or other entity to which the responsibility for the enforcement of
30 such actions has been transferred.

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

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

37 2. In preparing supplements to the Nevada Administrative
38 Code, substitute appropriately the name of any agency, officer or
39 instrumentality of the State whose name is changed by this act for
40 the name which the agency, officer or instrumentality previously
41 used.

42 **Sec. 31.** NRS 388.330, 388.350, 388.370, 388.5237, 388.785,
43 388.787, 388.789 and 388.790 are hereby repealed.

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



* S B 3 0 1 *

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. [Effective July 1, 2016.]**
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.**

