
ASSEMBLY BILL NO. 24—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 12, 2024

Referred to Committee on Education

SUMMARY—Revises provisions governing competency-based education. (BDR 34-277)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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; repealing the requirement for the Department of Education to establish a pilot program to provide competency-based education; authorizing certain entities to apply to the Department for approval to provide a program of competency-based education; establishing requirements for programs of competency-based education approved by the Department; repealing the requirement for the Department to conduct a public awareness campaign regarding competency-based education; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the Department of Education to establish a pilot program
2 to provide competency-based education, which is a program of instruction by
3 which a pupil advances to a higher level of learning when the pupil demonstrates
4 mastery of a concept or skill, regardless of the time, place or pace at which the
5 pupil progresses. (NRS 389.200, 389.210) Under the pilot program: (1) the
6 Department is required to conduct a public awareness campaign regarding
7 competency-based education and is authorized to distribute competitive grants to
8 carry out the pilot program; (2) the board of trustees of a school district or the
9 governing body of a charter school is authorized to apply to the State Board of
10 Education for approval for a school to provide competency-based education; and
11 (3) a school selected to participate in the pilot program is required to satisfy certain
12 requirements to implement competency-based education in the school. (NRS
13 389.210) **Section 9** of this bill repeals the pilot program, and **sections 2-6** of this
14 bill establish a process by which the board of trustees of a school district, the



15 governing body of a charter school, a committee to form a charter school or a
16 charter management organization applying to form a charter school, or the
17 governing body of a university school for profoundly gifted pupils, may apply to
18 the Department for approval to provide a program of competency-based education.

19 **Section 3** establishes requirements for: (1) the board of trustees of a school
20 district, the governing body of a charter school, a committee to form a charter
21 school or charter management organization applying to form a charter school, or
22 the governing body of a university school for profoundly gifted pupils to apply to
23 the Department for approval to provide a program of competency-based education;
24 (2) the approval or denial of such an application by the Department; and (3) the
25 development of a plan for conducting the program of competency-based education,
26 presenting the plan to the public and providing a copy of the plan to the school
27 community, parents and employees of the school district, charter school or
28 university school for profoundly gifted pupils. **Section 4** requires the board of
29 trustees of a school district or the governing body of a charter school or university
30 school for profoundly gifted pupils, that provides a program of competency-based
31 education to ensure compliance with applicable statutes, regulations, rules and
32 policies, including, without limitation, requirements for graduation, the
33 accountability of public schools, the attendance and truancy of pupils, the discipline
34 of pupils and the administration of required examinations and assessments. **Section**
35 **5** authorizes alternative scheduling for pupils participating in a program of
36 competency-based education. **Section 2** establishes the methods by which a pupil
37 participating in a program of competency-based education may demonstrate
38 proficiency in a specific course of study, and **section 7** of this bill makes a
39 conforming change to reflect the establishment of those methods in **section 2**.
40 **Section 6** provides for the adoption of regulations by the State Board to carry out
41 programs of competency-based education. **Section 8** of this bill makes a
42 conforming change to make the existing definition of "competency-based
43 education" apply to **sections 2-6**.

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

1 **Section 1.** Chapter 389 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 6, inclusive, of this
3 act.

4 **Sec. 2. 1. A pupil may be granted credit for a specific**
5 **course of study without having attended the regularly scheduled**
6 **classes in the course if the pupil is enrolled in a program of**
7 **competency-based education and demonstrates his or her**
8 **proficiency to meet the objectives of:**

9 (a) *The course through a portfolio of the pupil's work;*

10 (b) *A particular area or areas of the course through the pupil's*
11 *performance of a task that is designed to measure the proficiency*
12 *of the pupil in that particular area or areas;*

13 (c) *The course as measured against the criteria for competency*
14 *approved under a program of competency-based education; or*

15 (d) *The course as measured against the criteria prescribed by*
16 *the State Board pursuant to subsection 2.*



1 2. *The State Board shall adopt regulations that prescribe the*
2 *criteria, other than the criteria described in paragraphs (a), (b)*
3 *and (c) of subsection 1, that may be used to determine whether a*
4 *pupil has achieved proficiency in a course.*

5 **Sec. 3.** *1. The board of trustees of a school district or the*
6 *governing body of a charter school or a university school for*
7 *profoundly gifted pupils may submit an application to the*
8 *Department to provide a program of competency-based education.*
9 *In addition, a committee to form a charter school, or a charter*
10 *management organization applying to form a charter school*
11 *pursuant to NRS 388A.249, may submit an application to the*
12 *Department to provide a program of competency-based education*
13 *if the application to form the charter school submitted by the*
14 *committee or charter management organization pursuant to NRS*
15 *388A.246 indicates that the charter school intends to provide a*
16 *program of competency-based education.*

17 2. *An application to provide a program of competency-based*
18 *education must include:*

19 (a) *All the information prescribed by the State Board by*
20 *regulation;*

21 (b) *Proof satisfactory to the Department that the program*
22 *satisfies all applicable statutes and regulations; and*

23 (c) *A description of how the program will ensure access to*
24 *technology for pupils and teachers or other school employees and*
25 *communicate with pupils, their families and staff regarding the*
26 *program of competency-based education.*

27 3. *Except as otherwise provided in this section, the*
28 *Department shall approve an application submitted pursuant to*
29 *this section if the application satisfies the requirements of NRS*
30 *389.200 and sections 2 to 6, inclusive, of this act and all other*
31 *applicable statutes and regulations. The Department shall provide*
32 *written notice to the applicant of the Department's approval or*
33 *denial of the application.*

34 4. *If the Department denies an application, the Department*
35 *shall include in the written notice the reasons for the denial and*
36 *the deficiencies of the application. The applicant must be granted*
37 *30 days after receipt of the written notice to correct any*
38 *deficiencies identified in the written notice and resubmit the*
39 *application. The Department shall approve an application that has*
40 *been resubmitted pursuant to this subsection if the application*
41 *satisfies the requirements of NRS 389.200 and sections 2 to 6,*
42 *inclusive, of this act and all other applicable statutes and*
43 *regulations.*

44 5. *The board of trustees of each school district and the*
45 *governing body of each charter school or university school for*



1 *profoundly gifted pupils that provides a program of competency-*
2 *based education shall:*

3 (a) *Develop a plan for conducting the program of competency-*
4 *based education.*

5 (b) *Present the plan for conducting the program of*
6 *competency-based education to the public at a public meeting or,*
7 *if the plan was developed by the governing body of a charter*
8 *school or university school for profoundly gifted pupils, to the*
9 *sponsor of the charter school or university school, as applicable, at*
10 *least 45 days before the first day of each school year.*

11 (c) *Provide a copy of the plan for conducting the program of*
12 *competency-based education to the school community, parents and*
13 *employees of the school district, charter school or university*
14 *school for profoundly gifted pupils.*

15 **Sec. 4.** *If the board of trustees of a school district or the*
16 *governing body of a charter school or university school for*
17 *profoundly gifted pupils provides a program of competency-based*
18 *education, the board or governing body, as applicable, shall*
19 *ensure that the persons who operate the program on a day-to-day*
20 *basis comply with and carry out all applicable requirements,*
21 *statutes, regulations, rules and policies of the school district,*
22 *charter school or university school for profoundly gifted pupils,*
23 *including, without limitation:*

24 1. *Requirements for graduation;*

25 2. *Accountability of public schools, as set forth in chapter*
26 *385A of NRS;*

27 3. *Provisions governing the attendance and truancy of pupils,*
28 *as set forth in NRS 392.040 to 392.220, inclusive;*

29 4. *Discipline of pupils; and*

30 5. *The requirements for assessing the achievement of pupils*
31 *which must include, without limitation, the administration of the*
32 *examinations required by NRS 390.105 and, if applicable for the*
33 *grade levels of the pupils enrolled, the college and career*
34 *readiness assessment conducted pursuant to NRS 390.610.*

35 **Sec. 5.** 1. *A program of competency-based education may*
36 *include, without limitation, an opportunity for pupils to participate*
37 *in the program:*

38 (a) *For a shorter school day or a longer school day than that*
39 *regularly provided for in the school district, charter school or*
40 *university school for profoundly gifted pupils, as applicable; and*

41 (b) *During any part of the calendar year.*

42 2. *If a program of competency-based education is provided*
43 *for pupils on a full-time basis, the program must include at least*
44 *as many hours or minutes of instruction as would be provided*
45 *under a program consisting of 180 days or a number of days*



1 *established by the State Board by regulation pursuant to section 6*
2 *of this act.*

3 *3. A pupil enrolled in a program of competency-based*
4 *education on a full-time basis who demonstrates sufficient*
5 *proficiency to meet the objectives of a course may complete the*
6 *course in a shorter period of time than is normally allotted for the*
7 *course.*

8 **Sec. 6. 1. The State Board shall adopt regulations that**
9 **prescribe the process for submission of an application by the**
10 **board of trustees of a school district, the governing body of a**
11 **charter school or university school for profoundly gifted pupils, a**
12 **committee to form a charter school created pursuant to NRS**
13 **388A.240 or a charter management organization applying to form**
14 **a charter school pursuant to NRS 388A.249 to provide a program**
15 **of competency-based education and the contents of the**
16 **application.**

17 **2. The State Board may adopt regulations as it determines are**
18 **necessary to carry out the provisions of sections 2 to 6, inclusive,**
19 **of this act.**

20 **Sec. 7. NRS 389.171 is hereby amended to read as follows:**

21 389.171 1. A pupil may be granted credit for a specific
22 course of study without having attended the regularly scheduled
23 classes in the course if the pupil demonstrates his or her proficiency
24 to meet the:

25 (a) Objectives of the course through the pupil's performance on
26 an examination prescribed by the State Board;

27 (b) Objectives of a particular area or areas of the course in
28 which the pupil is deficient through the pupil's performance on an
29 examination developed by the principal and the pupil's teacher who
30 provides instruction in the course that is designed to measure the
31 proficiency of the pupil in that particular area or areas; *or*

32 (c) Objectives of the course through the pupil's performance on
33 an examination that the principal determines is as rigorous or more
34 rigorous than the examination prescribed by the State Board
35 pursuant to paragraph (a), including, without limitation, an advanced
36 placement examination in the subject area of the course . ;

37 ~~—(d) Objectives of the course through a portfolio of the pupil's~~
38 ~~work;~~

39 ~~—(e) Objectives of a particular area or areas of the course through~~
40 ~~the pupil's performance of a task that is designed to measure the~~
41 ~~proficiency of the pupil in that particular area or areas; or~~

42 ~~—(f) Objectives of the course as measured against the criteria~~
43 ~~prescribed by the State Board pursuant to paragraph (d) of~~
44 ~~subsection 2.]~~

45 2. The State Board shall adopt regulations that prescribe the:



1 (a) Form on which a pupil may apply to the board of trustees of
2 a school district in which the pupil attends school or the governing
3 body of the charter school in which the pupil is enrolled to be
4 granted credit pursuant to subsection 1;

5 (b) Courses of study for which pupils may be granted credit
6 pursuant to subsection 1;

7 (c) Minimum score on the examination prescribed pursuant to
8 paragraph (a) of subsection 1 that is required to demonstrate
9 proficiency in a course; and

10 (d) Criteria, other than the criteria described in paragraphs (a)
11 ~~to (e), inclusive,~~, (b) and (c) of subsection 1, that may be used to
12 determine whether a pupil has achieved proficiency in a course.

13 **Sec. 8.** NRS 389.200 is hereby amended to read as follows:

14 389.200 As used in NRS 389.200 ~~[, 389.210 and 389.230,]~~ and
15 *sections 2 to 6, inclusive, of this act*, “competency-based education”
16 means a system of instruction by which a pupil advances to a higher
17 level of learning when the pupil demonstrates mastery of a concept
18 or skill, regardless of the time, place or pace at which the pupil
19 progresses.

20 **Sec. 9.** NRS 389.210 and 389.230 are hereby repealed.

21 **Sec. 10.** This act becomes effective on July 1, 2025.

TEXT OF REPEALED SECTIONS

389.210 Establishment of pilot program to provide competency-based education; regulations; requirements for schools selected to participate in program.

1. The Department shall establish a pilot program to provide competency-based education.

2. The State Board shall adopt regulations that prescribe:

(a) The process for submission of an application by the board of trustees of a school district or the governing body of a charter school to participate in the pilot program; and

(b) The qualifications and conditions for participation by a school in the pilot program, including, without limitation:

(1) A commitment by the school district or charter school to implement competency-based education for not less than 5 years; and

(2) Evidence of support for the implementation of competency-based education by the community served by the school district or charter school.



3. A school selected to participate in the pilot program to provide competency-based education shall:

(a) Implement a system of instruction by which a pupil advances to a higher level of learning when the pupil demonstrates mastery of a concept or skill;

(b) Establish concrete skills on which a pupil will be evaluated that include explicit, measurable and transferable learning objectives;

(c) Ensure that assessment is a meaningful and positive learning experience for pupils;

(d) Ensure that pupils receive timely and differentiated support based upon their individual learning needs; and

(e) Ensure that pupils are able to apply knowledge learned, create new knowledge and develop important skills and dispositions relating to such knowledge.

4. If at least one application to participate in the pilot program is made on behalf of a school that primarily serves pupils who are at risk or credit deficient, or in need of credit retrieval, the Department must select at least one such school to participate in the pilot program.

5. As used in this section, a pupil is "at risk" if the pupil has an economic or academic disadvantage such that he or she requires special services and assistance to enable him or her to succeed in educational programs. The term includes, without limitation, pupils who are members of economically disadvantaged families, pupils who are English learners, pupils who are at risk of dropping out of high school and pupils who do not meet minimum standards of academic proficiency. The term does not include a pupil with a disability.

389.230 Public campaign to raise awareness; meetings to inform superintendents of school districts; distribution of available money to carry out program.

1. The Department of Education shall:

(a) Conduct a public campaign to raise awareness about competency-based education.

(b) Conduct one or more meetings with the superintendents of the school districts for the purpose of increasing:

(1) Understanding of competency-based education; and

(2) Interest in implementing a system of competency-based education.

2. To the extent that money is available for that purpose, the Department of Education may, through a competitive grants program, distribute any money appropriated to the Department to carry out the pilot program to provide competency-based education established pursuant to NRS 389.210. Grants must be awarded by



the Department to schools selected to participate in the program based upon money available for this purpose.

