

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:

1 Existing law authorizes the board of trustees of a school district to establish a
2 program of career and technical education and, if such a program has been
3 established, requires the superintendent of the school district to appoint an advisory
4 technical skills committee to perform certain duties relating to the program. (NRS
5 388.380, 388.385) Existing federal law makes federal funding for career and
6 technical education contingent on a school district that has established such a
7 program consulting with certain stakeholders concerning certain matters relating to
8 the operation of the program. (20 U.S.C. § 2354) **Section 1** of this bill authorizes
9 the superintendent of a school district or his or her designee to consult with such
10 stakeholders as an alternative to establishing an advisory technical skills committee.
11 **Section 1** also revises the membership of an advisory technical skills committee to
12 include the stakeholders with whom a school district is required by federal law to
13 consult. **Section 1** additionally revises the duties of an advisory technical skills
14 committee and the subjects concerning which the superintendent of a school district
15 is required to consult stakeholders, as applicable, in accordance with federal law.
16 **Sections 1 and 3** of this bill exempt an advisory technical skills committee from
17 provisions of law requiring meetings of a public body to be open and public.



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

25 Existing law requires the board of trustees of a school district or the governing
26 body of a charter school that offers a work-based learning program to submit to the
27 State Board and the Legislature a report concerning the manner in which the
28 program has been carried out. (NRS 389.167) **Section 2** requires that report to
29 include: (1) the number of participating pupils; and (2) the types of work-based
30 learning offered through the program.

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

1 **Section 1.** NRS 388.385 is hereby amended to read as follows:
2 388.385 1. If the board of trustees of a school district has
3 established a program of career and technical education pursuant to
4 NRS 388.380 and to the extent that money is available from this
5 State or the Federal Government, the superintendent of schools of
6 the school district *or his or her designee* shall ~~appoint~~:

7 (a) *Appoint* an advisory technical skills committee consisting of:
8 ~~(1)~~ (1) Representatives of businesses and industries in the
9 community ~~or region~~;

10 ~~(2)~~ (2) Employees of the school district who possess
11 knowledge and experience in career and technical education;

12 ~~(3)~~ (3) Pupils enrolled in ~~public schools~~ *programs of career*
13 *and technical education* in the school district;

14 ~~(4)~~ (4) Parents and legal guardians of pupils enrolled in
15 ~~public schools~~ *programs of career and technical education* in the
16 school district;

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

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

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

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

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

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



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

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

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

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

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

13 ~~(1) Preparing~~ *preparing* pupils enrolled in the program to
14 enter the workforce, *apprenticeships or college* and ~~[meeting]~~ *meet*
15 the needs of ~~[supplying an appropriately trained workforce to]~~
16 businesses and industries in the ~~community; and~~

17 ~~(2) Complying with the provisions of NRS 388.340 to~~
18 ~~388.400, inclusive, and any regulations adopted pursuant thereto.~~

19 ~~(b) region concerning their workforce;~~

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

24 ~~H~~ (d) Provide technical assistance to the school district in
25 designing and revising as necessary the curriculum for the program
26 of career and technical education ~~H~~ *to meet the standards*
27 *prescribed by the State Board; and*

28 ~~H~~ (e) In cooperation with businesses, industries, employer
29 associations and employee organizations in the community, develop
30 work-based *learning* experiences for pupils enrolled in the program
31 of career and technical education. The work-based *learning*
32 experiences must ~~H~~:

33 ~~(1) Be designed:~~

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

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

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

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

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



1 ~~(g) Comply~~ *comply* with the provisions of ~~chapter 241 of~~
2 ~~NRS.~~

3 ~~3.1~~ *NRS 389.167.*

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

6 *4. The members of an advisory technical skills committee*
7 *serve without compensation.*

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

9 *389.167 1. A pupil enrolled at a public school must be*
10 *allowed to apply one or more credits toward the total number of*
11 *credits required for graduation from high school if the pupil*
12 *successfully completes **the number of hours in** a work-based*
13 *learning program ~~which has been approved pursuant to subsection~~*
14 *~~2.1~~ **required by regulation of the State Board to earn such credits.***
15 Any credits earned for successful completion of a work-based
16 learning program must be applied toward the pupil's elective course
17 credits and not toward a course that is required for graduation from
18 high school.

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

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

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

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

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

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

39 *3. Upon approval by the State Board of an application to offer*
40 *a work-based learning program submitted pursuant to subsection 2,*
41 *the board of trustees or the governing body ~~shall~~ **shall:***

42 *(a) ~~shall designate~~ **Designate** an employee of the school*
43 *district or charter school, as applicable, to serve as a work-based*
44 *learning coordinator to coordinate and oversee work-based learning*
45 *programs. Such an employee must ~~approve~~ **ensure that** each*



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1 business, agency or organization that will offer employment and
2 supervision of a pupil as part of the work-based learning program ~~f.~~

3 ~~(b) May authorize pupils enrolled in the school district or charter
4 school, as applicable, who satisfy the qualifications prescribed by
5 the school district or charter school to participate in a work based
6 learning program for the purpose of obtaining credit pursuant to
7 subsection 1.~~

8 ~~(e) Shall establish~~ *is suitable for participation in a work-based
9 learning program.*

10 *(b) Establish* and maintain a list of businesses, agencies and
11 organizations that have been ~~fapproved~~ *found suitable* by the
12 work-based learning coordinator pursuant to paragraph (a).

13 4. To receive approval from the State Board to offer a work-
14 based learning program, the work-based learning program must
15 include, without limitation ~~f.~~, *requirements that:*

16 ~~(a) [A requirement that a business, agency or organization that
17 offers employment and supervision of a pupil participating in the
18 work based learning program establish a] A detailed training
19 agreement and training plan ~~fwith~~ *be completed for* each pupil
20 participating in the work-based training program *for credit* that
21 identifies the specific tasks in which the pupil will participate that
22 will develop competency of the pupil in the workplace;~~

23 ~~(b) [The required number of hours a pupil must complete in the
24 work-based learning program to qualify for credit for participation
25 in the work-based learning program;~~

26 ~~(c) A requirement that a] A pupil participating in the work-based
27 learning program ~~f.~~~~

28 ~~(1) Is] be allowed to leave the public school in which he or
29 she is enrolled during the school day to participate in such a
30 program;~~

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

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

35 ~~(d) A requirement that participation] and~~

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

39 5. ~~Participation by a pupil in a work based learning program
40 must lead to the pupil receiving a high school diploma.~~

41 ~~6.] A school district or charter school may allow a pupil who
42 successfully completes a work-based learning program to earn dual
43 credit for participation in the work-based learning program.~~



1 [7.] 6. On or before January 15 of each odd-numbered year,
2 the board of trustees of a school district and the governing body of a
3 charter school that offers a work-based learning program shall
4 prepare a report concerning the manner in which the work-based
5 learning program has been carried out and submit the report to the
6 State Board and the Legislature. ***The report must include, without
7 limitation:***

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

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

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

13 241.016 1. The meetings of a public body that are quasi-
14 judicial in nature are subject to the provisions of this chapter.

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

17 (a) The Legislature of the State of Nevada.

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

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

25 3. Any provision of law, including, without limitation, NRS
26 91.270, 219A.210, 228.495, 239C.140, 239C.420, 281A.350,
27 281A.690, 281A.735, 281A.760, 284.3629, 286.150, 287.0415,
28 287.04345, 287.338, 288.220, 288.590, 289.387, 295.121, 360.247,
29 388.261, **388.385**, 388A.495, 388C.150, 388D.355, 388G.710,
30 388G.730, 392.147, 392.467, 394.1699, 396.3295, 414.270,
31 422.405, 433.534, 435.610, 442.774, 463.110, 480.545, 622.320,
32 622.340, 630.311, 630.336, 631.3635, 639.050, 642.518, 642.557,
33 686B.170, 696B.550, 703.196 and 706.1725, which:

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

36 (b) Otherwise authorizes or requires a closed meeting, hearing
37 or proceeding,

38 ➔ prevails over the general provisions of this chapter.

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



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1 **Sec. 4.** The provisions of subsection 1 of NRS 218D.380 do
2 not apply to any provision of this act which adds or revises a
3 requirement to submit a report to the Legislature.

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

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