

Joe Lombardo
Governor

Jhone M. Ebert
Superintendent of
Public Instruction



Southern Nevada Office
2080 East Flamingo Rd,
Suite 210
Las Vegas, Nevada 89119-0811
Phone: (702) 486-6458
Fax: (702) 486-6450

STATE OF NEVADA
DEPARTMENT OF EDUCATION
700 E. Fifth Street | Carson City, Nevada 89701-5096
Phone: (775) 687-9200 | www.doe.nv.gov | Fax: (775) 687-1116

Notice of Workshop to Solicit Comments on Proposed Regulation

The Nevada Department of Education is proposing regulation language pertaining to the Nevada Administrative Code (NAC). The Workshop has been scheduled for **Thursday, November 1, 2023**, via [Livestream Link](#) and at the following locations: **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada**. The purpose of the Workshop is to solicit comments from interested persons on the following general topics to be addressed in a proposed regulation:

2:20 P.M Workshop to Solicit Comments on Proposed Amendments to R145-22RP1—CTE Programs of Study.

A copy of all materials relating to the proposal may be obtained at the workshop, on the [Meeting Materials page](#), by contacting the Nevada Department of Education, via email at NVBoardEd@doe.nv.gov, by telephone at 775-443-5519, or in person at the **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada**. Persons wishing to comment upon the proposed action of the Department of Education may provide in-person testimony, submit written comment to the Department via email at NVBoardEd@doe.nv.gov or submit their comments, data, views, or arguments in written form to the **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada**. Comments may be submitted via email leading up to and for the duration of the workshop, and those submitted via mail must be received by the Department on or before **Wednesday, November 1, 2023**.

This notice has been sent to all persons on the agencies mailing list for administrative regulations and the Department of Education and posted on the Nevada Department of Education's website at <https://doe.nv.gov>, Nevada's Public Notice site at <https://notice.nv.gov>, the Nevada State Legislature's webpage at <https://leg.state.nv.us>, and physically at the Nevada Department of Education Offices and with Nevada State Library and Archives. Copies of this notice will also be emailed and/or mailed to members of the public upon request.

**REVISED PROPOSED REGULATION OF THE
STATE BOARD OF EDUCATION**

LCB File No. R145-22

August 14, 2023

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§ 1-3 and 5-7, NRS 385.080 and 385.114; § 4, NRS 385.080, 385.114, 388.360 and 388.380.

A REGULATION relating to education; changing the term “program area” for a program of career and technical education to “program of study” for such a program; revising the subjects for which the board of trustees of a school district may offer a program of career and technical education; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the State Board of Education to prescribe and cause to be enforced the courses of study for the public schools in this State. (NRS 385.114) Existing law also requires the State Board to establish policies or regulations and formulate plans for the promotion of career and technical education in such subjects as are an essential and integral part of the system of public education in this State. (NRS 388.360) **Section 4** of this regulation: (1) revises the subjects for which the board of trustees of a school district may offer a program of career and technical education in a public high school, middle school or junior high school; and (2) changes the term “program area” for a program of career and technical education to “program of study” for such a program. **Sections 1-3, 5 and 6** of this regulation make conforming changes by also substituting the term “program of study” for “program area” where appropriate. **Section 7** of this regulation makes the amendatory provisions of **sections 1-6** effective only if LCB File No. R165-22 is adopted by the Commission on Professional Standards in Education and filed with the Secretary of State.

Section 1. NAC 388A.600 is hereby amended to read as follows:

388A.600 1. For the purposes of subsection 1 of NRS 388A.518, the Department will consider a charter school to be a “vocational school” if the charter school provides:

(a) Instruction in at least grades 9 through 12, inclusive; and

(b) A progression of courses within one or more of the ~~{program areas}~~ *programs of study* set forth in subsection 1 of NAC 389.803 that prepares a pupil for entry level employment in the applicable program ~~{area-}~~ *of study*.

2. A charter school that is a vocational school shall comply with subsection 3 of NAC 389.800, and the courses of study in career and technical education offered by such a school must comply with subsection 1 of that section.

Sec. 2. NAC 389.672 is hereby amended to read as follows:

389.672 1. A board of trustees may allow a pupil to earn, towards the units necessary for graduation from high school, two units of the credit required in English, one unit required in mathematics, one unit required in science and one-half unit required in health if he or she is enrolled in a course of study in career and technical education approved pursuant to this section within one of the ~~{program areas}~~ *programs of study* set forth in subsection 1 of NAC 389.803 and that course includes, as part of its curriculum, the curriculum of the required course.

2. The superintendent of the school district shall appoint a committee composed of one person certified to teach in the course of study in career and technical education and one person certified to teach in the academic area in which the credit may be earned. The committee must verify to the board of trustees that the curriculum for the course of study in career and technical education includes the curriculum of the required course of study for which a pupil may earn credit.

3. After verification has been received by the board of trustees, the written curriculum and title of the course of study in career and technical education and a statement of the academic credit to be granted must be submitted to the State Board of Education for approval. Academic

credit may be granted for the course of study in career and technical education or a combination of courses only after the State Board of Education has given its approval.

4. The Superintendent of Public Instruction may give approval for the granting of academic credit to a board of trustees requesting to use a curriculum for a course of study in career and technical education that has been approved by the State Board of Education for another school district if:

(a) The procedures set forth in subsection 2 were followed by the requesting district; and

(b) The board of trustees provides assurances that it will not deviate from the curriculum that has been approved by the State Board of Education.

5. A pupil who earns academic credit pursuant to this section must be notified that the approval for academic credit is designed to meet the requirements for graduation from high school and may not necessarily be accepted for academic credit by a specific postsecondary institution. A copy of the notification given to the pupil must accompany the other materials to be submitted to the State Board of Education for final approval.

6. A minimum number of credits must be earned in the respective academic areas, as follows:

(a) At least two credits must be earned in the academic mathematics department;

(b) At least one credit must be earned in the academic science department; and

(c) At least two credits must be earned in the academic English department.

Sec. 3. NAC 389.800 is hereby amended to read as follows:

389.800 1. Courses of study in career and technical education offered by the board of trustees of a school district in a program **[area] of study** for a program of career and technical education set forth in subsection 1 of NAC 389.803 must:

(a) Be based upon state standards and a written curriculum that has been developed in collaboration with representatives of the industry being studied to measure the competency of the pupil and which includes:

(1) The current skills and levels of performance necessary to perform the duties and tasks involved in being employed in the career field being taught or to support advancement in education and job training in a related career.

(2) Instruction which reinforces academic skills of reading, writing, speaking, listening, mathematics, science and using technology.

(b) Be designed to:

(1) Allow the pupil to pursue postsecondary academic options, career training or a recognized industry credential.

(2) Include pupils with disabilities.

(c) Provide the pupil with reasonable access to standard equipment used in the industry the pupil is studying.

(d) Include instruction in employability skills for career readiness prescribed for the course of study in NAC 389.555 and measure the proficiency of the pupil in the standards prescribed for that course of study through an assessment that measures proficiency in employability skills prescribed by the Department of Education.

(e) Require a pupil who completes the final course of instruction for a particular course of study in career and technical education to take an end-of-program assessment prescribed by the Department of Education which measures the proficiency of the pupil in the course of study, if such an examination is available.

2. The teacher of a course of study in career and technical education shall:

(a) Possess a valid endorsement to his or her license for each industry in which he or she teaches a course of study.

(b) Use resources, materials and techniques which do not discriminate among pupils.

(c) Evaluate the pupil's achievement of the required goals in the course of study.

3. Each pupil enrolled in a course of study in career and technical education:

(a) Must be given the opportunity to participate in career and technical student organizations that are:

(1) Affiliated with state and national organizations;

(2) Associated with the industry the pupil is studying; and

(3) An integral part of the instructional program.

(b) Upon completion of the program, should be qualified to enter a higher level of training or to enroll in a program of postsecondary education without the necessity of repeating previously learned skills.

4. Each pupil who completes a course of study in career and technical education must be awarded a certificate which states that he or she has attained specific skills in the industry being studied if the pupil:

(a) Maintained at least a 3.0 grade point average, based on a 4.0 grading scale, for all units of credit applicable toward the course of study in career and technical education;

(b) Passed the assessment that measures proficiency in employability skills prescribed by the Department of Education pursuant to paragraph (d) of subsection 1; and

(c) Passed the end-of-program assessment prescribed by the Department of Education pursuant to paragraph (e) of subsection 1, if applicable.

5. Each school district shall submit to the Department of Education an annual report that lists the number of pupils to whom a certificate has been awarded pursuant to subsection 4.

6. The superintendent of each school district that establishes a program of career and technical education:

(a) Shall maintain a current and comprehensive inventory of all capital equipment, if any, maintained for each course offered in career and technical education;

(b) Shall establish a list of equipment that is comparable to that used in the related career fields in which a course of study is offered;

(c) Shall not allow the use in career and technical education of equipment or facilities which do not meet the generally applicable safety requirements, including those adopted to ensure occupational safety and health for that career field; and

(d) Shall adopt a written statement of philosophy for the program of career and technical education, which must include, without limitation, stated goals that such instruction will align to state standards and support advancement in education and job training in a related career.

7. The teacher of a course of study in career and technical education shall cooperate with the guidance counselor of each school to assist pupils to enroll in an appropriate course of study. The guidance counselor shall assist the pupil to achieve:

(a) An awareness of the opportunities for the development of technical and employability skills required in the various industries.

(b) An exploration of the pupil's abilities with his or her career interest.

(c) Completion of the course of study in career and technical education.

(d) Opportunities for continued career development, education and training.

8. The Department of Education shall request surveys to be taken of each pupil who has completed a course of study in career and technical education to determine the effectiveness of the program.

9. The State Board of Education will request the Superintendent of Public Instruction to present annually to the State Board the list of industry-recognized credentials identified by the Executive Director of the Office of Workforce Innovation pursuant to NRS 223.820 and to require school districts to report the number of pupils who earn each of those credentials.

Sec. 4. NAC 389.803 is hereby amended to read as follows:

389.803 1. The board of trustees of a school district may offer any of the following ~~[program areas]~~ *programs of study* for a program of career and technical education in a public high school, middle school or junior high school:

(a) Agriculture, *food* and natural resources, which may include the following courses of study:

- (1) Agricultural ~~[business systems.~~
- ~~—(2) Agricultural leadership, communication and policy.~~
- ~~—(3) Agricultural mechanics technology.~~
- ~~—(4)] welding, power and structure technology.~~
- (2) Animal ~~[science.~~
- ~~—(5) Biotechnology.~~
- ~~—(6) Environmental management.~~
- ~~—(7) Floriculture design and management.~~
- ~~—(8) Food science technology.~~
- ~~—(9) Landscape design and management.~~

~~—(10) Natural resources and wildlife management.~~

~~—(11) Ornamental horticulture greenhouse management.~~

~~—(12) Veterinary science.] systems.~~

(3) *Plant systems.*

(b) *Architecture and construction, which may include the following courses of study:*

(1) *Building trades in construction technology.*

(2) *Design drafting.*

(3) *Heating, ventilation, air conditioning and refrigeration (HVACR).*

(c) *Arts, audio/visual technology and communications, which may include the following courses of study:*

(1) *Fashion, textiles and design.*

(2) *Graphic design.*

(3) *Multimedia communications.*

(4) *Radio production.*

(5) *Theatre technology.*

(6) *Video production.*

(d) Business ~~[and marketing education,]~~ *management and administration*, which may include the following courses of study:

(1) ~~[Accounting and finance.~~

~~—(2) Administrative services.~~

~~—(3)] Business management.~~

~~[(4) Entrepreneurship.~~

~~—(5) Marketing.~~

~~—(6) Sports and entertainment marketing.~~

~~—(e)] (2) Logistics management.~~

(3) Office management.

(e) Education ~~[, hospitality]~~ and ~~[human services,]~~ **training**, which may include the following courses of study:

(1) ~~[Baking and pastry.~~

~~—(2) Cosmetology.~~

~~—(3) Culinary arts.~~

~~—(4)] Early childhood education.~~

~~[(5) Family and consumer sciences.~~

~~—(6) Foods and nutrition.~~

~~—(7) Hospitality and tourism.~~

~~—(8) Human development.~~

~~—(9)] (2) Teaching and training.~~

~~[(d)] (f) Finance, which may include the course of study in accounting and finance.~~

(g) Government and public administration, which may include the course of study in military science (all branches).

(h) Health ~~[science and public safety,]~~ **science**, which may include the following courses of study:

(1) Biomedical.

(2) Community health science.

(3) ~~[Criminal justice.~~

~~—(4)] Dental science.~~

~~[(5)]~~ (4) Emergency medical technician.

~~[(6) Emergency telecommunications.]~~

~~—(7) Fire science.~~

~~—(8) Forensic science.~~

~~—(9) Health information management.]~~

~~[(10) Law enforcement.]~~

~~—(11)]~~ (5) Medical assisting.

~~[(12) Military science.]~~

~~—(13)]~~ (6) Nursing assistant.

~~[(14) Pharmacy practice.]~~

~~—(15) Respiratory science.]~~

~~[(16)]~~ (7) *Practical nursing.*

(8) Sports medicine.

~~[(e)]~~ (i) *Hospitality and tourism, which may include the following courses of study:*

(1) *Culinary arts.*

(2) *Hospitality and tourism.*

(j) *Human services, which may include the following courses of study:*

(1) *Cosmetology.*

(2) *Family and consumer sciences.*

(3) *Human and social services.*

(k) Information ~~[and media technologies,]~~ *technology*, which may include the following courses of study:

(1) ~~[Animation.]~~

~~— (2) Computer]~~ *Advanced computer* science.

~~[(3)]~~ (2) Cybersecurity.

~~[(4)]~~ (3) Digital game development.

~~[(5) Fashion, textiles and design.~~

~~— (6) Graphic design.~~

~~— (7)]~~ (4) Information technology ~~[for]~~ networking.

~~[(8) Information technology for service and support.~~

~~— (9) Interior design.~~

~~— (10) Photography.~~

~~— (11) Radio production.~~

~~— (12) Theatre technology.~~

~~— (13) Video production.~~

~~— (14)]~~ (5) Web design and development.

~~[(f) Skilled and technical sciences,]~~

(l) *Law, public safety, corrections and security, which may include the following courses of study:*

(1) *Emergency telecommunications.*

(2) *Fire science.*

(3) *Forensic science.*

(4) *Law enforcement.*

(m) *Manufacturing*, which may include the following courses of study:

(1) ~~[Aerospace engineering.~~

~~— (2) Architectural and civil engineering.~~

- ~~— (3) Architectural design.~~
- ~~— (4) Automation technology.~~
- ~~— (5) Automotive service technician.~~
- ~~— (6) Automotive technology.~~
- ~~— (7) Aviation maintenance technician.~~
- ~~— (8) Aviation technology.~~
- ~~— (9) Collision repair technology.~~
- ~~— (10) Construction technology.~~
- ~~— (11) Diesel technology.~~
- ~~— (12) Drafting and design.~~
- ~~— (13) Electrical engineering.~~
- ~~— (14)] *Advanced manufacturing technologies.*~~

(2) Electronic technology.

~~[(15) Energy technologies.~~

- ~~— (16) Environmental engineering.~~
- ~~— (17) Furniture and cabinetmaking.~~
- ~~— (18) Manufacturing technologies.~~
- ~~— (19) Mechanical engineering.~~
- ~~— (20) Mechanical technology.~~
- ~~— (21)] (3) *Industrial maintenance.*~~

(4) Metalworking.

~~[(22)] (5) Welding technology.~~

(n) *Marketing, which may include the course of study in marketing.*

(o) Science, technology, engineering and mathematics, which may include the following courses of study:

(1) Energy technologies.

(2) Engineering foundations.

(p) Transportation, distribution and logistics, which may include the following courses of study:

(1) Automotive technology.

(2) Aviation maintenance technician.

(3) Aviation technology.

(4) Diesel technology.

2. If the board of trustees of a school district offers a program **[area] of study** set forth in subsection 1, the courses of study which the board of trustees offers within that program **[area] of study** must comply with the standards of program content and performance established by the State Board of Education for that course of study if the State Board has established such standards. A copy of any standards of content and performance that the State Board has established for those courses of study are available on the website maintained by the Department of Education at the Internet address **[<http://www.doe.nv.gov/CTE/>.] <https://doe.nv.gov/CTE/>.**

Sec. 5. NAC 389.815 is hereby amended to read as follows:

389.815 1. To qualify for an endorsement on a high school diploma indicating that a pupil has successfully completed a course of study in a program **[area] of study** for a program of career and technical education set forth in subsection 1 of NAC 389.803, the pupil must:

(a) Satisfactorily complete a sequence of courses leading to a completion course prescribed by the school district or charter school in which the pupil is enrolled for the course of study selected.

(b) Satisfy the state academic requirements governing receipt of a standard high school diploma and the statutes and regulations governing the receipt of a standard high school diploma, including, without limitation, passage of all required end-of-course examinations.

(c) Satisfy the requirements for the issuance of a certificate pursuant to subsection 4 of NAC 389.800.

2. The sequence and completion courses required by paragraph (a) of subsection 1 must be approved by the Department.

3. The endorsement must be located on the front of the high school diploma in a format prescribed by the Department of Education.

Sec. 6. NAC 391.436 is hereby amended to read as follows:

391.436 1. The Superintendent of Public Instruction shall issue to a qualified applicant an endorsement as a substitute teacher of business and industry for a specific course of study included in a program ~~[area]~~ *of study* for a program of career and technical education group set forth in NAC 389.803.

2. To receive an endorsement as a substitute teacher of business and industry pursuant to subsection 1, the applicant must:

(a) Have earned a high school diploma or its equivalent;

(b) Provide to the Department proof acceptable to the Department that the applicant has:

(1) Two years of full-time employment, after 18 years of age, in a position which relates to the course of study for which he or she is applying for the endorsement; or

(2) An aggregate total of 4,000 hours of employment, after 18 years of age, in a position which relates to the course of study for which he or she is applying for the endorsement; and

(c) Hold the appropriate license if one is required by law for employment in an occupation which the person desires to teach.

3. A person who desires to renew for the first time an endorsement issued pursuant to this section must provide proof that he or she has completed 3 semester hours of credit from an accredited postsecondary institution, or an equivalent number of hours of professional development, in a course or program of professional development that is approved by the Department and that involves teaching methodology for career and technical education or secondary education.

4. A school district may hire a person who has an endorsement as a substitute teacher of business and industry in kindergarten through grade 12 for:

(a) Unlimited days of service if filling the position of a licensed teacher who is under contract.

(b) Except as otherwise provided in subsection 5, 60 days of service if filling a teaching position for which a licensed teacher has not been hired under contract.

5. The Department may grant a school district one extension for 30 days with regard to a person who is hired pursuant to paragraph (b) of subsection 4 in an exceptional case upon request from the superintendent of schools of the school district.

6. An endorsement issued pursuant to this section is not subject to the provisions of NAC 391.036 and 391.065.

Sec. 7. 1. This section becomes effective on the date on which this regulation is filed with the Secretary of State.

2. Sections 1 to 6, inclusive, of this regulation become effective only if LCB File No. R165-22 is adopted by the Commission on Professional Standards in Education and filed with the Secretary of State. Sections 1 to 6, inclusive, of this regulation become effective on:

(a) The date on which this regulation is filed with the Secretary of State; or

(b) The date on which LCB File No. R165-22 is filed with the Secretary of State,

↳ whichever occurs later.

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SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608

DATE: October 11, 2023

RE: Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 388A.600, 389.672, 389.803, 389.815, and 391.436

I, Jhone M. Ebert, being the duly appointed Superintendent of Public Instruction of the Nevada Department of Education, do hereby certify, to the best of my knowledge or belief:

1. The proposed regulation regarding CTE programs of study is not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business.
2. A concerted effort was made to determine any economic burden.
3. All relevant materials were reviewed, and the Department considered its history with implementing similar regulations; the proposed changes are within the scope of the Department's activities and present no significant cost of enforcement.
4. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or adverse economic impact can be assessed.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,

Jhone M. Ebert
Superintendent of Public Instruction