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**STATE OF NEVADA**  
**STATE BOARD OF EDUCATION**  
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April 15, 2024

**Notice of Intent to Act Upon a Regulation**

Notice of Hearing for the Adoption of Regulations of the Nevada State Board of Education as proposed in LCB File #R019-24.

The STATE BOARD will hold a public hearing at **3:30 PM** on Monday, April 15<sup>th</sup>, 2024 via [Livestream Link](#). The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations pertaining to NAC 389.800 and of the Nevada Administrative Code (NAC), pursuant to NRS 385.080, NRS 385.114, NRS 388.360, and NRS 388.380 regarding revising requirements relating to programs of career and technical education/

The following information is provided pursuant to the requirements of Nevada Revised Statute (NRS) 233B.0603:

**1. The need for and the purpose of the proposed regulation or amendment:**

- To ensure that career and technical education students can take industry-recognized credentials in lieu of end-of-program assessments if available.

**2. If the proposed regulation is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation prepared by the Legislative Counsel pursuant to NRS 233B.063.**

The revised text of the proposed regulation is attached to this notice.

**3. Description of the proposed regulation, or the subjects and issues involved:** The proposed regulation would revise requirements governing the application for authorization to sponsor a charter school to apply to an applicant that is a city or county.

**4. Estimated economic effect of the regulation on the business which it is to regulate and on the public.** There is no economic effect of the regulation on the business that it regulates and no impact on the public.

**5. Method used by the agency in determining the impact on a small business:** Small business is not impacted by this regulation.

**6. Estimated cost to the agency for enforcement of the proposed regulation:** no costs.

7. **Description and citation of duplicative or overlapping regulations of other state or local governmental agencies:** There is no duplication or overlap of regulations of state or local governmental agencies.
8. **Is the regulation required by federal law?** This regulation is not required pursuant to federal law.
9. **Does the regulation include provisions more stringent than a federal regulation regarding the same activity?** There is no federal law affecting or overlapping the proposed regulation.
10. **Does the proposed regulation establish a new fee or increase an existing fee?** The proposed regulations do not establish a new fee nor increase an existing fee of the regulating agency.

A copy of all materials relating to the proposed regulation may be obtained at the hearing, on the [Event - March 29, 2024 Nevada Department of Education Regulation Hearing | Nevada Department of Education \(nv.gov\)](#) by contacting the Nevada Department of Education, via email at [NVBoardEd@doe.nv.gov](mailto: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 may provide in-person testimony, submit written comment to Department via email at [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov) or submit their comments, data, views, or arguments in written form to the Nevada Department of Education, **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 Friday, April 12th. A record of all submitted comments will be retained, and the Department or Board will proceed to consider any public comment received.

This notice and the text of the proposed regulation 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>, available in the State of Nevada Register of Administrative Regulations pursuant to NRS 233B.0653, and physically posted 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.

**Notice required by NRS 233B.064:** Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice and the text of the proposed regulation has been sent to all persons on the agencies mailing list for administrative regulations and the Commission on Professional Standards, 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>, available in the State of Nevada Register of Administrative Regulations pursuant to NRS 233B.0653, and physically posted 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.

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

**LCB File No. R019-24**

March 6, 2024

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

AUTHORITY: § 1, NRS 385.080, 385.114, 388.360 and 388.380.

A REGULATION relating to education; revising requirements relating to programs of career and technical education; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law provides for the establishment of a program of career and technical education by the board of trustees of a school district. (NRS 388.380) Existing law also: (1) designates the State Board of Education as the sole state agency responsible for the administration of career and technical education; and (2) authorizes the State Board to adopt regulations relating to career and technical education. (NRS 388.360)

Existing regulations prescribe: (1) the program areas for which the board of trustees of a school district may offer a program of career and technical education; and (2) general requirements for any such program. (NAC 389.800, 389.803) Among other requirements, existing regulations require a course of study in a program of career and technical education to require a pupil who completes the final course of instruction for a particular course of study 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. (NAC 389.800) This regulation revises this requirement by authorizing a course of study in a program of career and technical education to require a pupil who completes the final course of instruction for the course to obtain an industry-recognized credential in the industry being studied, in lieu of requiring the pupil to take an end-of-program assessment. This regulation also exempts a course of study from the requirement to take an end-of-program assessment or obtain an industry-recognized credential if: (1) an end-of-program assessment prescribed by the Department is not available; and (2) an industry-recognized credential in the industry being studied is not available. Finally, this regulation updates certain references to existing law related to the Governor’s Office of Workforce Innovation in the Department of Employment, Training and Rehabilitation.

**Section 1.** 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 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 ~~fa~~ ~~recognized industry}~~ *an industry-recognized* 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~~ *Except as otherwise provided in subsection 5, require* a pupil who completes the final course of instruction for a particular course of study in career and technical education to ~~take~~ :

(1) *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~~; *or*

(2) *Obtain an industry-recognized credential in the industry being studied.*

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~~ *Has met the requirements of* paragraph (e) of subsection 1, if applicable.

5. *The requirements of paragraph (e) of subsection 1 do not apply if:*

*(a) An end-of-program assessment prescribed by the Department of Education which measures the proficiency of the pupil in the course of study is not available; and*

*(b) An industry-recognized credential in the industry being studied is not available.*

6. 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.~~ 7. 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.

~~17.1~~ **8.** 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.

~~18.1~~ **9.** 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.

~~19.1~~ **10.** 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 *Governor's* Office of Workforce Innovation pursuant to NRS ~~223.820~~ **232.975** and to require school districts to report the number of pupils who earn each of those credentials.