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**STATE OF NEVADA**  
**BOARD OF EDUCATION**  
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**October 6, 2022**

**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 #R146-22

The Nevada State Board of Education will hold a public hearing **at 10:20 A.M. on Thursday, October 6, 2022** 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 hearing is to receive comments from all interested persons regarding the amendment of regulations pertaining to Chapter 389.810 of the Nevada Administrative Code (NAC) pursuant to the Nevada Revised Statutes 388.360, 388.380 and 388.385.

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

**1. The need and the purpose of the proposed regulations and/or amendments:** NRS 388.360 states that:

- *“The State Board is hereby designated as the sole state agency responsible for the administration of career and technical education in the State of Nevada.”*

In accordance with NRS 388.380, the State Board shall:

- *“...adopt regulations prescribing the endorsement of career and technical education for a high school diploma.”*

NRS 388.385 notes that federal funding for career and technical education is contingent on an eligible recipient that has established such a program consulting with certain stakeholders concerning certain matters relating to the operation of the program. If such a program has been established in a school district, the superintendent of the school district or his or her designee shall:

- *“...appoint an advisory technical skills committee, consisting of certain members, to perform certain duties relating to the program in accordance with federal law;*
- *or consult regularly with persons in each category of membership of such a committee to carry out the duties of the committee.”*

- 2. Description of the proposed regulation, or the subjects and issues involved:** The purpose of these regulations is to revise certain provisions governing programs of career and technical education; and providing other matters properly relating thereto.
- 3.** The revised text of the proposed regulation is attached to this notice.
- 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. **Methods used by the agency in determining the impact on a small business:** Small business are not impacted by this regulation.
6. **The 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 government 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 regulations.
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 [Nevada Department of Education webpage](#), by contacting the State Board of Education, via email at [NVBoardED@doe.nv.gov](mailto:NVBoardED@doe.nv.gov) by telephone at (775)687-9224 or in person at the Nevada Department of Education, 700 E. Fifth Street Carson City, Nevada 89701. Persons wishing to comment upon the proposed action of the State Board of Education may provide in-person testimony, submit written comment to the State Board of Education 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, 700 E. Fifth Street Carson City, Nevada 89701. Comments may be submitted via email leading up to and for the duration of the hearing, and those submitted via mail must be received by the Department on or before October 5, 2022. A record of all submitted comments will be retained, and the State Board of Education 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 State Board 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. 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.

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

**LCB File No. R146-22**

July 22, 2022

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

AUTHORITY: § 1, NRS 388.360, 388.380 and 388.385.

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

**Legislative Counsel’s Digest:**

Existing law designates the State Board of Education as the sole state agency responsible for the administration of career and technical education in this State, and authorizes the Board to adopt regulations relating to career and technical education. (NRS 388.360) Existing law authorizes the board of trustees of a school district to establish and maintain a program of career and technical education. (NRS 388.380) Existing federal law makes federal funding for career and technical education contingent on an eligible recipient that has established such a program consulting with certain stakeholders concerning certain matters relating to the operation of the program. (20 U.S.C. § 2354) If such a program has been established in a school district, existing law requires the superintendent of the school district or his or her designee to: (1) appoint an advisory technical skills committee, consisting of certain members, to perform certain duties relating to the program in accordance with federal law; or (2) consult regularly with persons in each category of membership of such a committee to carry out the duties of the committee. (NRS 388.385)

Existing regulations: (1) require a superintendent of a school district to establish a joint technical skills committee to collaborate with any community college located within that school district which offers career and technical instruction for a specific job for which the local school district also provides an instructional program; and (2) authorize such a superintendent to establish a career and technical education council to assist the school district and, upon request, the community college. (NAC 389.810)

This regulation removes the requirement to establish a joint technical skills committee and the authorization to establish a career and technical education council. This regulation instead requires: (1) the superintendent of a school district that offers a program of career and technical education to comply with the requirements of existing state and federal law regarding the appointment and duties of an advisory technical skills committee and the consultation with such stakeholders as an alternative to establishing such a committee; and (2) the governing body of a charter school that offers such a program to comply with the same requirements.

**Section 1.** NAC 389.810 is hereby amended to read as follows:

389.810 ~~[1.—If a community college located within a local school district provides career and technical instruction for a specific job for which the local school district also provides an instructional program, the]~~ *For the purposes of subsection 2 of NRS 388.385, the superintendent of ~~[that]~~ a school district or governing body of a charter school that offers a program of career and technical education shall : ~~[establish a joint]~~*

*1. Establish one or more advisory technical skills ~~[committee]~~ for each such program of career and technical education to review and determine annually the tasks, duties and competency levels to be taught. The committee shall assist the school district and be available to assist the community college upon request.] committees, consisting of the members listed in paragraph (a) of subsection 1 of NRS 388.385; or*

*2. ~~[The superintendent of each local school district which is located in a county:~~*  
~~—(a) Whose population is 35,000 or more; and~~  
~~—(b) In which a campus of the community college is located,~~  
~~→ may establish a career and technical education council to assist the school district and be available to assist, upon request, the community college. To the extent possible, the superintendent shall draw the membership from among the members of an advisory technical skills committee formed pursuant to NRS 388.385. Educators may serve on the council in an advisory, nonvoting capacity only. The council shall render advice on questions of policy regarding the programs of career and technical education where employment demands are being met and shall make recommendations regarding the expansion, improvement and modernization of all of the programs. The council shall also recommend methods to establish a cooperative mechanism for local businesses and industries to share with the school district the instruction,~~

~~facilities and equipment necessary for the programs and to participate in the resulting efforts needed to secure employment for the pupils who complete the programs.]~~ *Consult regularly with persons in each category listed in paragraph (a) of subsection 1 of NRS 388.385.*