

NOTICE OF INTENT TO ACT UPON A REGULATION

NOTICE OF HEARING FOR THE ADOPTION OF REGULATIONS NEVADA STATE BOARD OF EDUCATION/NEVADA STATE BOARD FOR CAREER AND TECHNICAL EDUCATION

The Nevada State Board of Education/Nevada State Board for Career and Technical Education will hold a public hearing on **Thursday, April 17, 2014**, via video conference at the following locations: **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City; and 9890 South Maryland Parkway, Las Vegas, Nevada.**

The time for the public hearing has been scheduled as follows:

Time 10:00 AM **Public Hearing and Possible Board Adoption of Proposed Amendments to R154-13:** Public hearing on proposed changes to NAC 389.800 General Requirements for program and NAC 389.815 Requirements for endorsement on diploma indicating successful completion of program.

NOTE: Possible action to adopt may be taken at this meeting.

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoption of regulations of the Nevada Administrative Code (NAC) 389.

The proposed changes to **NAC 389.800** (General Requirements for program) include the following: (1) updating language; (2) removal of duplicative language for employability skills; (3) addition of the requirement for a common measurement of proficiency in employability skills; (4) changing the provision requiring districts to award a certificate of completion (known as local competency certificates) to the issuing of the state approved Certificate of Skill Attainment, which includes a more rigorous criteria.

The proposed changes to **NAC 389.815** (Requirements for (CTE) endorsement on diploma indicating successful completion of program) include the following: (1) updating language; (2) removal of language referencing the high school proficiency examination; (3) addition of language whereby students must satisfy the requirements for the state certificate of skill attainment to earn the endorsement on the diploma; (4)* changing the requirement for the endorsement to be printed on the high school diploma in a format prescribed by the local school district to a format prescribed by the Department of Education.

* This change is proposed after significant input from local school districts and other stakeholders for the purpose of developing a state-level endorsement on the diploma that may be recognized as a more portable credential. Furthermore:

There is no economic effect of the regulation on the public. There are no immediate or long-term effects on the public. The estimated cost to the agency for enforcement of the proposed regulation is none.

There is no cost to the Department of Education for the enforcement of these regulations.

There is no federal law affecting the proposed regulations.

There is no duplication or overlap of state or local governmental agencies.

The proposed regulations do not establish a new fee nor increase an existing fee of the regulating agency.

Persons wishing to comment upon the proposed action of the Nevada State board of Education/Nevada State Board for Career and Technical Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Commission on Professional Standards in Education, Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096. Written submissions must be received by the Department of Education **on or before April 3, 2014**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Board of Education/Nevada State Board for Career and Technical Education may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended/adopted/repealed will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended/adopted/repealed will be available at the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada and 9890 South Maryland Parkway, Las Vegas, Nevada, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies, if it is deemed necessary.

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 of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 16 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

3/14/14

BRIAN SANDOVAL
Governor

STATE OF NEVADA

SOUTHERN NEVADA OFFICE
9890 S. Maryland Parkway, Suite 221
Las Vegas, Nevada 89183
(702) 486-6458
Fax: (702)486-6450
<http://teachers.nv.gov>

DALE A.R. ERQUIAGA
Superintendent of Public Instruction



DEPARTMENT OF EDUCATION
700 E. Fifth Street
Carson City, Nevada 89701-5096
(775) 687 - 9200 · Fax: (775) 687 - 9101
<http://www.doe.nv.gov>

**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: March 14, 2014

Re: Proposed Adoption of Regulations Revising Provisions Concerning Career and Technical Education
LCB File No. R154-13

I, Dale A.R. Erquiaga, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation concerning endorsements related to career and technical education are 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. The proposed regulations deal only with the processes by which students obtain certain educational credentials.
2. A concerted effort was made to determine any economic burden. The Department of Education has relied on the expert knowledge of Department staff and school districts in the educating of high school students and young adults; the impact is solely on the school-based activities of educators, educational institutions, and students.
3. All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes are within the historic scope of the Department's activities and present no new 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 economic impact can be assessed.

Respectfully submitted,

A handwritten signature in black ink that reads "Dale A.R. Erquiaga".

DALE A.R. ERQUIAGA
Superintendent of Public Instruction

**REVISED PROPOSED REGULATION OF THE STATE BOARD
FOR CAREER AND TECHNICAL EDUCATION**

LCB File No. R154-13

March 4, 2014

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

AUTHORITY: §§1 and 2, NRS 388.360 and 388.380.

A REGULATION relating to education; revising provisions relating to courses of study in career and technical education; revising the requirements to receive an endorsement indicating completion of a program of career and technical education on a high school diploma; and providing other matters properly relating thereto.

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 ~~{occupation}~~ *industry* being studied to measure the competency of the pupil and which includes:

(1) The current ~~{duties, tasks,}~~ skills and levels of performance necessary to perform the duties and tasks involved in being employed in the ~~{occupation}~~ *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 ~~{a computer}~~.

~~— (3) Instruction designed to develop leadership, initiative, integrity, confidence, poise, reliability, cooperation, the ability to accept divergent points of view, self-discipline, the ability to adapt to change, make decisions, solve problems and set priorities, the ability to learn and participate in discussions, and a willingness to seek and accept responsibility.} *technology*.~~

(b) Be designed to:

(1) Allow the pupil to ~~{advance in the course of study at his or her own pace and allow the teacher to evaluate the progress of the pupil based on the requirements for obtaining employment or being promoted in the occupation being taught.}~~ *pursue postsecondary academic options, career training or a recognized industry credential.*

(2) Include pupils with disabilities.

(c) Provide the pupil with reasonable access to ~~{the}~~ *standard* equipment used in the ~~{occupation}~~ *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 ~~{examination}~~ *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 ~~{occupation}~~ *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 ~~{of an occupation;}~~ *in career and technical education:*
 - (a) Must be given the opportunity to participate in ~~{youth}~~ *career and technical student* organizations that are:
 - (1) Affiliated with state and national organizations;
 - (2) Associated with the ~~{occupation}~~ *industry* the pupil is studying; and
 - (3) An integral part of the instructional program.
 - (b) ~~{Must be given a certificate upon completion of a course of study in career and technical education which states the level of performance the pupil has attained in specific skills identified by representatives of business or industry.~~
 - ~~{(c)}~~ Upon completion of the ~~{course,}~~ *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. ~~{Written policies for the maintenance, replacement and disposal of equipment must be made available to the representatives of business or industry for review and comment.}~~ *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 ~~shall~~ 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 ; ~~The superintendent shall~~

(b) Shall establish a list of equipment that is comparable to that used in the ~~{occupations}~~ related career fields in which a course of study is offered ~~{The superintendent shall}~~ ;

(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 ~~{occupation}~~

~~{}~~ career field; and

(d) Shall adopt a written statement of philosophy for its 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 ~~the~~ *technical and employability* skills required in the various ~~occupations~~ *industries*.

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

(c) ~~Opportunities for the development of the pupil's skills.~~

~~(d) Realities of the workforce and expectations of employers.~~

~~(e) *Completion of the course of study in career and technical education.*~~

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

~~[7.]~~ 8. The Department of Education shall cause 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.

~~[8.]~~ Each school district shall adopt a written statement of philosophy for its program of career and technical education which includes stated goals that such instruction will:

~~(a) Contribute to each pupil's competency to enter the job market.~~

~~(b) Enable the pupils to succeed in further training.~~

~~(c) Enable the pupils to obtain employment.~~

~~(d) Enable the pupils to advance in job responsibilities.]~~

9. *The State Board for Career and Technical Education will request the Superintendent of Public Instruction to maintain a list of industry credentials and certificates and to require school districts to report the number of pupils who earn each of those credentials and certificates.*

Sec. 2. 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 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 ~~[, or combination of sequences,]~~ of courses leading to a ~~[terminal]~~ *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 the high school proficiency examination.]~~

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

2. The sequence and ~~[terminal]~~ *completion* courses required pursuant to paragraph (a) of subsection 1 must be approved by the Department of Education. ~~[A sequence must be a minimum of two credits.]~~

3. The endorsement must be ~~[printed]~~ *located* on the front of the high school diploma in a format prescribed by the ~~[local school district.]~~ *Department of Education.*