

**PROPOSED REGULATION OF THE
DEPARTMENT OF EDUCATION**

LCB FILE NO. R096-17I

**The following document is the initial draft regulation proposed
by the agency submitted on 09/08/2017**

Work-based Learning Program--Application and Reporting [~~Public or Private Internships~~]

NAC XXXX

Work-based learning programs include a continuum of experiences defined as:

Career Exploration, Career Preparation and Career Training.

- a) Career Exploration for students in grades K-9 may include company tours, guest speakers from business/industry and career fairs
 - b) Career Preparation activities for students in grades 9-12 may include one to two day job shadowing experiences, school-based enterprises, or certain Supervised Agricultural Experiences (SAE).
 - c) Career Training for students in grades 11-12 may include internships, paid work experience, certain Supervised Agricultural Experiences (SAE) or apprenticeships.
1. The board of trustees or the governing body of a district or charter school may offer a work-based learning program upon approval of application to the State Board of Education pursuant NAC 389.825 Section 1.
 2. Districts and charter schools shall designate an employee to serve as a work-based learning coordinator to coordinate and oversee work-based learning programs. Duties of the coordinator shall include but not limited to:
 - a. Approval of businesses, agencies and organizations for student placement
 - b. Establish and maintain a list of approved businesses, agencies and organizations
 - c. Ensure site visits are conducted at least once per semester for credit bearing programs
 - d. Prepare a report for the State Board of Education at least bi-annually of the manner in which work-based learning has been carried out and the number of students and employers participating as outlined in NAC 389.825 Section 2.
 3. The board of trustees or the governing body of a district or charter school may offer one or more elective credits toward graduation for work-based learning that is equal in length to the number of hours of required of other courses of equal credit value to students who qualify per the requirements in the approved application.
 4. Students participating in work-based learning shall be deemed in full attendance with documentation of participation.
 5. Pupils seeking course credit for work-based learning must apply using the application process approved by the State Board of Education pursuant NAC 389.825.
 6. Any work -based learning experiences that exceed 30 hours, including those for credit, must include the following:
 - a. Training agreement and plan developed with the work-based learning coordinator or teacher and approved by the employer identifying the pupil's learning goals and tasks which are aligned to the pupil's career goals.
 - b. Allow pupils to leave school early to participate in such program.
 - c. An onsite evaluation of the pupil by the work-based learning coordinator or teacher
 - d. Site approval by the work-based learning coordinator
 - e. Provide reasonable accommodations for students with disabilities

NAC 389.825 Application and Reporting of [certain] information in regards to a work-based learning program to State Board; approval and notice. (NRS 385.080, 389.167)

1. The board of trustees of a school district or the governing body of a charter school that authorizes pupils enrolled in the school district or charter school to participate in a [~~public or private internship~~] work-based learning program for credit at the career training level pursuant to

NAC 389.XXX (NRS 389.167), as applicable, shall submit ~~[a report]~~ an application to the State Board for approval ~~[not more than two times each school year]~~ that includes, without limitation:

(a) Fields, trades and occupations in which a work-based learning program will be offered;
...~~[Except as otherwise provided in this paragraph, the information which the board of trustees or governing body is required to prescribe pursuant to paragraph (a) of subsection 2 of NRS 389.167. If the information has been submitted in a previous report and has not changed since the last report was approved by the State Board, the board of trustees or governing body, as applicable, may instead include a statement that the information has not changed. :]~~

(b) Qualifications of a pupil to participate in the work-based learning program.

(c) The application that will be used by pupils to apply to participate in a work-based learning program for credit

(d) Description of the manner in which participation and completions will be verified

(e) Methods by which business and organizations will be vetted

~~[The number of pupils who earned elective credit by successfully completing a public or private internship during the previous school year.]~~

2. The board of trustees of a school district or the governing body of a charter school that authorizes pupils enrolled in the school district or charter school to participate in work-based learning shall submit a report to the State Board on odd numbered years that includes, without limitation: ~~[The State Board will consider whether to approve a report submitted pursuant to this section at its next meeting immediately following receipt of the report. The State Board will approve the report if all of the information required pursuant to subsection 1 is included in the report. After the meeting, the State Board will notify the board of trustees or governing body, as applicable, that the State Board:]~~

~~— [(a) Has approved the report and that pupils may participate in a public or private internship for the purposes of obtaining credit; or]~~

~~— [(b) Has not approved the report and will further provide notice:]~~

~~— [(1) Of any information which must be included for the report to be approved; and]~~

(a) The number of pupils who earned elective credit by successfully completing the requirements of the work-based learning program at the career training level during the previous school year.

(b) The number of pupils who participated in other work-based learning experiences not for credit

~~— [(2) That the authority of the board of trustees or governing body, as applicable, to authorize pupils to participate in a public or private internship for the purposes of obtaining credit is suspended until the State Board approves a revised report.]~~

3. The State Board will consider whether to approve an application or report submitted pursuant to this section at its next meeting immediately following receipt of the application or report.

(a) The Department shall notify governing bodies of approval or denial of applications and reports within 30 days.

(b) If the board of trustees or governing body, as applicable, is notified by the State Board that the application has not been approved, the board of trustees or governing body, as applicable, may revise and resubmit the application to the State Board. Work-based learning shall be suspended until the State Board approves a revised application.

(c) If the board of trustees or governing body, as applicable, is notified by the State Board that the report has not been approved, the board of trustees or governing body, as applicable,

must revise and resubmit the report to the State Board not later than 6 weeks after receiving such notice.

(d) (Added to NAC by Bd. of Education by R029-14, eff. 6-23-2014)

NAC 389.562 Career and technical education *paid work experience including apprenticeships* in cooperation with ~~[private]~~ employers: Contents. (NRS 385.080, 385.110, 388.360)

1. Eligible students are those ages 16 and older who have completed the Level 2 course in the career and technical program of study.

2. A ~~[course]~~ *program* of study in career and technical education ~~[in]~~ *which includes a paid work experience or apprenticeship* cooperation with an ~~[private]~~ employer must include instruction ~~[designed to teach the pupil]~~ to:

~~— [1.] a) [Acquire, in class,] Apply~~ instruction and practical knowledge ~~[that directly applies to the occupation in]~~ *gained through a CTE program of study which aligns to the career pathway in* which the pupil is employed.

~~— [2.] b)~~ Demonstrate a knowledge of the ~~[current technology]~~ *technical skills standards* used in the *career pathway* ~~[occupation]~~ in which the pupil is employed.

~~— [3. Gain a practical knowledge of the occupation the pupil is studying.]~~

~~— [4.] c)~~ Demonstrate ~~[successful interaction with other workers, supervisors, clients and customers.]~~ *a knowledge and proficiency of workplace readiness skills as defined by state standards.*

~~— [5. Demonstrate desirable habits and attitudes about work.]~~

~~— [6. Apply the theory and technical skills learned in class while on the job.]~~

~~— [7. Adapt to adverse working conditions.]~~

~~— [8. Develop skills that relate to the basic concepts necessary for entry to, retention of and advancement on the job.]~~

~~— [9. Keep the teacher informed about progress on the job.]~~

~~— [10.] d)~~ Submit *signed documentation of hours worked* ~~[weekly time sheets.]~~

~~— [11. e) [Attend school and hold a job on a regular basis.]~~ *Maintain progress towards graduation while participating in paid work experience or apprenticeship pursuit NAC 389.XXX*

~~— [12. Give the employer and the teacher advance notice of inability to report for work or tardiness.]~~

~~— [13. Describe entrepreneurship skills appropriate to owning or operating a business, or both.]~~

3. In order to earn credit towards graduation, attend work no less than the number of hours required for the same amount of credit required for other courses.

(Added to NAC by Bd. of Education, eff. 5-4-87; A 1-26-90, eff. 9-1-92; A by Bd. for Career & Tech. Educ. by R172-05, 2-23-2006)

NAC 389.564 Career and technical education *paid work experience or apprenticeship* in cooperation with an ~~[private]~~ employer: Duties of teacher (NRS 385.080, 385.110, 388.360) A **teacher** of a ~~[course]~~ *program* of study in career and technical education *whose students participate in a paid work experience or apprenticeship* in cooperation with an ~~[private]~~ employer shall:

1. Provide relevant and current instruction in technical and employability skills which prepares the pupil for a specific career pathway. ~~[vocation.]~~

2. Provide assessment of student learning that aligns with industry-specific expectations. ~~[Provide realistic conditions which teach theory, human relations, and technical skills.]~~

3. Ensure documentation of student learning through the development of artifacts and portfolios. ~~[Use training which correlates with the knowledge and skills expected by an employer].~~

~~[4. Strengthen relations between the school and the business community.]~~

~~[5. Supplement the facilities and resources in the school with those in the community that are representative of the availability of the occupation being studied by the pupil.]~~

~~[6.]~~ 4. Provide all parties with an awareness of professional work expectations and behaviors while participating in the work-based learning program.

~~[7. Visit the place of employment to consult with pupils and employers to determine the pupil's progress on the job, attitudes, growth of skills and knowledge and breadth of educational exposure.]~~

~~[8. Use discretion on the time and circumstances chosen for site visits.]~~

~~[9.]~~ 5. Collaborate with ~~[Assist]~~ the employer and coordinator to provide meaningful assessments of the student and the program of study. ~~[with appraisals of the pupil and the course of study.]~~

~~[10. Foster good communications and understanding between all parties.]~~

~~[11. Constantly strive to improve the program by seeking suggestions from all parties.]~~

~~[12. When supervising a pupil at a training location in which he does not hold an endorsement, use information from an appropriately endorsed teacher to ensure that the pupil functions satisfactorily during the training employment period.]~~

~~[13. Recruit, interview and select pupils based on the career interests of the pupils and predetermined written criteria.]~~

~~[14. Keep records of the time used to develop training agreements, counseling, training station assessment and student-employer evaluations.]~~

~~[15. Retain for at least 1 year after the pupil leaves the record of his initial interview, the training agreement, the cooperative agreement, the employer-teacher/coordinator evaluation, the report of the pupil's wages earned and hours worked during the program, and his weekly time sheets.]~~

~~[16.]~~ 6. Assist with ~~[Coordinate]~~ the pupil's work experience placement, aligning the work experience or apprenticeship with ~~[related classroom instruction]~~ the pupil's program of study and career interest.

(Added to NAC by Bd. of Education, eff. 5-4-87; A 1-26-90, eff. 9-1-92; A by Bd. for Career & Tech. Educ. by R172-05, 2-23-2006)

NAC 389.5xx Career and technical education paid work experience or apprenticeship in cooperation with an employer: Duties of work-based learning coordinator. (NRS 385.080, 385.110, 388.360) A work-based learning coordinator of career and technical education paid work experience or apprenticeship in cooperation with an employer shall include those listed in NAC 389.XXX, Section 2 and

1. Strengthen relations between the school and the community by promoting an ongoing interaction with the professionals from industry and business.

2. Provide all parties with an awareness of their responsibilities and obligations while participating in the work-based learning program.

3. Ensure visits to the place of employment are made no less than once a semester to consult with pupils and employers; to determine the pupil's progress on the job, attitudes, growth of skills and knowledge and breadth of educational exposure.

4. Foster good communications and understanding between all parties.

5. When supervising a pupil at a work-based learning-site in which he/she does not hold a career and technical education endorsement, the coordinator should collaborate at least twice during the semester with the pupil's program of study teacher to ensure that integration with curriculum and related instruction supports the needs of the employer and pupil.

6. Retain for at least 1 year after the pupil leaves the work-based learning program; the application, work-based learning plan and agreement, the evaluation, and the report of the pupil's wages earned and hours worked during the program.

7. Coordinate, in collaboration with the teacher, the pupil's work experience with the related program of study and career interest.

8. Maintains knowledge of current federal and state labor laws.

9. May serve as teacher of record for the purpose of evaluating participating students, they hold a valid teaching license

NAC 389.566 Career and technical education ~~[in]paid work experience or apprenticeship~~ cooperation with ~~[private]~~ employer: Duties of employer. (NRS 385.080, 385.110, 388.360) The employer of a pupil in a program of study in career and technical education participating in a work-based learning program shall: ~~[in cooperation with a private employer shall:]~~

1. Participate in the development of student learning goals as part of the training plan/agreement for paid work experience or apprenticeships. ~~[Training.]~~

2. Assist the pupil to develop knowledge and skills required to be successful in the career pathway ~~[occupation.]~~

3. Provide for direct supervision of the pupil's work.

4. ~~[Give the pupil progressive and challenging work,]~~ Provide sequenced experiences which build on classroom knowledge and industry experiences.

5. Review and document ~~[his]~~ the pupil's progress according to the work-based learning plan and agreement and adjust the plan as needed in collaboration with all parties. ~~[each week and sign a weekly time sheet.]~~

~~[5. Provide periodic appraisals of the pupil's performance on forms provided by the coordinator.]~~

6. Provide worker's compensation insurance equal to that of other employees at that same level and provide the teacher/work-based learning coordinator with insurance information to have on file at school.

7. Maintain copy of the training/plan agreement.

(Added to NAC by Bd. of Education, eff. 5-4-87; A by Bd. for Career & Tech. Educ. by R172-05, 2-23-2006)

NAC 389.644 Skills to obtain employment: Contents. (NRS 385.080, 385.110) A course of ~~[study in]~~ work and study ~~[to obtain employment]~~ must include ~~[instruction designed to teach the pupil to do the following:]~~ documentation of the number of hours worked which shall equal not less than three times the number of hours required for a regular course of the same credit value, not less 180 hours per semester whichever is greater. A student will be counted as in full attendance with documentation of hours worked.

- ~~[1. Apply a knowledge of skills needed to search for, acquire and retain employment.~~
- ~~2. Demonstrate positive habit and attitudes concerning work.~~
- ~~3. Understand opportunities in and the responsibilities of employment.~~
- ~~4. Exhibit the ability to adapt to change.~~
- ~~5. Work cooperatively.~~
- ~~6. Exhibit confidence and self-discipline.~~
- ~~7. Develop skills used in making decisions and establishing priorities.~~
- ~~8. Develop skills for effective speaking, listening, writing and reading.~~
- ~~9. Seek and accept responsibility.~~
- ~~10. Understand the American economic system, including the principles of free enterprise and entrepreneurship, taxes and the management of money.~~
- ~~11. Apply the instruction received in school that relates to the area of study.]~~

(Added to NAC by Bd. of Education, eff. 5-4-87)

NAC 389.646 Skills to obtain employment: Eligible pupils. (NRS 385.080, 385.110) The following pupils may enroll in a course of work and study in skills needed to obtain employment:

- ~~1. [A pupil whose score is in the lower three stanines of a standardized achievement test or an equivalent test.]~~ A Pupil who is not on track to graduate or at risk of leaving school prior to graduation
- ~~2. A pupil who fails one or more sections of the Nevada proficiency examination.]~~
- ~~3. A pupil who is a dropout or potential dropout from secondary school.]~~
- ~~4. A pupil who: [~~
 - ~~(a) Has or has had a physical or mental disability which substantially limits the pupil's activities;]~~
 - ~~(b) Had such a disability in the past; or]~~

~~[(c) Is perceived by his or her peers as having such an impairment.]~~

~~[5. A pupil who meets one of the criteria established in 29 U.S.C. §§ 701 to 796, inclusive.]~~

~~———— [6. A pupil whose family has an income at or below the level of poverty established by the.]~~

7. A pupil in grades 9 to 12, inclusive, who qualifies for *free or reduced price lunch* ~~[or lunch at reduced cost]~~ *or attends a community eligible provisional school.*

~~[8. —A pupil who is eligible for public assistance.]~~

~~———— [9. —A pupil in grades 9 to 12, inclusive, who has failed one or more courses equal to one Carnegie Unit.]~~

10. A pupil who has been *truant* ~~[absent]~~ from school *in excess* of 9 or more days in any one semester.

11. A pupil who is under the age of 18, is a parent or expectant parent and has not earned a high school diploma.

12. A pupil who is under the age of 18, has not earned a high school diploma and is unable to attend a regular course of study in high school because of misconduct in school or the action of a court.

~~[13.—A pupil who attends a school where a course of study in the desired vocational experience is not offered or available to the pupil.]~~

(Added to NAC by Bd. of Education, eff. 5-4-87)

NAC 389.648 Skills to obtain employment: Duties of teacher. (NRS 385.080, 385.110) The teacher *of record for* of a course of *work and study* shall be determined by the local governing body of the school district or charter school. *Duties of the teacher of record must include documenting the pupil's hours worked.*

~~[1.—Design a plan of training for each pupil which designates the specific skills and levels of performance required of the pupil. The plan must be developed in cooperation with the employer, the pupil and, if necessary, other teachers.~~

~~———— 2. —Ensure that the pupil, his or her parent and the employer sign the plan.~~

~~———— 3. —Ensure that specific instruction prepares the pupil for obtaining a job.~~

~~———— 4. —Ensure that the employment teaches theory, how to make a decision, and cooperation.~~

~~———— 5. —Encourage training which is relevant to obtaining a job.~~

~~———— 6. —Strengthen the relationship between the school and the community.~~

~~———— 7. —Encourage participation by the community in the course of study.~~

~~———— 8. —Remind participants of their responsibilities and obligations.~~

~~———— 9. —Visit the place of employment of a pupil to evaluate the pupil, with the assistance of the employer.~~

~~———— 10. —Assist the employer with the development of each pupil's agreement for training.~~

- ~~11. Encourage the development of effective skills of communication.~~
~~12. Seek suggestions from employers and pupils on ways to improve the course of study.~~
~~(Added to NAC by Bd. of Education, eff. 5-4-87)}~~

NAC 389.650 Skills to obtain employment: Duties of participating employer.
(NRS 385.080, 385.110) An employer participating in a course of study in skills necessary to obtain employment shall:

1. Provide direct supervision of the pupil.
2. *Provide the same level of liability and worker's compensation as they do for other employees of the same level.* ~~[Encourage the pupil to develop skills which will lead to employability.]~~
~~[3. Provide an evaluation of a pupil's performance, cooperation and self-discipline.]~~
~~[4. Encourage each pupil to accept responsibility and to develop initiative, cooperation and self-discipline.]~~

(Added to NAC by Bd. of Education, eff. 5-4-87)

~~[NAC 387.306 Pupil in program which combines work and study. (NRS 385.080, 387.123)]~~

~~[1. Any pupil who participates in a program supervised by the school district which combines work and study shall be deemed to be in full attendance for a day if the combined number of minutes during which he is in attendance at school and work equals more than two-thirds of the number of minutes required for the daily session of his grade or category.]~~

~~[2. A pupil in grade 12 who attends less than two-thirds of a 330-minute daily session and who is not participating in a supervised program which combines work and study is not in full attendance for the day even though he is attending a sufficient number of classes to graduate.]~~

~~[3. A pupil participating in a supervised program which combines work and study must be reported as enrolled on the monthly reports submitted to the Department.]~~

~~[(Added to NAC by Bd. of Education, eff. 9683; A 62386; R03399, 11399)]~~

Recommend for removal. Covered in NAC 389.XXX, Section 4 and NAC 389.564 and NAC 387.644