

Amendment No. 477

Assembly Amendment to Assembly Bill No. 38	(BDR 34-302)
Proposed by: Assembly Committee on Education	
Amendment Box: Replaces Amendment No. 157.	
Amends: Summary: No Title: No 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.

AAS/AAK



Date: 4/19/2021

A.B. No. 38—Revises provisions relating to career and technical education and work-based learning. (BDR 34-302)



ASSEMBLY BILL NO. 38—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Education

SUMMARY—Revises provisions relating to career and technical education and work-based learning. (BDR 34-302)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 requirements governing input from interested persons concerning a program of career and technical education; exempting an advisory technical skills committee for such a program from certain requirements governing the meetings of a public body; revising requirements relating to work-based learning programs; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the board of trustees of a school district to establish a program of career and technical education and, if such a program has been established, requires the superintendent of the school district to appoint an advisory technical skills committee to perform certain duties relating to the program. (NRS 388.380, 388.385) Existing federal law makes federal funding for career and technical education contingent on a school district that has established such a program consulting with certain stakeholders concerning certain matters relating to the operation of the program. (20 U.S.C. § 2354) **Section 1** of this bill authorizes the superintendent of a school district or his or her designee to consult with such stakeholders as an alternative to establishing an advisory technical skills committee. **Section 1** also revises the membership of an advisory technical skills committee to include the stakeholders with whom a school district is required by federal law to consult. **Section 1** additionally revises the duties of an advisory technical skills committee and the subjects concerning which the superintendent of a school district is required to consult stakeholders, as applicable, in accordance with federal law. **Sections 1 and 3** of this bill exempt an advisory technical skills committee from provisions of law requiring meetings of a public body to be open and public.

Existing law authorizes the board of trustees of a school district or the governing body of a charter school to offer a work-based learning program upon the approval of the State Board of Education. (NRS 389.167) **Section 2** of this bill requires the application of a school district or charter school to offer a work-based learning program to include a description of the manner in which the performance of a participating pupil will be evaluated. **Section 2** also revises the required contents of a work-based learning program.

Existing law requires the board of trustees of a school district or the governing body of a charter school that offers a work-based learning program to submit to the State Board and the Legislature a report concerning the manner in which the program has been carried out. (NRS

389.167) **Section 2** requires that report to include: (1) the number of participating pupils ~~that~~ **disaggregated by certain subgroups**; and (2) the types of work-based learning offered through the program.

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

Section 1. 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 *or his or her designee* shall ~~appoint~~:

(a) *Appoint* an advisory technical skills committee consisting of:

~~(a)~~ (1) Representatives of businesses and industries in the community ~~that~~ *or region*;

~~(b)~~ (2) Employees of the school district who possess knowledge and experience in career and technical education;

~~(c)~~ (3) Pupils enrolled in ~~public schools~~ *programs of career and technical education* in the school district;

~~(d)~~ (4) Parents and legal guardians of pupils enrolled in ~~public schools~~ *programs of career and technical education* in the school district;

~~(e) To the extent practicable, representatives~~

(5) *Representatives* of postsecondary educational institutions that provide career and technical education; ~~and~~

~~(f)~~ (6) *Members of the Governor's Workforce Investment Board described in NRS 232.935 or local entities for the development of the workforce*;

(7) *Representatives of special populations, as defined in 20 U.S.C. § 2302*;

(8) *Representatives of regional or local agencies serving out-of-school youth, homeless children and youth and youth who are at risk, as defined in 20 U.S.C. § 6472*;

(9) *Representatives of Indian tribes and tribal organizations, where applicable; and*

(10) Other interested ~~persons~~ *stakeholders, as prescribed by regulation of the State Board; or*

(b) *Consult regularly with persons in each category listed in paragraph (a) to carry out the duties prescribed for an advisory technical skills committee in subsection 2.*

2. An advisory technical skills committee established pursuant to *paragraph (a) of subsection 1* shall ~~that~~ *meet regularly to*:

(a) *Provide input on updates to the comprehensive needs assessment conducted pursuant to 20 U.S.C. § 2354*;

(b) Review the ~~curriculum, design, content~~ *instructional supplies, equipment* and operation of the program of career and technical education to determine its effectiveness in ~~that~~

~~(1) Preparing~~ *preparing* pupils enrolled in the program to enter the workforce, *apprenticeships or college* and ~~meeting~~ *meet* the needs of ~~supplying an appropriately-trained workforce to~~ businesses and industries in the ~~community~~ *and*

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

~~— (b)} *region concerning their workforce;*~~

~~(c) Advise the school district regarding [the curriculum, design, content, operation and effectiveness of the program of career and technical education.]~~
~~*credentials that are valuable in relevant industries and trends in such industries;*~~

~~{(e)} (d) Provide technical assistance to the school district in designing and revising as necessary the curriculum for the program of career and technical education [to meet the standards prescribed by the State Board; and~~

~~{(d)} (e) In cooperation with businesses, industries, employer associations and employee organizations in the community, develop work-based learning experiences for pupils enrolled in the program of career and technical education. The work-based learning 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.] NRS 389.167.~~

~~3. The meetings of an advisory technical skills committee are not subject to the provisions of chapter 241 of NRS.~~

~~4. The members of an advisory technical skills committee serve without compensation.~~

Sec. 2. NRS 389.167 is hereby amended to read as follows:

389.167 1. A pupil enrolled at a public school must be allowed to apply one or more credits toward the total number of credits required for graduation from high school if the pupil successfully completes *the number of hours in* a work-based learning program ~~[which has been approved pursuant to subsection 2.]~~ *required by regulation of the State Board to earn such credits.* Any credits earned for successful completion of a work-based learning program must be applied toward the pupil's elective course credits and not toward a course that is required for graduation from high school.

2. The board of trustees of a school district or the governing body of a charter school may offer a work-based learning program upon application to and with the approval of the State Board. An application to offer a work-based learning program must include, without limitation:

(a) The fields, trades or occupations in which a work-based learning program will be offered.

(b) The qualifications of a pupil to participate in the work-based learning program. Such qualifications must allow a majority of pupils to be eligible to participate in the work-based learning program.

(c) A description of the ~~[application]~~ *process* that will be used by pupils to apply to participate in a work-based learning program.

(d) A description of the manner in which participation in a work-based learning program and completion of the requirements of a work-based learning program will be verified.

1 (e) *A description of the manner in which the performance of a pupil who*
2 *participates in the work-based learning program will be evaluated, which must*
3 *include, without limitation, an on-site evaluation of the performance of the pupil.*

4 3. Upon approval by the State Board of an application to offer a work-based
5 learning program submitted pursuant to subsection 2, the board of trustees or the
6 governing body ~~{-}~~ shall:

7 (a) ~~{Shall designate}~~ *Designate* an employee of the school district or charter
8 school, as applicable, to serve as a work-based learning coordinator to coordinate
9 and oversee work-based learning programs. Such an employee must ~~{approve}~~
10 *ensure that* each business, agency or organization that will offer employment and
11 supervision of a pupil as part of the work-based learning program ~~{-~~

12 ~~—(b) May authorize pupils enrolled in the school district or charter school, as~~
13 ~~applicable, who satisfy the qualifications prescribed by the school district or charter~~
14 ~~school to participate in a work-based learning program for the purpose of obtaining~~
15 ~~credit pursuant to subsection 1-~~

16 ~~—(c) Shall establish~~ *is suitable for participation in a work-based learning*
17 *program.*

18 (b) *Establish* and maintain a list of businesses, agencies and organizations that
19 have been ~~{approved}~~ *found suitable* by the work-based learning coordinator
20 pursuant to paragraph (a).

21 4. To receive approval from the State Board to offer a work-based learning
22 program, the work-based learning program must include, without limitation ~~{-}~~ ,
23 *requirements that:*

24 (a) ~~{A requirement that a business, agency or organization that offers~~
25 ~~employment and supervision of a pupil participating in the work-based learning~~
26 ~~program establish a} A detailed training agreement and training plan {with} be~~
27 *completed for* each pupil participating in the work-based training program *for*
28 *credit* that identifies the specific tasks in which the pupil will participate that will
29 develop competency of the pupil in the workplace;

30 (b) ~~{The required number of hours a pupil must complete in the work-based~~
31 ~~learning program to qualify for credit for participation in the work-based learning~~
32 ~~program;~~

33 ~~(c) A requirement that a} A pupil participating in the work-based learning~~
34 ~~program {-}~~

35 ~~(1) Is} be~~ allowed to leave the public school in which he or she is enrolled
36 during the school day to participate in such a program;

37 ~~{(2) Receives an on-site evaluation of his or her performance; and~~

38 ~~(3) Complete an assessment prescribed by the State Board related to his or~~
39 ~~her chosen career pathway; and~~

40 ~~(d) A requirement that participation} and~~

41 (c) *Participation* by a pupil in the work-based learning program will develop a
42 broad range of skills and will allow a pupil to focus on his or her chosen career
43 pathway.

44 5. ~~{Participation by a pupil in a work-based learning program must lead to the~~
45 ~~pupil receiving a high school diploma.~~

46 ~~6.} A school district or charter school may allow a pupil who successfully~~
47 ~~completes a work-based learning program to earn dual credit for participation in the~~
48 ~~work-based learning program.~~

49 ~~{7}~~ 6. On or before January 15 of each odd-numbered year, the board of
50 trustees of a school district and the governing body of a charter school that offers a
51 work-based learning program shall prepare a report concerning the manner in
52 which the work-based learning program has been carried out and submit the report

to the State Board and the Legislature. *The report must include, without limitation:*

(a) *The number of pupils participating in the work-based learning program; and*

(b) *The types of work-based learning offered through the work-based learning program.*

7. The number of pupils participating in the work-based learning program reported pursuant to paragraph (a) of subsection 6 must be disaggregated on the basis of the following characteristics:

(a) Pupils who are American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, Native Hawaiian or Pacific Islander, white or two or more races;

(b) Gender of pupils;

(c) Pupils who are migrants; and

(d) Pupils who are members of special populations, as defined in 20 U.S.C. § 2302(48).

Sec. 3. NRS 241.016 is hereby amended to read as follows:

241.016 1. The meetings of a public body that are quasi-judicial in nature are subject to the provisions of this chapter.

2. The following are exempt from the requirements of this chapter:

(a) The Legislature of the State of Nevada.

(b) Judicial proceedings, including, without limitation, proceedings before the Commission on Judicial Selection and, except as otherwise provided in NRS 1.4687, the Commission on Judicial Discipline.

(c) Meetings of the State Board of Parole Commissioners when acting to grant, deny, continue or revoke the parole of a prisoner or to establish or modify the terms of the parole of a prisoner.

3. Any provision of law, including, without limitation, NRS 91.270, 219A.210, 228.495, 239C.140, 239C.420, 281A.350, 281A.690, 281A.735, 281A.760, 284.3629, 286.150, 287.0415, 287.04345, 287.338, 288.220, 288.590, 289.387, 295.121, 360.247, 388.261, **388.385**, 388A.495, 388C.150, 388D.355, 388G.710, 388G.730, 392.147, 392.467, 394.1699, 396.3295, 414.270, 422.405, 433.534, 435.610, 442.774, 463.110, 480.545, 622.320, 622.340, 630.311, 630.336, 631.3635, 639.050, 642.518, 642.557, 686B.170, 696B.550, 703.196 and 706.1725, which:

(a) Provides that any meeting, hearing or other proceeding is not subject to the provisions of this chapter; or

(b) Otherwise authorizes or requires a closed meeting, hearing or proceeding, ➤ prevails over the general provisions of this chapter.

4. The exceptions provided to this chapter, and electronic communication, must not be used to circumvent the spirit or letter of this chapter to deliberate or act, outside of an open and public meeting, upon a matter over which the public body has supervision, control, jurisdiction or advisory powers.

Sec. 4. 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. 5. This act becomes effective on July 1, 2021.