

SENATE BILL NO. 406—COMMITTEE ON
HUMAN RESOURCES AND EDUCATION

MARCH 29, 2005

Referred to Committee on Finance

SUMMARY—Requires State Board for Occupational Education to prescribe program of career and technical education. (BDR 34-1307)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Contains Appropriation not included in Executive Budget.

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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 provisions governing the annual reports of accountability prepared by the State Board of Education and the board of trustees of each school district; changing the name of “occupational education” to “career and technical education”; requiring the State Board for Occupational Education to prescribe a program of career and technical education; authorizing school districts and charter schools to establish and maintain a program of career and technical education in accordance with the program prescribed by the State Board; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law establishes the requirements for occupational education in public
- 2 schools within the State. (NRS 388.330-388.400)
- 3 This bill redesignates occupational education as career and technical education.
- 4 This bill requires the State Board for Occupational Education to prescribe a
- 5 program of career and technical education for pupils enrolled in grades 9 through
- 6 12. This bill authorizes school districts and charter schools to establish and
- 7 maintain a program of career and technical education in accordance with the
- 8 Board’s program.
- 9 A pupil who successfully completes a program of career and technical
- 10 education may be awarded a career and technical education advanced diploma or, at
- 11 the discretion of the pupil, another type of diploma for which the pupil is otherwise



12 eligible. If a pupil does not satisfy the requirements for a career and technical
13 education advanced diploma, but otherwise satisfies the requirements for
14 graduation from high school, the pupil must be awarded a standard high school
15 diploma.

16 This bill appropriates \$12 million over the next 2 fiscal years to the Department
17 of Education for allocations to school districts and charter schools to provide a
18 program of career and technical education. The amount of an allocation to a school
19 district or charter school whose application is approved must be based on the
20 estimated number of pupils who will participate in the program for that fiscal year
21 and the financial need of the school district or charter school.

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

1 **Section 1.** NRS 385.3469 is hereby amended to read as
2 follows:

3 385.3469 1. The State Board shall prepare an annual report
4 of accountability that includes, without limitation:

5 (a) Information on the achievement of all pupils based upon the
6 results of the examinations administered pursuant to NRS 389.015
7 and 389.550, reported for each school district, including, without
8 limitation, each charter school in the district, and for this State as a
9 whole.

10 (b) Except as otherwise provided in subsection 2, pupil
11 achievement, reported separately by gender and reported separately
12 for the following subgroups of pupils:

13 (1) Pupils who are economically disadvantaged, as defined
14 by the State Board;

15 (2) Pupils from major racial and ethnic groups, as defined by
16 the State Board;

17 (3) Pupils with disabilities;

18 (4) Pupils who are limited English proficient; and

19 (5) Pupils who are migratory children, as defined by the State
20 Board.

21 (c) A comparison of the achievement of pupils in each subgroup
22 identified in paragraph (b) of subsection 1 of NRS 385.361 with the
23 annual measurable objectives of the State Board.

24 (d) The percentage of all pupils who were not tested, reported
25 for each school district, including, without limitation, each charter
26 school in the district, and for this State as a whole.

27 (e) Except as otherwise provided in subsection 2, the percentage
28 of pupils who were not tested, reported separately by gender and
29 reported separately for the subgroups identified in paragraph (b).

30 (f) The most recent 3-year trend in the achievement of pupils in
31 each subject area tested and each grade level tested pursuant to NRS
32 389.015 and 389.550, reported for each school district, including,



1 without limitation, each charter school in the district, and for this
2 State as a whole, which may include information regarding the trend
3 in the achievement of pupils for more than 3 years, if such
4 information is available.

5 (g) Information on whether each school district has made
6 adequate yearly progress, including, without limitation, the name of
7 each school district, if any, designated as demonstrating need for
8 improvement pursuant to NRS 385.377 and the number of
9 consecutive years that the school district has carried that
10 designation.

11 (h) Information on whether each public school, including,
12 without limitation, each charter school, has made adequate yearly
13 progress, including, without limitation, the name of each public
14 school, if any, designated as demonstrating need for improvement
15 pursuant to NRS 385.3623 and the number of consecutive years that
16 the school has carried that designation.

17 (i) Information on the results of pupils who participated in the
18 examinations of the National Assessment of Educational Progress
19 required pursuant to NRS 389.012.

20 (j) The ratio of pupils to teachers in kindergarten and at each
21 grade level for all elementary schools, reported for each school
22 district, including, without limitation, each charter school in the
23 district, and for this State as a whole, and the average class size for
24 each core academic subject, as set forth in NRS 389.018, for each
25 secondary school, reported for each school district and for this State
26 as a whole.

27 (k) For each school district, including, without limitation, each
28 charter school in the district, and for this State as a whole,
29 information on the professional qualifications of teachers employed
30 by the school districts and charter schools, including, without
31 limitation:

32 (1) The percentage of teachers who are:

33 (I) Providing instruction pursuant to NRS 391.125;

34 (II) Providing instruction pursuant to a waiver of the
35 requirements for licensure for the grade level or subject area in
36 which the teachers are employed; or

37 (III) Otherwise providing instruction without an
38 endorsement for the subject area in which the teachers are
39 employed;

40 (2) The percentage of classes in the core academic subjects,
41 as set forth in NRS 389.018, in this State that are not taught by
42 highly qualified teachers; and

43 (3) The percentage of classes in the core academic subjects,
44 as set forth in NRS 389.018, in this State that are not taught by
45 highly qualified teachers, in the aggregate and disaggregated by



1 high-poverty compared to low-poverty schools, which for the
2 purposes of this subparagraph, means schools in the top quartile of
3 poverty and the bottom quartile of poverty in this State.

4 (l) The total expenditure per pupil for each school district in this
5 State, including, without limitation, each charter school in the
6 district. If this State has a financial analysis program that is designed
7 to track educational expenditures and revenues to individual
8 schools, the State Board shall use that statewide program in
9 complying with this paragraph. If a statewide program is not
10 available, the State Board shall use the Department's own financial
11 analysis program in complying with this paragraph.

12 (m) The total statewide expenditure per pupil. If this State has a
13 financial analysis program that is designed to track educational
14 expenditures and revenues to individual schools, the State Board
15 shall use that statewide program in complying with this paragraph.
16 If a statewide program is not available, the State Board shall use the
17 Department's own financial analysis program in complying with
18 this paragraph.

19 (n) For all elementary schools, junior high schools and middle
20 schools, the rate of attendance, reported for each school district,
21 including, without limitation, each charter school in the district, and
22 for this State as a whole.

23 (o) The annual rate of pupils who drop out of school in grades 9
24 to 12, inclusive, reported for each school district, including, without
25 limitation, each charter school in the district, and for this State as a
26 whole, excluding pupils who:

27 (1) Provide proof to the school district of successful
28 completion of the examinations of general educational development.

29 (2) Are enrolled in courses that are approved by the
30 Department as meeting the requirements for an adult standard
31 diploma.

32 (3) Withdraw from school to attend another school.

33 (p) The attendance of teachers who provide instruction, reported
34 for each school district, including, without limitation, each charter
35 school in the district, and for this State as a whole.

36 (q) Incidents involving weapons or violence, reported for each
37 school district, including, without limitation, each charter school in
38 the district, and for this State as a whole.

39 (r) Incidents involving the use or possession of alcoholic
40 beverages or controlled substances, reported for each school district,
41 including, without limitation, each charter school in the district, and
42 for this State as a whole.

43 (s) The suspension and expulsion of pupils required or
44 authorized pursuant to NRS 392.466 and 392.467, reported for each



1 school district, including, without limitation, each charter school in
2 the district, and for this State as a whole.

3 (t) The number of pupils who are deemed habitual disciplinary
4 problems pursuant to NRS 392.4655, reported for each school
5 district, including, without limitation, each charter school in the
6 district, and for this State as a whole.

7 (u) The number of pupils in each grade who are retained in the
8 same grade pursuant to NRS 392.033 or 392.125, reported for each
9 school district, including, without limitation, each charter school in
10 the district, and for this State as a whole.

11 (v) The transiency rate of pupils, reported for each school
12 district, including, without limitation, each charter school in the
13 district, and for this State as a whole. For the purposes of this
14 paragraph, a pupil is not a transient if he is transferred to a different
15 school within the school district as a result of a change in the zone
16 of attendance by the board of trustees of the school district pursuant
17 to NRS 388.040.

18 (w) Each source of funding for this State to be used for the
19 system of public education.

20 (x) The amount and sources of money received by this State for
21 remedial education.

22 (y) The percentage of pupils who graduated from a high school
23 or charter school in the immediately preceding year and enrolled in
24 remedial courses in reading, writing or mathematics at a university
25 or community college within the University and Community
26 College System of Nevada, reported for each school district,
27 including, without limitation, each charter school in the district, and
28 for this State as a whole.

29 (z) The technological facilities and equipment available for
30 educational purposes, reported for each school district, including,
31 without limitation, each charter school in the district, and for this
32 State as a whole.

33 (aa) For each school district, including, without limitation, each
34 charter school in the district, and for this State as a whole, the
35 number and percentage of pupils who received:

36 (1) A standard high school diploma.

37 (2) *A career and technical education advanced diploma.*

38 (3) An adjusted diploma.

39 ~~(3)~~ (4) A certificate of attendance.

40 (bb) The number and percentage of pupils who did not receive a
41 high school diploma because the pupils failed to pass the high
42 school proficiency examination, reported for each school district,
43 including, without limitation, each charter school in the district, and
44 for this State as a whole.



1 (cc) The number of habitual truants who are reported to a school
2 police officer or local law enforcement agency pursuant to
3 paragraph (a) of subsection 2 of NRS 392.144 and the number of
4 habitual truants who are referred to an advisory board to review
5 school attendance pursuant to paragraph (b) of subsection 2 of NRS
6 392.144, reported for each school district, including, without
7 limitation, each charter school in the district, and for this State as a
8 whole.

9 (dd) Information on the paraprofessionals employed at public
10 schools in this State, including, without limitation, the charter
11 schools in this State. The information must include:

12 (1) The number of paraprofessionals employed, reported for
13 each school district, including, without limitation, each charter
14 school in the district, and for this State as a whole; and

15 (2) For each school district, including, without limitation,
16 each charter school in the district, and for this State as a whole, the
17 number and percentage of all paraprofessionals who do not satisfy
18 the qualifications set forth in 20 U.S.C. § 6319(c). The reporting
19 requirements of this subparagraph apply to paraprofessionals who
20 are employed in programs supported with Title I money and to
21 paraprofessionals who are not employed in programs supported with
22 Title I money.

23 (ee) An identification of appropriations made by the Legislature
24 to improve the academic achievement of pupils and programs
25 approved by the Legislature to improve the academic achievement
26 of pupils.

27 2. A separate reporting for a subgroup of pupils must not be
28 made pursuant to this section if the number of pupils in that
29 subgroup is insufficient to yield statistically reliable information or
30 the results would reveal personally identifiable information about an
31 individual pupil. The State Board shall prescribe a mechanism for
32 determining the minimum number of pupils that must be in a
33 subgroup for that subgroup to yield statistically reliable information.

34 3. The annual report of accountability must:

35 (a) Comply with 20 U.S.C. § 6311(h)(1) and the regulations
36 adopted pursuant thereto;

37 (b) Be prepared in a concise manner; and

38 (c) Be presented in an understandable and uniform format and,
39 to the extent practicable, provided in a language that parents can
40 understand.

41 4. On or before September 1 of each year, the State Board shall
42 provide for public dissemination of the annual report of
43 accountability and submit a copy of the report to the:

44 (a) Governor;

45 (b) Committee;



- 1 (c) Bureau;
- 2 (d) Board of Regents of the University of Nevada;
- 3 (e) Board of trustees of each school district; and
- 4 (f) Governing body of each charter school.

5 5. As used in this section:

6 (a) "Highly qualified" has the meaning ascribed to it in 20
7 U.S.C. § 7801(23).

8 (b) "Paraprofessional" has the meaning ascribed to it in
9 NRS 391.008.

10 **Sec. 2.** NRS 385.347 is hereby amended to read as follows:

11 385.347 1. The board of trustees of each school district in
12 this State, in cooperation with associations recognized by the State
13 Board as representing licensed personnel in education in the district,
14 shall adopt a program providing for the accountability of the school
15 district to the residents of the district and to the State Board for the
16 quality of the schools and the educational achievement of the pupils
17 in the district, including, without limitation, pupils enrolled in
18 charter schools in the school district. The board of trustees of a
19 school district shall report the information required by subsection 2
20 for each charter school within the school district, regardless of the
21 sponsor of the charter school.

22 2. The board of trustees of each school district shall, on or
23 before August 15 of each year, prepare an annual report of
24 accountability concerning:

25 (a) The educational goals and objectives of the school district.

26 (b) Pupil achievement for each school in the district and the
27 district as a whole, including, without limitation, each charter school
28 in the district. The board of trustees of the district shall base its
29 report on the results of the examinations administered pursuant to
30 NRS 389.015 and 389.550 and shall compare the results of those
31 examinations for the current school year with those of previous
32 school years. The report must include, for each school in the district,
33 including, without limitation, each charter school in the district, and
34 each grade in which the examinations were administered:

35 (1) The number of pupils who took the examinations;

36 (2) An explanation of instances in which a school was
37 exempt from administering or a pupil was exempt from taking an
38 examination;

39 (3) A record of attendance for the period in which the
40 examinations were administered, including an explanation of any
41 difference in the number of pupils who took the examinations and
42 the number of pupils who are enrolled in the school;

43 (4) Except as otherwise provided in this paragraph, pupil
44 achievement, reported separately by gender and reported separately
45 for the following subgroups of pupils:



1 (I) Pupils who are economically disadvantaged, as
2 defined by the State Board;

3 (II) Pupils from major racial and ethnic groups, as defined
4 by the State Board;

5 (III) Pupils with disabilities;

6 (IV) Pupils who are limited English proficient; and

7 (V) Pupils who are migratory children, as defined by the
8 State Board;

9 (5) A comparison of the achievement of pupils in each
10 subgroup identified in paragraph (b) of subsection 1 of NRS
11 385.361 with the annual measurable objectives of the State Board;

12 (6) The percentage of pupils who were not tested;

13 (7) Except as otherwise provided in this paragraph, the
14 percentage of pupils who were not tested, reported separately by
15 gender and reported separately for the subgroups identified in
16 subparagraph (4);

17 (8) The most recent 3-year trend in pupil achievement in
18 each subject area tested and each grade level tested pursuant to NRS
19 389.015 and 389.550, which may include information regarding the
20 trend in the achievement of pupils for more than 3 years, if such
21 information is available;

22 (9) Information that compares the results of pupils in the
23 school district, including, without limitation, pupils enrolled in
24 charter schools in the district, with the results of pupils throughout
25 this State. The information required by this subparagraph must be
26 provided in consultation with the Department to ensure the accuracy
27 of the comparison; and

28 (10) For each school in the district, including, without
29 limitation, each charter school in the district, information that
30 compares the results of pupils in the school with the results of pupils
31 throughout the school district and throughout this State. The
32 information required by this subparagraph must be provided in
33 consultation with the Department to ensure the accuracy of the
34 comparison.

35 ➤ A separate reporting for a subgroup of pupils must not be made
36 pursuant to this paragraph if the number of pupils in that subgroup is
37 insufficient to yield statistically reliable information or the results
38 would reveal personally identifiable information about an individual
39 pupil. The State Board shall prescribe the mechanism for
40 determining the minimum number of pupils that must be in a
41 subgroup for that subgroup to yield statistically reliable information.

42 (c) The ratio of pupils to teachers in kindergarten and at each
43 grade level for each elementary school in the district and the district
44 as a whole, including, without limitation, each charter school in the
45 district, and the average class size for each core academic subject, as



1 set forth in NRS 389.018, for each secondary school in the district
2 and the district as a whole, including, without limitation, each
3 charter school in the district.

4 (d) Information on the professional qualifications of teachers
5 employed by each school in the district and the district as a whole,
6 including, without limitation, each charter school in the district. The
7 information must include, without limitation:

8 (1) The percentage of teachers who are:

9 (I) Providing instruction pursuant to NRS 391.125;

10 (II) Providing instruction pursuant to a waiver of the
11 requirements for licensure for the grade level or subject area in
12 which the teachers are employed; or

13 (III) Otherwise providing instruction without an
14 endorsement for the subject area in which the teachers are
15 employed;

16 (2) The percentage of classes in the core academic subjects,
17 as set forth in NRS 389.018, that are not taught by highly qualified
18 teachers; and

19 (3) The percentage of classes in the core academic subjects,
20 as set forth in NRS 389.018, that are not taught by highly qualified
21 teachers, in the aggregate and disaggregated by high-poverty
22 compared to low-poverty schools, which for the purposes of this
23 subparagraph, means schools in the top quartile of poverty and the
24 bottom quartile of poverty in this State.

25 (e) The total expenditure per pupil for each school in the district
26 and the district as a whole, including, without limitation, each
27 charter school in the district. If this State has a financial analysis
28 program that is designed to track educational expenditures and
29 revenues to individual schools, each school district shall use that
30 statewide program in complying with this paragraph. If a statewide
31 program is not available, each school district shall use its own
32 financial analysis program in complying with this paragraph.

33 (f) The curriculum used by the school district, including:

34 (1) Any special programs for pupils at an individual school;
35 and

36 (2) The curriculum used by each charter school in the
37 district.

38 (g) Records of the attendance and truancy of pupils in all grades,
39 including, without limitation:

40 (1) The average daily attendance of pupils, for each school in
41 the district and the district as a whole, including, without limitation,
42 each charter school in the district.

43 (2) For each elementary school, middle school and junior
44 high school in the district, including, without limitation, each charter
45 school in the district that provides instruction to pupils enrolled in a



1 grade level other than high school, information that compares the
2 attendance of the pupils enrolled in the school with the attendance of
3 pupils throughout the district and throughout this State. The
4 information required by this subparagraph must be provided in
5 consultation with the Department to ensure the accuracy of the
6 comparison.

7 (h) The annual rate of pupils who drop out of school in grades 9
8 to 12, inclusive, for each such grade, for each school in the district
9 and for the district as a whole, excluding pupils who:

10 (1) Provide proof to the school district of successful
11 completion of the examinations of general educational development.

12 (2) Are enrolled in courses that are approved by the
13 Department as meeting the requirements for an adult standard
14 diploma.

15 (3) Withdraw from school to attend another school.

16 (i) Records of attendance of teachers who provide instruction,
17 for each school in the district and the district as a whole, including,
18 without limitation, each charter school in the district.

19 (j) Efforts made by the school district and by each school in the
20 district, including, without limitation, each charter school in the
21 district, to increase:

22 (1) Communication with the parents of pupils in the district;
23 and

24 (2) The participation of parents in the educational process
25 and activities relating to the school district and each school,
26 including, without limitation, the existence of parent organizations
27 and school advisory committees.

28 (k) Records of incidents involving weapons or violence for each
29 school in the district, including, without limitation, each charter
30 school in the district.

31 (l) Records of incidents involving the use or possession of
32 alcoholic beverages or controlled substances for each school in the
33 district, including, without limitation, each charter school in the
34 district.

35 (m) Records of the suspension and expulsion of pupils required
36 or authorized pursuant to NRS 392.466 and 392.467.

37 (n) The number of pupils who are deemed habitual disciplinary
38 problems pursuant to NRS 392.4655, for each school in the district
39 and the district as a whole, including, without limitation, each
40 charter school in the district.

41 (o) The number of pupils in each grade who are retained in the
42 same grade pursuant to NRS 392.033 or 392.125, for each school in
43 the district and the district as a whole, including, without limitation,
44 each charter school in the district.



1 (p) The transiency rate of pupils for each school in the district
2 and the district as a whole, including, without limitation, each
3 charter school in the district. For the purposes of this paragraph, a
4 pupil is not transient if he is transferred to a different school within
5 the school district as a result of a change in the zone of attendance
6 by the board of trustees of the school district pursuant to
7 NRS 388.040.

8 (q) Each source of funding for the school district.

9 (r) The amount and sources of money received for remedial
10 education for each school in the district and the district as a whole,
11 including, without limitation, each charter school in the district.

12 (s) For each high school in the district, including, without
13 limitation, each charter school in the district, the percentage of
14 pupils who graduated from that high school or charter school in the
15 immediately preceding year and enrolled in remedial courses in
16 reading, writing or mathematics at a university or community
17 college within the University and Community College System of
18 Nevada.

19 (t) The technological facilities and equipment available at each
20 school, including, without limitation, each charter school, and the
21 district's plan to incorporate educational technology at each school.

22 (u) For each school in the district and the district as a whole,
23 including, without limitation, each charter school in the district, the
24 number and percentage of pupils who received:

25 (1) A standard high school diploma.

26 (2) *A career and technical education advanced diploma.*

27 (3) An adjusted diploma.

28 ~~(3)~~ (4) A certificate of attendance.

29 (v) For each school in the district and the district as a whole,
30 including, without limitation, each charter school in the district, the
31 number and percentage of pupils who did not receive a high school
32 diploma because the pupils failed to pass the high school
33 proficiency examination.

34 (w) The number of habitual truants who are reported to a school
35 police officer or law enforcement agency pursuant to paragraph (a)
36 of subsection 2 of NRS 392.144 and the number of habitual truants
37 who are referred to an advisory board to review school attendance
38 pursuant to paragraph (b) of subsection 2 of NRS 392.144, for each
39 school in the district and for the district as a whole.

40 (x) The amount and sources of money received for the training
41 and professional development of teachers and other educational
42 personnel for each school in the district and for the district as a
43 whole, including, without limitation, each charter school in the
44 district.



1 (y) Whether the school district has made adequate yearly
2 progress. If the school district has been designated as demonstrating
3 need for improvement pursuant to NRS 385.377, the report must
4 include a statement indicating the number of consecutive years the
5 school district has carried that designation.

6 (z) Information on whether each public school in the district,
7 including, without limitation, each charter school in the district, has
8 made adequate yearly progress, including, without limitation:

9 (1) The number and percentage of schools in the district, if
10 any, that have been designated as needing improvement pursuant to
11 NRS 385.3623; and

12 (2) The name of each school, if any, in the district that has
13 been designated as needing improvement pursuant to NRS 385.3623
14 and the number of consecutive years that the school has carried that
15 designation.

16 (aa) Information on the paraprofessionals employed by each
17 public school in the district, including, without limitation, each
18 charter school in the district. The information must include:

19 (1) The number of paraprofessionals employed at the school;
20 and

21 (2) The number and percentage of all paraprofessionals who
22 do not satisfy the qualifications set forth in 20 U.S.C. § 6319(c). The
23 reporting requirements of this subparagraph apply to
24 paraprofessionals who are employed in positions supported with
25 Title I money and to paraprofessionals who are not employed in
26 positions supported with Title I money.

27 (bb) For each high school in the district, including, without
28 limitation, each charter school that operates as a high school,
29 information that provides a comparison of the rate of graduation of
30 pupils enrolled in the high school with the rate of graduation of
31 pupils throughout the district and throughout this State. The
32 information required by this paragraph must be provided in
33 consultation with the Department to ensure the accuracy of the
34 comparison.

35 (cc) An identification of the appropriations made by the
36 Legislature that are available to the school district or the schools
37 within the district and programs approved by the Legislature to
38 improve the academic achievement of pupils.

39 (dd) Such other information as is directed by the Superintendent
40 of Public Instruction.

41 3. The records of attendance maintained by a school for
42 purposes of paragraph (i) of subsection 2 must include the number
43 of teachers who are in attendance at school and the number of
44 teachers who are absent from school. A teacher shall be deemed in
45 attendance if the teacher is excused from being present in the



1 classroom by the school in which he is employed for one of the
2 following reasons:

3 (a) Acquisition of knowledge or skills relating to the
4 professional development of the teacher; or

5 (b) Assignment of the teacher to perform duties for cocurricular
6 or extracurricular activities of pupils.

7 4. The annual report of accountability prepared pursuant to
8 subsection 2 must:

9 (a) Comply with 20 U.S.C. § 6311(h)(2) and the regulations
10 adopted pursuant thereto; and

11 (b) Be presented in an understandable and uniform format and to
12 the extent practicable, provided in a language that parents can
13 understand.

14 5. The Superintendent of Public Instruction shall:

15 (a) Prescribe forms for the reports required pursuant to
16 subsection 2 and provide the forms to the respective school districts.

17 (b) Provide statistical information and technical assistance to the
18 school districts to ensure that the reports provide comparable
19 information with respect to each school in each district and among
20 the districts throughout this State.

21 (c) Consult with a representative of the:

22 (1) Nevada State Education Association;

23 (2) Nevada Association of School Boards;

24 (3) Nevada Association of School Administrators;

25 (4) Nevada Parent Teacher Association;

26 (5) Budget Division of the Department of Administration;

27 and

28 (6) Legislative Counsel Bureau,

29 ↪ concerning the program and consider any advice or
30 recommendations submitted by the representatives with respect to
31 the program.

32 6. The Superintendent of Public Instruction may consult with
33 representatives of parent groups other than the Nevada Parent
34 Teacher Association concerning the program and consider any
35 advice or recommendations submitted by the representatives with
36 respect to the program.

37 7. On or before ~~April 1~~ **August 15** of each year, the board of
38 trustees of each school district shall submit to:

39 (a) Each advisory board to review school attendance created in
40 the county pursuant to NRS 392.126 the information required in
41 paragraph (g) of subsection 2.

42 (b) The Commission on Educational Technology created by
43 NRS 388.790 the information prepared by the board of trustees
44 pursuant to paragraph (t) of subsection 2.



1 8. On or before August 15 of each year, the board of trustees of
2 each school district shall:

3 (a) Submit the report required pursuant to subsection 2 to the:

- 4 (1) Governor;
5 (2) State Board;
6 (3) Department;
7 (4) Committee; and
8 (5) Bureau.

9 (b) Provide for public dissemination of the annual report of
10 accountability prepared pursuant to subsection 2 in the manner set
11 forth in 20 U.S.C. § 6311(h)(2)(E) to the schools in the school
12 district, including, without limitation, each charter school in the
13 district, the residents of the district, and the parents and guardians of
14 pupils enrolled in schools in the district, including, without
15 limitation, each charter school in the district.

16 9. As used in this section:

17 (a) "Highly qualified" has the meaning ascribed to it in 20
18 U.S.C. § 7801(23).

19 (b) "Paraprofessional" has the meaning ascribed to it in
20 NRS 391.008.

21 **Sec. 3.** NRS 387.050 is hereby amended to read as follows:

22 387.050 1. The State of Nevada accepts the provisions of,
23 and all of the money provided by, the Vocational Education Act of
24 1963, and any amendments thereof or supplements thereto.

25 2. In addition to the provisions of subsection 1, the State Board
26 for Occupational Education may accept, and adopt regulations or
27 establish policies for the disbursement of, money appropriated by
28 any Act of Congress and apportioned to the State of Nevada for use
29 in connection with the program for ~~occupational~~ *career and*
30 *technical* education.

31 3. In accepting the benefits of the Acts of Congress referred to
32 in subsections 1 and 2, the State of Nevada agrees to comply with
33 all of their provisions and to observe all of their requirements.

34 4. The State Treasurer is designated custodian of all money
35 received by the State of Nevada from the appropriations made by
36 the Acts of Congress referred to in subsections 1 and 2, and he may
37 receive and provide for the proper custody thereof and make
38 disbursements therefrom in the manner provided in the acts and for
39 the purposes therein specified on warrants of the State Controller
40 issued upon the order of the Executive Officer of the State Board for
41 Occupational Education.

42 5. On warrants of the State Controller issued upon the order of
43 the Executive Officer of the State Board for Occupational Education
44 pursuant to regulations or policies of the Board, the State Treasurer



1 shall also pay out any money appropriated by the State of Nevada to
2 carry out the provisions of this section.

3 **Sec. 4.** Chapter 388 of NRS is hereby amended by adding
4 thereto a new section to read as follows:

5 *1. The State Board for Occupational Education shall adopt*
6 *regulations that prescribe a program of career and technical*
7 *education for pupils enrolled in grades 9 to 12, inclusive. The*
8 *regulations:*

9 (a) *Must set forth the areas of career and technical education*
10 *that comprise the program.*

11 (b) *May prescribe qualifications for enrollment in the program*
12 *in addition to those qualifications prescribed in subsection 2.*

13 (c) *May prescribe requirements for successful completion of*
14 *the program in addition to those prescribed in subsection 4.*

15 *2. To qualify for enrollment in the program a pupil must:*

16 (a) *Be enrolled in a school district or charter school that*
17 *provides the program;*

18 (b) *Submit to the board of trustees of the school district in*
19 *which the pupil is enrolled or the governing body of the charter*
20 *school in which the pupil is enrolled written approval for the pupil*
21 *to participate in the program from the:*

22 (1) *Pupil's parent or legal guardian; and*

23 (2) *Guidance counselor assigned to the pupil, or if the*
24 *school in which the pupil is enrolled does not employ a guidance*
25 *counselor, the principal of the school; and*

26 (c) *Satisfy any other criteria prescribed by the State Board for*
27 *Occupational Education.*

28 *3. A pupil who successfully completes the program may be*
29 *awarded a diploma designated as a career and technical education*
30 *advanced diploma or, at the discretion of the pupil, another type of*
31 *diploma for which the pupil is otherwise eligible. If a pupil does*
32 *not satisfactorily complete the program but otherwise satisfies the*
33 *requirements for graduation from high school, the pupil must be*
34 *awarded a standard high school diploma.*

35 *4. To qualify for the career and technical education advanced*
36 *diploma, a pupil must:*

37 (a) *Satisfactorily complete at least 6 credits in the sequence or*
38 *sequences of courses prescribed by the school district or charter*
39 *school in which the pupil is enrolled for the career or technical*
40 *area selected by the pupil;*

41 (b) *Satisfy the state academic requirements governing receipt*
42 *of a standard high school diploma and the statutes and regulations*
43 *governing the receipt of a standard high school diploma,*
44 *including, without limitation, passage of the high school*
45 *proficiency examination;*



- 1 (c) *Maintain at least a 3.0 grade point average; and*
- 2 (d) *Satisfy any other criteria prescribed by the State Board for*
- 3 *Occupational Education.*

4 **Sec. 5.** NRS 388.340 is hereby amended to read as follows:

5 388.340 1. The Superintendent of Public Instruction shall

6 serve as Executive Officer of the State Board for Occupational

7 Education.

8 2. The Executive Officer shall:

9 (a) Employ personnel for such positions as are approved by the

10 State Board for Occupational Education and necessary to carry out

11 properly the provisions of this title relating to ~~occupational~~ *career*

12 *and technical* education.

13 (b) Carry into effect the regulations of the State Board for

14 Occupational Education.

15 (c) Maintain an office for the Board.

16 (d) Keep all records of the Board in the office of the Board.

17 **Sec. 6.** NRS 388.360 is hereby amended to read as follows:

18 388.360 The State Board for Occupational Education may:

19 1. Cooperate with any federal agency, board or department

20 designated to administer the Acts of Congress apportioning federal

21 money to the State of Nevada for ~~occupational~~ *career and*

22 *technical* education.

23 2. Establish policies and adopt regulations for the

24 administration of any legislation enacted pursuant thereto by the

25 State of Nevada.

26 3. Establish policies and adopt regulations for the

27 administration of money provided by the Federal Government and

28 the State of Nevada for the promotion, extension and improvement

29 of ~~occupational~~ *career and technical* education in Nevada.

30 4. Establish policies or regulations and formulate plans for the

31 promotion of ~~occupational~~ *career and technical* education in such

32 subjects as are an essential and integral part of the system of public

33 education in the State of Nevada.

34 5. Establish policies to provide for the preparation of teachers

35 of such programs and subjects.

36 6. Approve positions for such persons as may be necessary to

37 administer the federal act and provisions of this title enacted

38 pursuant thereto for the State of Nevada.

39 7. Direct its Executive Officer to make studies and

40 investigations relating to ~~occupational~~ *career and technical*

41 education.

42 8. Establish policies to promote and aid in the establishment by

43 local communities of schools, departments or classes giving training

44 in ~~occupational~~ *career and technical* subjects.



1 9. Cooperate with local communities in the maintenance of
2 such schools, departments or classes.

3 10. Prescribe qualifications for the teachers, directors and
4 supervisors of ~~{occupational}~~ *career and technical* subjects.

5 11. Provide for the certification of such teachers, directors and
6 supervisors.

7 12. Establish policies or regulations to cooperate in the
8 maintenance of classes supported and controlled by the public for
9 the preparation of the teachers, directors and supervisors of
10 ~~{occupational}~~ *career and technical* subjects, or maintain such
11 classes under its own direction and control.

12 13. Establish by regulation the qualifications required for
13 persons engaged in the training of ~~{occupational teachers.}~~ *teachers*
14 *for career and technical education.*

15 **Sec. 7.** NRS 388.365 is hereby amended to read as follows:

16 388.365 1. All gifts of money which the State Board for
17 Occupational Education is authorized to accept must be deposited in
18 a permanent trust fund in the State Treasury designated as the Gift
19 Fund for ~~{Occupational}~~ *Career and Technical* Education.

20 2. The money available in the Fund must be used only for the
21 purpose specified by the donor, within the scope of the Board's
22 powers and duties. The Board may adopt regulations or establish
23 policies for the disbursement of money from the Fund in accordance
24 with the terms of the gift or bequest on warrants of the State
25 Controller issued upon the orders of the Executive Officer of the
26 State Board for Occupational Education. Any expenditures pursuant
27 to this section may include matching state and federal money
28 available for ~~{occupational}~~ *career and technical* education.

29 3. If all or part of the money accepted by the Board from a
30 donor is not expended before the end of the fiscal year in which the
31 gift was accepted, the remaining balance of the amount donated
32 must remain in the Fund until needed for the purpose specified by
33 the donor.

34 **Sec. 8.** NRS 388.380 is hereby amended to read as follows:

35 388.380 1. Except as otherwise provided in subsection 2, the
36 board of trustees of a school district ~~{in a county whose population~~
37 ~~is 100,000 or more shall and any other board of trustees of a school~~
38 ~~district may.}~~ *and the governing body of a charter school may:*

39 (a) Establish and maintain ~~{occupational schools or classes~~
40 ~~giving}~~, *in accordance with the program prescribed pursuant to*
41 *section 4 of this act, a program of career and technical education*
42 *that offers* instruction in the subjects approved by the State Board
43 for Occupational Education.



1 (b) Raise and expend money for the establishment and
2 maintenance of ~~{occupational schools or classes}~~ *career and*
3 *technical education*.

4 2. The board of trustees of each school district shall
5 incorporate into the curriculum:

6 (a) ~~{Occupational guidance}~~ *Guidance* and counseling *in career*
7 *and technical education* in accordance with NRS 389.180; and

8 (b) Technology.

9 **Sec. 9.** NRS 388.390 is hereby amended to read as follows:

10 388.390 If the board of trustees of a school district or the
11 governing body of a charter school organizes a ~~{school or classes for~~
12 ~~occupational}~~ *program of career and technical* education in
13 accordance with the ~~{regulations adopted}~~ *program prescribed* by
14 the State Board for Occupational Education *pursuant to section 4 of*
15 *this act* and the ~~{school or classes have}~~ *program has* been approved
16 by the Executive Officer of the State Board for Occupational
17 Education, the school district or the charter school is entitled to
18 share in federal and state money available for the promotion of
19 ~~{occupational}~~ *career and technical* education in the amount
20 determined by the Executive Officer of the State Board for
21 Occupational Education, in accordance with the regulations and
22 policies of the Board.

23 **Sec. 10.** NRS 388.400 is hereby amended to read as follows:

24 388.400 1. The money for ~~{occupational}~~ *career and*
25 *technical* education must be provided for and raised in the manner
26 specified in NRS 387.050 and 388.330 to 388.400, inclusive ~~{ }~~ ,
27 *and section 4 of this act*.

28 2. The State Treasurer is the custodian of the money and shall
29 make disbursements therefrom on warrants of the State Controller
30 issued upon the order of the Executive Officer of the State Board for
31 Occupational Education.

32 **Sec. 11.** NRS 388.537 is hereby amended to read as follows:

33 388.537 1. The board of trustees of a school district may,
34 subject to the approval of the State Board, operate an alternative
35 program for the education of pupils at risk of dropping out of high
36 school, including pupils who:

37 (a) Because of extenuating circumstances, such as their being
38 pregnant, parents, chronically ill or self-supporting, are not able to
39 attend the classes of instruction regularly provided in high school;

40 (b) Are deficient in the amount of academic credit necessary to
41 graduate with pupils their same age;

42 (c) Are chronically absent from high school; or

43 (d) Require instruction on a more personal basis than that
44 regularly provided in high school.

45 2. An alternative program may include:



- 1 (a) A shorter school day, and an opportunity for pupils to attend
2 a longer school day, than that regularly provided in high school.
- 3 (b) An opportunity for pupils to attend classes of instruction
4 during any part of the calendar year.
- 5 (c) A comprehensive curriculum that includes elective classes of
6 instruction and ~~Occupational~~ *career and technical* education.
- 7 (d) An opportunity for pupils to obtain academic credit through
8 experience gained at work or while engaged in other activities.
- 9 (e) An opportunity for pupils to satisfy either:
10 (1) The requirements for a regular high school diploma; or
11 (2) The requirements for a high school diploma for adults.
- 12 (f) The provision of child care for the children of pupils.
- 13 (g) The transportation of pupils to and from classes of
14 instruction.
- 15 (h) The temporary placement of pupils for independent study, if
16 there are extenuating circumstances which prevent those pupils from
17 attending the alternative program on a daily basis.
- 18 3. The board of trustees of a school district may operate an
19 alternative program pursuant to this section through a program of
20 distance education pursuant to NRS 388.820 to 388.874, inclusive.
- 21 **Sec. 12.** NRS 388.575 is hereby amended to read as follows:
22 388.575 1. The Department of Education, after consulting
23 with the Department of Corrections, shall:
- 24 (a) Adopt regulations that establish a statewide program of
25 education for incarcerated persons; and
26 (b) Coordinate with and assist school districts in operating
27 programs of education for incarcerated persons.
- 28 2. The statewide program may include courses of study for:
29 (a) A high school diploma;
30 (b) Basic literacy;
31 (c) English as a second language;
32 (d) General educational development;
33 (e) Life skills;
34 (f) ~~Occupational~~ *Career and technical* education; and
35 (g) Postsecondary education.
- 36 3. The statewide program does not include the programs of
37 general education, vocational education and training established by
38 the Board of State Prison Commissioners pursuant to NRS 209.389.
- 39 4. The statewide program must establish:
40 (a) Standards for each course of study that set forth the:
41 (1) Curriculum;
42 (2) Qualifications for entry; and
43 (3) Evaluation of incarcerated persons for placement; and
44 (b) Procedures to ensure that an incarcerated person who earns
45 credits in a program of education for incarcerated persons operated



1 by a school district at a facility or institution shall, if transferred to a
2 different facility or institution, transfer those credits to the program
3 operated by a school district at that facility or institution.

4 5. As used in this section, "general educational development"
5 means preparation for and administration of the standardized
6 examinations that enable persons who have not graduated from high
7 school to demonstrate that they have achieved an educational level
8 which denotes competency in core curriculum. The term includes
9 programs for obtaining a general educational development
10 certificate.

11 **Sec. 13.** NRS 388.635 is hereby amended to read as follows:

12 388.635 Each center shall provide:

13 1. Counseling services specifically designed for the counseling
14 of a displaced homemaker with respect to appropriate employment,
15 including:

16 (a) Assessment of his skills;

17 (b) Clarification of his employment goals and information
18 regarding the availability of various types of employment;

19 (c) The development of a personal plan for a career; and

20 (d) Referrals to public and private programs of training and
21 placement.

22 2. Courses of instruction to assist a displaced homemaker in
23 seeking and retaining employment, including instruction in:

24 (a) The initial steps in seeking employment;

25 (b) Skills for contacting employers;

26 (c) The proper completion of applications for employment;

27 (d) Writing resumes;

28 (e) Skills for effective interviewing;

29 (f) The importance of a positive attitude and appropriate work
30 habits;

31 (g) Skills for effective communication;

32 (h) Appropriate conduct in an office; and

33 (i) Resolving conflicts involving work and family.

34 3. Weekly meetings to allow the displaced homemakers it
35 serves to share information regarding employment and to discuss
36 their concerns regarding seeking and retaining employment.

37 4. Educational and counseling services relating to health and
38 health care, including education about obtaining and paying for
39 health care and related services, particularly about selecting
40 physicians and others who provide the services, including health
41 maintenance organizations and health insurance.

42 5. Services relating to financial management, including
43 information about insurance, taxes, estates and probate, mortgages,
44 loans and other related financial matters.



1 6. Referrals of displaced homemakers to appropriate agencies
2 in the community which provide:

3 (a) Assistance to persons addicted to alcohol or drugs;

4 (b) Personal counseling;

5 (c) Legal assistance;

6 (d) Child care; and

7 (e) Programs of secondary and postsecondary education,
8 including programs for ~~occupational~~ *career and technical*
9 education, English as a second language and improving reading
10 ability.

11 **Sec. 14.** NRS 389.0173 is hereby amended to read as follows:

12 389.0173 1. The Department shall develop an informational
13 pamphlet concerning the high school proficiency examination for
14 pupils who are enrolled in junior high, middle school and high
15 school, and their parents and legal guardians. The pamphlet must
16 include a written explanation of the:

17 (a) Importance of passing the examination, including, without
18 limitation, an explanation that if the pupil fails the examination he is
19 not eligible to receive a standard high school diploma ~~;~~ *or a career*
20 *and technical education advanced diploma;*

21 (b) Subject areas tested on the examination;

22 (c) Format for the examination, including, without limitation,
23 the range of items that are contained on the examination;

24 (d) Manner by which the scaled score, as reported to pupils and
25 their parents or legal guardians, is derived from the raw score;

26 (e) Timeline by which the results of the examination must be
27 reported to pupils and their parents or legal guardians;

28 (f) Maximum number of times that a pupil is allowed to take the
29 examination if he fails to pass the examination after the first
30 administration;

31 (g) Courses of study that the Department recommends that
32 pupils take to prepare the pupils to successfully meet the academic
33 challenges of the examination and pass the examination; and

34 (h) Courses of study which the Department recommends that
35 pupils take in high school to successfully prepare for the college
36 entrance examinations.

37 2. The Department shall review the pamphlet on an annual
38 basis and make such revisions to the pamphlet as it considers
39 necessary to ensure that pupils and their parents or legal guardians
40 fully understand the examination.

41 3. On or before September 1, the Department shall provide a
42 copy of the pamphlet or revised pamphlet to the board of trustees of
43 each school district and the governing body of each charter school
44 that includes pupils enrolled in a junior high, middle school or high
45 school grade level.



1 4. The board of trustees of each school district shall provide a
2 copy of the pamphlet to each junior high, middle school or high
3 school within the school district for posting. The governing body of
4 each charter school shall ensure that a copy of the pamphlet is
5 posted at the charter school. Each principal of a junior high, middle
6 school, high school or charter school shall ensure that the teachers,
7 counselors and administrators employed at the school fully
8 understand the contents of the pamphlet.

9 5. On or before January 15, the:

10 (a) Board of trustees of each school district shall provide a copy
11 of the pamphlet to each pupil who is enrolled in a junior high,
12 middle school or high school of the school district and to the parents
13 or legal guardians of such a pupil.

14 (b) Governing body of each charter school shall provide a copy
15 of the pamphlet to each pupil who is enrolled in the charter school at
16 a junior high, middle school or high school grade level and to the
17 parents or legal guardians of such a pupil.

18 **Sec. 15.** NRS 392.455 is hereby amended to read as follows:

19 392.455 1. If a school district or a charter school has
20 established classes in ~~occupational~~ *career and technical*
21 education, the teachers and pupils in those classes must wear
22 devices provided by the school district or the charter school which
23 are designed to protect their eyes while they are using power tools,
24 torches or other dangerous equipment or machinery.

25 2. The teachers and pupils in classes in science must wear
26 devices provided by the school district which are designed to protect
27 their eyes when chemicals or toxic substances are used in those
28 classes.

29 **Sec. 16.** NRS 277.065 is hereby amended to read as follows:

30 277.065 1. Within the limits of legislative appropriations, the
31 Department of Education, the county school districts of the various
32 counties of the State, the Nevada Youth Training Center Bureau and
33 the Caliente Youth Center Bureau of the Division of Child and
34 Family Services of the Department of Human Resources and any
35 other state facility for the detention of children that is operated
36 pursuant to title 5 of NRS may enter into cooperative arrangements
37 for improving the quality of the academic and ~~occupational~~ *career*
38 *and technical* education provided at the Nevada Youth Training
39 Center, the Caliente Youth Center and any other state facility for the
40 detention of children that is operated pursuant to title 5 of NRS.

41 2. This authorization includes the right to pay over money
42 appropriated to the Nevada Youth Training Center, the Caliente
43 Youth Center or any other state facility for the detention of children
44 that is operated pursuant to title 5 of NRS to the Department of



1 Education or to a county school district when necessary to
2 accomplish the purpose of this section.

3 **Sec. 17.** NRS 435.300 is hereby amended to read as follows:

4 435.300 1. No center may receive aid under the provisions of
5 NRS 435.130 to 435.320, inclusive, for persons enrolled who would
6 otherwise qualify for care or training under a program offered to the
7 mentally or functionally retarded in the school district in which that
8 person lives or by the county where he lives.

9 2. The provisions of subsection 1 do not preclude aid on
10 account of persons who are receiving ~~occupational~~ *career and*
11 *technical* education at any center in conjunction with a school's
12 program of special education.

13 **Sec. 18.** NRS 632.2856 is hereby amended to read as follows:

14 632.2856 1. The training program required for certification
15 as a nursing assistant must consist of 75 hours of instruction. The
16 program must include no less than 60 hours of theory and learning
17 skills in a laboratory setting.

18 2. Except as otherwise provided in this subsection, the
19 instructor of the program must be a registered nurse with:

20 (a) Three years of nursing experience which includes direct care
21 of patients and supervision and education of members of the staff;
22 and

23 (b) Proof of successful completion of training for instructors
24 which has been approved by the Board.

25 ➔ The Board may approve a licensed practical nurse as an instructor
26 if the Board determines that requiring instruction by a registered
27 nurse would create a hardship.

28 3. Upon completion of the program, a nursing assistant trainee
29 must pass a test in theory with an overall score of 80 percent and a
30 test of skills on a pass or fail basis. The test of skills must be given
31 by a registered nurse. If the nursing assistant trainee fails either of
32 the tests, he must repeat the training in the areas in which he was
33 deficient before taking the certification examination.

34 4. In a program which is based in a facility, a nursing assistant
35 trainee may only perform those tasks he has successfully completed
36 in the training program, and must perform those tasks under the
37 direct supervision of a registered nurse or a licensed practical nurse.

38 5. The Board shall adopt regulations not inconsistent with law:

39 (a) Specifying the scope of the training program and the
40 required components of the program;

41 (b) Establishing standards for the approval of programs and
42 instructors; and

43 (c) Designating the basic nursing services which a nursing
44 assistant may provide upon certification.



1 6. Any medical facility, educational institution or other
2 organization may provide a training program if the program meets
3 the requirements set forth in this chapter and in the regulations of
4 the Board, and is approved by the Board. Such a program must be
5 administered through:

- 6 (a) The University and Community College System of Nevada;
- 7 (b) A program for ~~{occupational}~~ *career and technical*
- 8 education approved by the State Board for Occupational Education;
- 9 (c) A public school in this State; or
- 10 (d) Any other nationally recognized body or agency authorized
- 11 by law to accredit or approve such programs.

12 7. An educational institution or agency that administers a
13 training program shall:

- 14 (a) Develop or approve the curriculum for training provided in
- 15 its service district;
- 16 (b) Manage the training program; and
- 17 (c) Work with medical and other facilities to carry out the
- 18 requirements of paragraphs (a) and (b).

19 **Sec. 19.** 1. There is hereby appropriated from the State
20 General Fund to the Department of Education the following sums
21 for allocations to school districts and charter schools pursuant to this
22 section to provide a program of career and technical education:

23	For the Fiscal Year 2005-2006.....	\$6,000,000
24	For the Fiscal Year 2006-2007.....	\$6,000,000

25 2. An application for an allocation from the appropriation made
26 by subsection 1 may be submitted to the Department of Education
27 by a school district or a charter school. The Department shall
28 prescribe a form for an application that includes the criteria for
29 approval of an allocation for a program of career and technical
30 education submitted by a school district or charter school.

31 3. An application submitted pursuant to subsection 2 must:

- 32 (a) Include a description of the program of career and technical
- 33 education that will be provided by the school district or charter
- 34 school;
- 35 (b) Demonstrate to the satisfaction of the Department that the
- 36 program described in paragraph (a) complies with the criteria
- 37 established by the Department in the form for the application and
- 38 with the program of career and technical education prescribed by the
- 39 State Board for Occupational Education pursuant to section 4 of this
- 40 act;
- 41 (c) Include the number of pupils estimated to participate in the
- 42 program; and
- 43 (d) Include an estimate of the costs to establish and maintain the
- 44 program within the school district or charter school during the
- 45 school year for which the application is made.



1 4. For each school year, the Department of Education shall
2 make allocations to school districts and charter schools whose
3 applications are approved. The amount of an allocation to a school
4 district or charter school must be based upon the estimated number
5 of pupils who will participate in the program for that school year
6 and the financial need of the school district or charter school.

7 5. A school district or charter school that receives an allocation
8 of money pursuant to this section:

9 (a) Shall use the money to supplement and not replace the
10 money that the school district or charter school would otherwise
11 expend for programs of career and technical education.

12 (b) Shall not use the money to:

13 (1) Settle or arbitrate disputes or negotiate settlements
14 between the school district or charter school and an organization
15 that represents licensed employees of the school district or charter
16 school, as applicable.

17 (2) Adjust the schedules of salaries and benefits of the
18 employees of the school district or charter school.

19 6. An application must be submitted for each school year that a
20 school district or charter school requests an allocation.

21 7. Any remaining balance of the appropriation made by
22 subsection 1 for the Fiscal Year 2005-2006 must be added to the
23 appropriation made for the Fiscal Year 2006-2007 and may be
24 expended as that money is expended. Any remaining balance of the
25 appropriation made by subsection 1 for the Fiscal Year 2006-2007,
26 including any money added from the previous fiscal year, must not
27 be committed for expenditure after June 30, 2007, and must be
28 reverted to the State General Fund on or before September 21, 2007.

29 **Sec. 20.** On or before September 15, 2005, the State Board for
30 Occupational Education shall adopt regulations prescribing the
31 program of career and technical education pursuant to section 4 of
32 this act.

33 **Sec. 21.** This act becomes effective on July 1, 2005.



