

SENATE BILL NO. 199—SENATOR HAMMOND

MARCH 2, 2023

Referred to Committee on Education

SUMMARY—Revises provisions relating to education. (BDR 34-189)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§§ 3, 4) (NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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; establishing provisions relating to programs for alternative educational opportunities; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 This bill provides for the establishment of programs for alternative educational
2 opportunities. **Section 2** of this bill authorizes the State Board of Education, in
3 consultation with the Board of Regents of the University of Nevada and the
4 Department of Employment, Training and Rehabilitation to: (1) identify certain
5 exemptions from federal law for work-based learning programs for pupils; and (2)
6 establish procedures for a program for alternative educational opportunities to
7 obtain such an exemption. **Section 3** of this bill requires the board of trustees of
8 each school district to develop a program for alternative educational opportunities
9 outside of school for pupils enrolled in grades 7 to 12, inclusive, and sets forth the
10 requirements for such a program. **Section 4** of this bill: (1) establishes provisions
11 for a person or organization that wishes to participate in a program for alternative
12 educational opportunities to apply to the board of trustees of the school district that
13 establishes a program for alternative educational opportunities; and (2) requires the
14 Department of Education to adopt regulations as necessary to carry out the
15 provisions of **sections 3 and 4**. **Section 5** of this bill requires the board of trustees
16 of each school district to submit an annual report on the program for alternative
17 educational opportunities to the Department of Education and requires the
18 Department to submit a compilation of such reports to the Legislature or the Joint
19 Interim Standing Committee on Education, as applicable.



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

1 **Section 1.** Chapter 388 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 5, inclusive, of this
3 act.

4 **Sec. 2.** *The State Board, in consultation with the Board of*
5 *Regents of the University of Nevada and the Department of*
6 *Employment, Training and Rehabilitation, may:*

7 1. *Identify alternative educational opportunities that may be*
8 *eligible for exemption from federal laws and regulations from*
9 *which exemptions are available for work-based learning programs*
10 *for pupils; and*

11 2. *Establish procedures for a program for alternative*
12 *educational opportunities to obtain an exemption pursuant to*
13 *subsection 1.*

14 **Sec. 3.** *The board of trustees of each school district shall*
15 *develop a program for alternative educational opportunities*
16 *outside of school for pupils enrolled in grades 7 to 12, inclusive.*
17 *The program must:*

18 1. *Allow pupils involved in alternative educational*
19 *opportunities to receive elective course credit for the educational*
20 *opportunities;*

21 2. *Provide a process for persons or organizations to apply to*
22 *participate in a program for alternative educational opportunities*
23 *pursuant to section 4 of this act;*

24 3. *Establish criteria to evaluate the program for alternative*
25 *educational opportunities;*

26 4. *Outline any communication or collaboration needed*
27 *between the Department and the board of trustees of the school*
28 *district to implement the program for alternative educational*
29 *opportunities;*

30 5. *Establish basic requirements for a person or organization*
31 *to participate in the program for alternative educational*
32 *opportunities, including, without limitation, conducting*
33 *background checks on appropriate personnel and providing*
34 *minimum standards for accountability; and*

35 6. *Provide a process for the receipt of credits earned through*
36 *the program for alternative educational opportunities in the school*
37 *in which the pupil is enrolled.*

38 **Sec. 4.** 1. *A person or organization that wishes to*
39 *participate in a program for alternative educational opportunities*
40 *pursuant to section 3 of this act must submit an application*
41 *prescribed by the Department to the board of trustees of the school*



1 *district in which the person or organization wishes to offer an*
2 *alternative educational opportunity.*

3 2. *Within 45 days after receiving an application to participate*
4 *in a program for alternative educational opportunities pursuant to*
5 *this section, the board of trustees of a school district shall approve*
6 *or deny the application. If the board of trustees of a school district*
7 *denies an application, the board of trustees shall provide to the*
8 *applicant an explanation of the reasons for the denial and*
9 *recommendations to improve the application.*

10 3. *The board of trustees of a school district may audit a*
11 *person or organization that has been approved to participate in a*
12 *program for alternative educational opportunities at any time. If*
13 *the audit results in a finding that the person or organization is not*
14 *meeting the minimum standards of the program for alternative*
15 *educational opportunities set forth in section 3 of this act, the*
16 *board of trustees of the school district may immediately disqualify*
17 *the person or organization from participating in the program.*

18 4. *The persons or organizations who may apply to participate*
19 *in a program for alternative educational opportunities include,*
20 *without limitation:*

21 (a) *A nonprofit organization;*

22 (b) *A business with a location in this State;*

23 (c) *A trade association;*

24 (d) *Parents of pupils involved in an activity that may otherwise*
25 *qualify as an alternative educational opportunity; and*

26 (e) *Teachers or other school employees involved in an activity*
27 *outside of the traditional classroom.*

28 5. *The Department shall adopt any regulations necessary to*
29 *carry out the provisions of this section and section 3 of this act.*

30 **Sec. 5.** 1. *On or before December 1 of each year, the board*
31 *of trustees of each school district shall submit a report to the*
32 *Department on the program for alternative educational*
33 *opportunities developed by the board of trustees pursuant to*
34 *section 3 of this act.*

35 2. *On or before February 1 of each year, the Department*
36 *shall submit a compilation of the reports it receives pursuant to*
37 *subsection 1 to:*

38 (a) *In odd-numbered years, the Director of the Legislative*
39 *Counsel Bureau for transmittal to the Legislature; and*

40 (b) *In even-numbered years, the Joint Interim Standing*
41 *Committee on Education.*

42 **Sec. 6.** *The provisions of subsection 1 of NRS 218D.380 do*
43 *not apply to any provision of this act which adds or revises a*
44 *requirement to submit a report to the Legislature.*



1 **Sec. 7.** The provisions of NRS 354.599 do not apply to any
2 additional expenses of a local government that are related to the
3 provisions of this act.

4 **Sec. 8.** 1. This section becomes effective upon passage and
5 approval.

6 2. Sections 1 to 7, inclusive, of this act become effective:

- 7 (a) Upon passage and approval for the purpose of adopting any
8 regulations and performing any other preparatory administrative
9 tasks that are necessary to carry out the provisions of this act; and
10 (b) On January 1, 2024 for all other purposes.

