ASSEMBLY BILL NO. 428—COMMITTEE ON REVENUE

MARCH 27, 2023

Referred to Committee on Revenue

SUMMARY—Revises provisions relating to economic development. (BDR 18-775)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 3) (NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

EXPLANATION - Matter in bolded italics is new; matter between brackets fomitted material; is material to be omitted.

AN ACT relating to economic development; requiring the State Treasurer to establish a tuition reimbursement program; creating the Nevada Grown Educator Account to fund the tuition reimbursement program; revising the membership of the Board of Economic Development; requiring the Governor's Office of Workforce Innovation within the Department of Employment, Training and Rehabilitation to establish and administer a Career Pathways Demonstration Program; requiring the Governor's Office of Workforce Innovation to establish a program for workbased learning opportunities outside of school; requiring large school districts and authorizing other school districts to offer a Teacher Academy College Pathway Program; authorizing the Board of Regents of the University of Nevada to enter into certain agreements and establish a program to provide information regarding admissions to certain pupils; making appropriations; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Governor's Office of Workforce Innovation within the Department of Employment, Training and Rehabilitation and prescribes the duties of the Office and its Executive Director, which include, without limitation, defining career pathways and identifying priority career pathways for secondary and postsecondary education. (NRS 232.965, 232.975) **Section 2.4** of this bill requires





the Governor's Office of Workforce Innovation to establish and administer a Career Pathways Demonstration Program. Section 2.4 requires the Office to identify not more than three priority industries, including K-12 education, for the development and implementation of career pathways and to take certain steps to implement the Program, including, without limitation, establishing measurable objectives for the outcomes of the Program and implementing a competitive process to select proposals for career pathway projects. Section 2.4 establishes requirements for proposals for career pathway projects selected by the Office. Section 7 of this bill requires the Governor's Office of Workforce Innovation to submit certain reports regarding the status of the Career Pathways Demonstration Program. Section 9 of this bill provides that the provisions of section 2.4 governing the Career Pathways Demonstration Program expire on June 30, 2028. Section 6.5 of this bill makes an appropriation to the Office for costs associated with the Career Pathways Demonstration Program. Section 2.5 of this bill requires the Governor's Office of Workforce Innovation to establish a program for work-based learning opportunities outside of school for pupils enrolled in grades 7 to 12, in coordination with the Department of Education. Section 2.7 of this bill makes a conforming change to indicate the proper placement of sections 2.4 and 2.5 in the Nevada Revised Statutes.

Existing law creates the Board of Economic Development, which is required to review and make recommendations on various aspects of economic development in Nevada. (NRS 231.033, 231.037) **Section 2** of this bill adds the Superintendent of Public Instruction as a nonvoting member of the Board.

Section 3 of this bill requires each large school district, meaning a school district in this State which has more than 100,000 pupils enrolled in its public schools (currently only the Clark County School District), to offer a Teacher Academy College Pathway Program at every high school in the school district with 250 or more pupils enrolled to enable pupils in grades 9 to 12 to prepare for employment in professions in K-12 education and authorizes a large school district to offer the Program at high schools with fewer than 250 pupils. Section 3 authorizes a school district which is not a large school district to offer the Program at high schools in the school district. Section 3 requires a large school district and other school districts which offer the Program to take certain actions to implement the Program. Section 3 requires the State Board of Education to adopt regulations prescribing the curriculum for the Program and authorizes the State Board to adopt other necessary regulations.

Section 1.7 of this bill requires the State Treasurer to establish a program to provide reimbursement for tuition charges, registration fees, laboratory fees and any other mandatory fees paid to an institution within the Nevada System of Higher Education by a person who completed the Teacher Academy College Pathway Program and who worked as a full-time, licensed teacher for at least 3 consecutive school years at a public school in this State. Section 1.7 authorizes the State Treasurer to provide partial reimbursement for such tuition charges and fees to a person who completed the Teacher Academy College Pathway Program and who has worked as a full-time, licensed teacher for 1 year or 2 consecutive years. Section 1.9 of this bill creates the Nevada Grown Educator Account and requires the money in the Account to be used to carry out the program established pursuant to section 1.7. Section 6.7 of this bill makes an appropriation to the Account.

Section 5 of this bill authorizes the Board of Regents of the University of Nevada to: (1) enter into an agreement with a school district to assist in the implementation of the Teacher Academy College Pathway Program; and (2) establish a program to identify pupils who have completed the Teacher Academy College Pathway Program, or who are expected to complete the Program by the end of grade 12, and who wish to apply for admission to an institution within the





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

Section 1. (Deleted by amendment.)

- **Sec. 1.5.** Chapter 226 of NRS is hereby amended by adding thereto the provisions set forth as sections 1.7 and 1.9 of this act.
 - Sec. 1.7. 1. The State Treasurer shall establish by regulation a program to provide reimbursement for tuition charges, registration fees, laboratory fees and any other mandatory fees paid to an institution within the Nevada System of Higher Education by a person who:
 - (a) Completed a Teacher Academy College Pathway Program offered pursuant to section 3 of this act; and
 - (b) Except as otherwise provided in subsection 3, has worked as a full-time, licensed teacher at a public school in this State for at least 3 consecutive school years.
- 2. The program may not provide reimbursement for any tuition charge, registration fee, laboratory fee or any other mandatory fee which was paid or otherwise provided for through a scholarship, financial aid, waiver or similar financial assistance.
- 3. The State Treasurer may provide partial reimbursement of tuition charges, registration fees, laboratory fees and any other mandatory fees paid by a person who completed a Teacher Academy College Pathway Program offered pursuant to section 3 of this act and who has worked as a full-time, licensed teacher at a public school in this State for 1 year or 2 consecutive years in an amount not to exceed, for each year of service at a public school in this State, one-third of the total tuition charges, registration fees, laboratory fees and any other mandatory fees paid by the person to an institution within the Nevada System of Higher Education which are subject to reimbursement pursuant to this section and the regulations adopted pursuant thereto.
- Sec. 1.9. 1. The Nevada Grown Educator Account is hereby created in the State General Fund. The Account must be administered by the State Treasurer.
- 2. The money in the Account must be used to carry out the program established pursuant to section 1.7 of this act.
- 3. The State Treasurer may apply for and accept any donation, gift, grant, bequest or other source of money for deposit in the Account.





- 4. The interest and income earned on money in the Account, after deducting any applicable charges, must be credited to the Account.
- 5. Any money in the Account remaining at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.
 - **Sec. 2.** NRS 231.033 is hereby amended to read as follows:
- 231.033 1. There is hereby created the Board of Economic Development, consisting of:
 - (a) The following voting members:
 - (1) The Governor;

- (2) The Lieutenant Governor;
- (3) The Secretary of State; and
- (4) Six members who must be selected from the private sector and appointed as follows:
 - (I) Three members appointed by the Governor;
- (II) One member appointed by the Speaker of the Assembly;
- (III) One member appointed by the Majority Leader of the Senate: and
- (IV) One member appointed by the Minority Leader of the Assembly or the Minority Leader of the Senate. The Minority Leader of the Senate shall appoint the member for the initial term, the Minority Leader of the Assembly shall appoint the member for the next succeeding term, and thereafter, the authority to appoint the member for each subsequent term alternates between the Minority Leader of the Assembly and the Minority Leader of the Senate.
 - (b) The following nonvoting members:
- (1) The Chancellor of the Nevada System of Higher Education or his or her designee;
- (2) The Superintendent of Public Instruction or his or her designee;
- (3) The Director of the Department of Business and Industry; and
- [(3)] (4) The Director of the Department of Employment, Training and Rehabilitation.
- 2. In appointing the members of the Board described in subsection 1, the appointing authorities shall coordinate the appointments when practicable so that the members of the Board represent the diversity of this State, including, without limitation, different strategically important industries, different geographic regions of this State and different professions.
 - 3. The Governor shall serve as the Chair of the Board.
- 4. Except as otherwise provided in this subsection, the members of the Board appointed pursuant to subparagraph (4) of





paragraph (a) of subsection 1 are appointed for terms of 4 years. The initial members of the Board shall by lot select three of the initial members of the Board appointed pursuant to subparagraph (4) of paragraph (a) of subsection 1 to serve an initial term of 2 years.

- 5. The Governor, the Lieutenant Governor or the Secretary of State may designate a person to serve as a member of the Board for the Governor, Lieutenant Governor or Secretary of State, respectively. Any person designated to serve pursuant to this subsection shall serve for the term of the officer appointing him or her and serves at the pleasure of that officer. If the Governor designates a person to serve on his or her behalf, that person shall serve as the Chair of the Board. Vacancies in the appointed positions on the Board must be filled by the appointing authority for the unexpired term.
- 6. The Executive Director shall serve as the nonvoting Secretary of the Board.
- 7. A majority of the voting members of the Board constitutes a quorum, and the affirmative vote of a majority of the voting members of the Board is required to exercise any power conferred on the Board.
- 8. The Board shall meet at least once each quarter but may meet more often at the call of the Chair or a majority of the voting members of the Board.
- 9. The members of the Board serve without compensation but are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally while engaged in the official business of the Board.
- **Sec. 2.3.** Chapter 232 of NRS is hereby amended by adding thereto the provisions of sections 2.4 and 2.5 of this act.
- Sec. 2.4. 1. The Governor's Office of Workforce Innovation shall establish and administer a Career Pathways Demonstration Program to develop and implement career pathways that will enable students to prepare for employment in professions which serve the long-term needs of this State. The Office shall identify not more than three priority industries, including, without limitation, K-12 education, for the development and implementation of career pathways as part of the Program.
 - 2. In implementing the Program, the Office shall:
- (a) Establish clear, measurable objectives for the outcomes of the Program which are aligned with the State Plan for Economic Development developed by the Executive Director of the Office of Economic Development within the Office of the Governor pursuant to subsection 2 of NRS 231.053, including, without limitation, targets based on reliable data concerning:
 - (1) The number of persons entering the career pathway;





(2) The number and percentage of persons completing distinct phases of the career pathway, as marked by earning course credit or a credential, certificate or other recognized documentation showing progression in the career pathway;

(3) The number and percentage of participants in a career pathway who obtain high-quality employment in the target

industry; and

 (4) The number and percentage of participants in a career pathway employed for at least 2 years in the target industry.

(b) Rely on economic and workforce development data to

inform decision-making, including, without limitation:

(1) Estimates of the number of high-quality jobs that will be required in this State in the next 5 to 10 years;

(2) Projected workforce capacity in relation to the estimates

pursuant to subparagraph (1);

(3) The number and capacity of existing industry-aligned career pathway programs;

(4) Enrollment, participation and completion rates for

industry-aligned career pathway programs;

- (5) Credentialing rates or other industry-aligned indicators of workforce readiness;
 - (6) Industry-aligned, skill-based employee retention rates;
- (7) The demographic information of the participants in the Program, including, without limitation, race, gender and enrollment at a Title I school; and
- (8) Other relevant data available through the statewide longitudinal data system maintained by the Executive Director of the Office pursuant to NRS 232.975.

(c) Collaborate with school districts, the Nevada System of Higher Education, regional development authorities and

representatives from priority industries.

- (d) Establish criteria for evaluating the performance of career pathway projects and the entities that assist in the development and implementation of career pathway projects, including, without limitation, the Department of Education, school districts, the Nevada System of Higher Education, regional development authorities and representatives from priority industries.
- 3. The Office shall develop and implement a competitive process to select proposals for career pathway projects. Each proposal for a career pathway project selected by the Office must incorporate best practices for career pathway design and address, without limitation:
- (a) The types of high-quality jobs which the career pathway project will prepare students for, based on a definition of "high-





quality job" which shall be developed and promulgated by the Office.

- (b) The educational opportunities that the project will offer to K-12 pupils and students of the Nevada System of Higher Education which may include, without limitation:
- (1) Early exposure to career options for pupils in elementary, junior high or middle school;

(2) Multiple entry points into the career pathway;

(3) Meaningful, practice-based learning opportunities aligned to the career pathway and the workforce priorities within the target industry, including, without limitation, paid work-based learning opportunities;

(4) Opportunities for students to receive credentials aligned to the skills and experience needed for employment in the target industry; and

(5) Work-based learning opportunities that may be eligible for exemption from federal laws and regulations from which exemptions are available for work-based learning programs for pupils.

(c) The practices that will be implemented to recruit students for the career pathway, including, without limitation, practices that will foster equity and the inclusion in the career pathway of students from historically underserved communities.

(d) The types of early career guidance, incentives and support that will be offered to participants in the career pathway, which may include, without limitation:

(1) Employment opportunities for students who participate in the career pathway, including, without limitation, employer commitments to recruiting students who successfully obtain the qualifications for employment through the career pathway;

(2) Professional support and development opportunities for participants early in their career in the target industry, including, without limitation, mentoring; and

(3) Financial incentives which eliminate or substantially reduce financial barriers to entry into professions in the target industry.

- (e) The roles and responsibilities of the persons necessary to develop and implement the career pathway, which may include, without limitation:
 - (1) Program staff;
- (2) School districts and the Nevada System of Higher Education;
 - (3) Regional development authorities; and
 - (4) Representatives from the target industries.





(f) The financial plan for the career pathway project, including, without limitation:

(1) The projected 5-year budget for the career pathway

project;

(2) Existing funding sources for the career pathway project and the amount of funding that the person submitting the proposal will allocate to the project;

(3) Anticipated funding sources for the career pathway

project; and

(4) Any additional funding necessary to implement the career pathway project which is not addressed by the existing funding sources.

(g) The goals and anticipated outcomes of the career pathway project, including, without limitation:

(1) The target number of total participants in the career

pathway project;

- (2) The target number of participants who will successfully complete each stage of the career pathway, as marked by earning course credit or a credential, certificate or other recognized documentation showing progression in the career pathway; and
- (3) The target number of participants who will complete the career pathway, regardless of their entry point into the career pathway.
- 4. The Office may enter into an agreement with the Department of Education to administer the Teacher Academy College Pathway Program offered pursuant to section 3 of this act. Such an agreement may require the Department of Education to administer any local, state or federal funding appropriated or otherwise available to implement the Teacher Academy College Pathway Program.
- 5. As used in this section, "career pathway" means a series of structured and connected educational opportunities designed to help a person enter or advance within a given occupation or industry sector.
- Sec. 2.5. 1. The Governor's Office of Workforce Innovation shall, in coordination with the Department of Education, establish a program to provide paid and unpaid workbased learning opportunities outside of school for pupils enrolled in grades 7 to 12, inclusive.
 - 2. The program must:
- (a) Allow pupils involved in work-based learning opportunities to receive elective course credit for the learning opportunities;
- (b) Establish criteria to evaluate the program for work-based learning opportunities;





- (c) Outline any communication or collaboration needed between the Governor's Office of Workforce Innovation, the Department of Education and the board of trustees of a school district to implement the program for work-based learning opportunities;
- (d) Establish basic requirements for a person or organization to participate in the program for work-based learning opportunities, including, without limitation, conducting background checks on appropriate personnel and providing minimum standards for accountability; and
- (e) Provide a process for the receipt of credits earned through the program for work-based learning opportunities in the school in which the pupil is enrolled.
- 3. The Governor's Office of Workforce Innovation may cooperate with the Department of Education and the Board of Regents of the University of Nevada to enable pupils to earn up to 12 units of dual credit for approved work-based learning opportunities.
- Sec. 2.7. NRS 232.900 is hereby amended to read as follows: 232.900 As used in NRS 232.900 to 232.980, inclusive, *and sections 2.4 and 2.5 of this act*, unless the context otherwise requires:
- 1. "Department" means the Department of Employment, Training and Rehabilitation.
 - 2. "Director" means the Director of the Department.
- **Sec. 3.** Chapter 388 of NRS is hereby amended by adding thereto a new section to read as follows:
- 1. Each large school district shall offer a Teacher Academy College Pathway Program at every high school in the school district with 250 or more pupils enrolled that will enable interested pupils in grades 9 to 12, inclusive, to prepare for employment in professions in K-12 education. A large school district may offer a Program at high schools with fewer than 250 pupils. A school district that is not a large school district may offer a Program at one or more high schools in the school district.
- 2. A large school district, and a school district that is not a large school district which elects to offer the Program, shall:
- (a) Advertise the Program and the benefits of participation in the Program.
- (b) Ensure each high school in the school district which offers such a Program is staffed by a full-time employee who is:
 - (1) A licensed teacher or administrator; and
- (2) Responsible for implementing the Program at the school.





(c) Assess each pupil entering grade 9 who is or will be enrolled in a high school which offers such a Program and who is interested in participating in the Program, identify any barriers, including, without limitation, academic, financial, socioeconomic and transportation barriers, to the participation in and completion of the Program by such interested pupils and, if such barriers are identified, inform the pupil and the parents or legal guardian of the pupil of any programs and services which are available to help the pupil to overcome such barriers and provide such programs and services to the pupil.

(d) Offer internships at elementary, junior high or middle schools in the school district to qualified pupils in grades 11 and

12 who participate in the Program.

(e) Offer employment as a paraprofessional to qualified high school graduates who have completed the Program and are enrolled in a program to become a teacher at an institution in the Nevada System of Higher Education.

- (f) For qualified applicants for employment with the school district who have completed the Program and who have submitted a timely application, provide an offer of employment or decline to provide an offer of employment to such an applicant not later than January 31 of the year immediately preceding the school year for which the applicant applied for employment.
- (g) Enter into an agreement with the Board of Regents of the University of Nevada to:
- (1) Enable pupils who participate in the Program to earn up to 12 units of college credit for courses taken and internships engaged in as part of the Program at no cost to the pupil.
- (2) Establish qualifications for teachers of the school district who teach courses in the Program which are eligible for college credit, which may include, without limitation, a minimum of 4 years of classroom teaching experience or a Master's degree.
- (3) Guarantee the admission of otherwise academically qualified pupils who complete the Program to institutions in the Nevada System of Higher Education.
- (4) Provide programs, services, scholarships and financial aid to assist pupils who participate in the Program in applying for admission to institutions in the Nevada System of Higher Education and completing the Program at such an institution.
- (h) Inform pupils who participate in the Program and the parents and legal guardians of such pupils about programs, services, scholarships and financial aid which are available to assist pupils in applying for admission to institutions in the Nevada System of Higher Education and completing the Program at such an institution.





- 3. A large school district, and a school district that is not a large school district which elects to offer the Program may enter into an agreement with the Board of Regents of the University of Nevada to provide a faculty mentor from the Nevada System of Higher Education to teachers of the school district who teach courses in the Program to ensure such courses align with the contents and rigor of equivalent courses taught at institutions within the Nevada System of Higher Education. If the provisions of this subsection conflict with the provisions of chapter 388G of NRS, the provisions of this subsection prevail.
 - 4. The State Board:

- (a) Shall adopt regulations that prescribe the curriculum for the Program which are consistent with the provisions of this section. To the extent a school district provides programs of career and technical education other than the Program, such programs of career and technical education must nonetheless be consistent with the regulations adopted pursuant to this paragraph, to the extent applicable.
- (b) May adopt such other regulations as are necessary to carry out the provisions of this section.
 - 6. As used in this section:
- (a) "Large school district" means any school district in this State which has more than 100,000 pupils enrolled in its public schools.
- (b) "Program" means the Teacher Academy College Pathway Program created pursuant to this section.
- **Sec. 4.** Chapter 396 of NRS is hereby amended by adding thereto the provisions set forth as sections 5 and 6 of this act.
- Sec. 5. 1. The Board of Regents may enter into an agreement with a school district pursuant to section 3 of this act to assist in the implementation of a Teacher Academy College Pathway Program.
- 2. The Board of Regents may, by regulation, establish a program to:
- (a) Identify pupils who have completed the Program, or who are expected to complete the Program by the end of grade 12, and who wish to apply for admission to an institution within the System; and
- (b) Inform such pupils of the institutions within the System where such pupils may academically qualify for admission.
- 3. As used in this section, "Program" has the meaning ascribed to it in section 3 of this act.
 - **Sec. 6.** (Deleted by amendment.)
- **Sec. 6.5.** 1. There is hereby appropriated from the State General Fund to the Governor's Office of Workforce Innovation in





the Department of Employment, Training and Rehabilitation for costs associated with developing and implementing the Career Pathways Demonstration Program established pursuant to section 2.4 of this act, including, without limitation, personnel, travel, operating and technology expenses, the following sums:

For the Fiscal Year 2023-2024 \$289,026 For the Fiscal Year 2024-2025 \$331,870

- 2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 20, 2024, and September 19, 2025, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 20, 2024, and September 19, 2025, respectively.
- **Sec. 6.7.** There is hereby appropriated from the State General Fund to the Nevada Grown Educator Account created by section 1.9 of this act the sum of \$10,000,000.
- **Sec. 7.** 1. On or before October 1, 2026, the Governor's Office of Workforce Innovation shall submit a report to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the Legislature regarding the status of the Career Pathways Demonstration Program established pursuant to section 2.4 of this act. The report must include, without limitation:
- (a) The industries identified by the Office as priority industries for the development and implementation of career pathways;
- (b) The process used by the Office to select career pathway projects for development and implementation;
 - (c) The career pathway projects selected by the Office;
- (d) A summary of the design of the career pathway for each priority industry;
- (e) The goals and objectives of the career pathway for each priority industry;
 - (f) The status of the implementation of each career pathway;
- (g) A summary of the proposals for career pathway projects which were received by the Office but were not selected for the Program; and
- 42 (h) An evaluation of each career pathway, including, without 43 limitation:
 - (1) Whether progress has been made towards achieving the goals and objectives of each career pathway;





- (2) A description of any challenges to implementation of the career pathways; and
- (3) A description of any changes made to the design or implementation of the career pathways, if any, or any changes which are anticipated in the future and the reason for such changes.
- 2. On or before June 1, 2028, the Governor's Office of Workforce Innovation shall submit a report to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the Legislature regarding the status of the Career Pathways Demonstration Program. The report must include, without limitation:
- (a) The industries identified by the Office as priority industries for the development and implementation of career pathways;
- (b) The process used by the Office to select career pathway projects for development and implementation;
 - (c) The career pathway projects selected by the Office;
- (d) A summary of the design of the career pathway for each priority industry;
- (e) The goals and objectives of the career pathway for each priority industry;
- (f) An evaluation of each career pathway, including, without limitation:
- (1) The success of the career pathway at achieving the industry-specific goals and objectives;
- (2) An assessment of the return on investment for the State with respect to the career pathway;
- (3) A description of any opportunities to extend or expand the career pathway;
- (4) An evaluation of ability of the career pathway to serve as a model for the creation of career pathways in other industries which should be prioritized to aid in the economic development of this State; and
- (5) Any quantitative and qualitative data supporting the items required to be included in the report pursuant to subparagraphs (1) to (4), inclusive.
- (g) An evaluation of the success of the Program as a whole, including, without limitation:
- (1) The overall outcomes of the Program, in relation to the goals and objectives established by the Office;
- (2) Successful aspects of the Program and key elements contributing to the success of the Program;
- (3) Shortcomings of the Program and key elements hindering the success of the Program;





- (4) Recommendations for policy changes that would foster successful expansion of the development and implementation of career pathways by the Office; and
- (5) Any quantitative and qualitative data supporting the items required to be included in the report pursuant to subparagraphs (1) to (4), inclusive.
- **Sec. 8.** The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.
- **Sec. 9.** 1. This section and sections 1 to 6, inclusive, and 6.5 to 8, inclusive, of this act become effective on July 1, 2023.
 - 2. Section 2.4 of this act expires on June 30, 2028.





