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**STATE OF NEVADA**  
**DEPARTMENT OF EDUCATION**  
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August 19, 2024

**Legislative Review of Adopted Regulations as Required by NRS 233B.066**  
LCB File #R012-24

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 391:

**1. A clear and concise explanation of the need for the adopted regulation.**

This regulation is needed to ensure that persons wishing to obtain this license have a minimum bachelor's degree and to ensure coursework rigor for this endorsement.

**2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.**

Public comment was solicited through both the regulation workshop and public hearing. The attached workshop agenda and notice was posted 15 days prior to the workshop. The attached public hearing agenda and notice was posted 30 days prior to the public hearing. A description of how members of the public could provide comment is included in both items.

There are no public statements so there is no summary of statement to be obtained. A copy of the record of no public statements may be obtained from the NDE by contacting Alicia Briancon at 775-443-5519 or [alicia.briancon@doe.nv.gov](mailto:alicia.briancon@doe.nv.gov).

**3. The number of persons who (a) attended each workshop, (b) testified at each workshop, (c) submitted to the agency written comments:**

Workshop held on 2/21/2024

- Number in attendance: 0
- Number testifying: 0
- Written statements submitted: 0

Hearing held on 6/17/2024

- Number in attendance: 1
- Number testifying: 0
- Written statements submitted: 0

State Board of Education Meeting held on 7/31/2024 (consent agenda item) took place to approve

the Commission adopted regulation per NRS 391.027.

- Number in attendance: 15
- Number testifying: 0
- Written statements submitted: 0

**4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing: (a) name; (b) telephone number; (c) business address; (d) business telephone number; (e) electronic mail address; and (f) name of entity or organization represented.**

**5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

Public comment was solicited through both the regulation workshop and public hearing. The attached workshop agenda and notice was posted 15 days prior to the workshop. The attached public hearing agenda and notice was posted 30 days prior to the public hearing. A description of how members of the public could provide comment is included in both items.

There are no public statements from affected businesses because no businesses are affected so there is no summary of statement to be obtained. A copy of the record of no public statements may be obtained from the NDE by contacting Alicia Briancon at 775-443-5519 or [alicia.briancon@doe.nv.gov](mailto:alicia.briancon@doe.nv.gov).

**6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

This regulation was adopted without any changes on 6/17/24 because the agency and Commission engage stakeholders in workgroups to draft agreed upon language prior to the Workshop & Hearing.

**7. The estimated economic effect of the adopted regulation on the business which is to regulate and on the public. These must be stated separately and each case must include:**

There will be no economic effect of the regulation on the business that it regulates. There is no estimated economic effect on the public. There is no adverse or beneficial effect or immediate or long-term effect on the business that it regulates. There is no adverse or beneficial effect or immediate or long-term effect to the public.

**8. The estimated cost to the agency for enforcement of the adopted regulation.**

There is no additional cost to the agency for enforcement of this regulation.

**9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

No other state or governmental agency regulations will be overlapped or duplicated by the above noted regulation. There is no duplication or overlap of federal regulations.

**10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**

There are none.

**11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

This regulation does not provide for a new fee or increase an existing fee.

**Nevada Department of Education  
Nevada State Board of Education  
July 31, 2024  
9:00 AM**

<b>Office</b>	<b>Address</b>	<b>City</b>	<b>Meeting Room</b>
Department of Education	2080 E. Flamingo Rd.	Las Vegas	Room 114
Department of Education	700 E. Fifth St.	Carson	Board Room
Department of Education	Virtual	Virtual	<a href="#">YouTube Link</a>

**Public Notice**

*The public is hereby noticed that the Nevada State Board of Education reserves the right to take agenda items out of posted order (except that public hearings will not begin earlier than posted times); items may be pulled or removed from the agenda at any time; and items may be combined for consideration. A time for public comment is provided at the beginning and at the conclusion of the meeting. A time limit of three minutes will be imposed by the Board president for public comments to afford all members of the public who wish to comment an opportunity to do so within the timeframe available to the Board. All individuals providing in-person testimony must fill out a visitor card. To provide public comment or testimony telephonically, dial (312) 584-2401 on the date of the meeting. When prompted, provide Meeting ID 324 939 7, and then press #. When prompted for a Participant ID, press #. If you are unable to attend but would like to provide a written statement for public comment, please submit your statement to [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov) before the close of the Board Meeting. The Board president reserves the right to call on individuals from the audience or to allow for testimony at any time.*

*The support materials to this agenda are available at no charge on the NDE website at [Nevada State Board of Education Meeting Material Webpage](#) (under the meeting date referenced above) or by contacting Angie Castellanos at the Nevada Department of Education, 2080 E. Flamingo Road, #210, Las Vegas, NV 89119, via phone at 702-486-8725, or by email at [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov). This public notice has been posted at the offices of the Department of Education (NDE) in Carson City and Las Vegas, online at the Nevada Public Notice website, [notice.nv.gov](http://notice.nv.gov), the Nevada Department of Education website, [doe.nv.gov](http://doe.nv.gov), and sent to all interested persons who requested notice. Reasonable efforts will be made for members of the public who have disabilities and require special accommodations or assistance at the meeting; please contact Angie Castellanos at 702-486-8725 or [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov) at least five business days in advance so that arrangements can be made.*

**Agenda**

**1. Call to Order, Roll Call, Pledge of Allegiance, and Land Acknowledgement**

**2. Public Comment #1**

*Public comment will be taken during this agenda item regarding any item appearing on the agenda. No action may be taken on a matter discussed under this item until the matter is included on the agenda as an item on which action may be taken. The President of the State Board of Education will impose a time limit of three minutes. Public Comment #2 will provide an opportunity for public comment on any matter within the State Board's jurisdiction, control, or advisory power.*

**3. Approval of Flexible Agenda (For Possible Action)**

#### 4. **President's Report**

- Board Member Updates
- School Year 2024-2025
- Educator Celebration
- Nevada System of Higher Education (NSHE) Updates

#### 5. **Superintendent's Report**

- Nevada Department of Education Updates
- UNR Summer Literacy Institute
- Portrait of a Nevada Learner
- Early Childhood Grants

#### 6. **Consent Agenda** (*For Possible Action*)

*Information concerning the following consent agenda items has been provided to Board members for study prior to the meeting. Unless a Board member has a question concerning a particular item and asks that it be withdrawn from the consent list, all items are approved in one action.*

- a. Possible Approval of Private School New Licenses and Renewals
- b. Possible Approval of Proposed K – 12 Computer Science Instructional Materials Appeals 2024
- c. Possible Approval of Proposed K – 12 Mathematics Instructional Materials Appeals 2024
- d. Possible Approval of Proposed K – 12 Health Instructional Materials Appeals 2024
- e. Possible Approval of Dual Credit Request: Clark County School District, in partnership with University of Nevada, Las Vegas
- f. Possible Approval of Dual Credit Request: Nevada State High School, in partnership with the College of Southern Nevada, Great Basin College, Truckee Meadows Community College, Western Nevada College, the University of Nevada Las Vegas, and the University of Nevada Reno
- g. Possible Approval of Commission on Professional Standard in Education Regulation R012-24P
- h. Possible Approval of Commission on Professional Standard in Education Regulation R008-24P
- i. Possible Approval of Nevada State Assessment System
- j. Possible Approval of June 12, 2024, Board Minutes
- k. Possible Approval of the High School Start Time Survey

#### 7. **Information and Discussion Regarding the Nevada Secretary of State's Student Mock Elections** (*Information and Discussion*)

The Board will hear a presentation from the Deputy Secretary for Elections regarding the student mock elections program available for teachers and school districts to promote civic involvement for our youth.

- Francisco V. Aguilar, Nevada Secretary of State
- Mark Wlaschin, Nevada Deputy Secretary of State for Elections
- Andrew Cirincione, Representative from the Youth Advisory Task Force

#### 8. **9:30 AM Public Hearing to Solicit Comments on Proposed Regulation R099-23P Relating to the Adult and Regular High School Diploma** (*Information, Discussion, and for Possible Action*)

The Board will consider the proposed regulation revising certain eligibility and course requirements for graduation from public high school.

- Craig Statucki, Director, Office of Career Readiness, Adult Learning, and Education Options

#### 9. **10:00 AM Public Hearing to Solicit Comments on Proposed Regulation R050-24P related to the identification of pupils for placement in more rigorous coursework** (*Information, Discussion, and for Possible Action*)

The Board will consider the proposed regulation related to requiring each public school to carry out a plan to identify pupils in grades 3 through 12 for placement in rigorous coursework in mathematics, English language arts, science, and social studies.

- Cindi Chang, Director, Office of Teaching and Learning

**10. 10:02 AM Public Hearing to Solicit Comments on Proposed Regulation R131-22P Prescribing Requirements Relating to Planning and Monitoring the Education of Certain Children Who Are Admitted to a Facility Which Provides Residential Treatment for Mental Illness** (*Information, Discussion, and for Possible Action*)

The Board will consider the proposed regulation prescribing requirements around monitoring the education of children admitted to a residential treatment facility.

- Christy McGill, Deputy Superintendent, Educator Effectiveness and Family Engagement

**11. 10:04 AM Public Hearing to Solicit Comments on Proposed Regulation R092-24 Pursuant to the change NRS 389.160 Amending NAC 389.488** (*Information, Discussion, and for Possible Action*)

The Board will consider amending the proposed regulation to allow high school students to receive an exemption of one credit of physical education for a competitive individual or group activity or sport.

- Cindi Chang, Director, Office of Teaching and Learning

**12. Information and Discussion Regarding the Mechanism for Rural Support** (*Information and Discussion*)

The board will hear a presentation discussing the various assistance offered by multiple offices within the Department of Education and how those aid mechanisms are aimed at supporting teaching and learning in rural school districts.

- Christopher McAnany, Interim Director, Office for Student and School Supports
- Julie Bowers, Director, Office of Inclusive Education
- Kevin Higley, Director, Office of a Safe and Respectful Learning Environment

**13. Information and Discussion Regarding the Teacher Exit/Transfer Survey** (*Information and Discussion*)

The Board will hear a presentation providing an overview of the educator survey project including information about the Teacher Exit/Transfer Survey relative to participation, response rates, and a general overview of the responses. Additionally, the Board will receive an update on the status of the Working Conditions Survey being piloted in July.

- Kathleen Galland-Collins, Assistant Director, Office of Educator Development, Licensure, and Family Engagement

**14. Future Agenda Items** (*Information and Discussion*)

- Successful outcomes achieved by the State Board of Education
- Commission on School Funding Tracking
- Dual Credit Programs by NSHE
- Emergency Special Education license
- Proposed Changes to the Developmental Delay Age Requirements
- Read By Grade 3

**15. Public Comment #2**

*Public comment will be taken during this agenda item on any matter within the State Board's jurisdiction, control, or advisory power. No action may be taken on a matter raised under this item until the matter is included on the agenda as an item on which action may be taken. The President of the State Board of Education will impose a time limit of three minutes.*

**16. Adjournment**

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**May 16, 2024**

**Notice of Intent to Act Upon a Regulation**

Notice of Hearing for the Adoption of Regulations of the Commission on Professional Standards in Education as proposed in LCB File #R012-24

The Commission on Professional Standards in Education will hold a public hearing at 9:02 A.M. on Monday, June 17, 2024 via [livestream](#) and at the following locations: Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations pertaining to Chapter 391.363.

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

- 1. The need and the purpose of the proposed regulations and/or amendments:** In accordance with NRS 391.019, the Commission on Professional Standards in Education shall adopt regulations:
  - *Prescribing the qualifications for licensing teachers and other educational personnel and the procedures for the issuance and renewal of those licenses.*
- 2. Description of the proposed regulation, or the subjects and issues involved:** The proposed regulation relating to educational personnel; revising requirements for a person to teach pupils who have disabilities and who are under 8 years of age in a program of early childhood special education; and providing other matters properly relating thereto. This regulation will ensure that persons wishing to obtain this license have a minimum bachelor's degree and ensure coursework rigor for this endorsement.
- 3.** The revised text of the proposed regulation is attached to this notice.
- 4. Estimated economic effect of the regulation on the business which it is to regulate and on the public:** There is no economic effect of the regulation on the business that it regulates and no impact on the public.
- 5. Methods used by the agency in determining the impact on a small business:** Small business are not impacted by this regulation.
- 6. The estimated cost to the agency for enforcement of the proposed regulation:** No costs.
- 7. Description and citation of duplicative or overlapping regulations of other state or local governmental agencies:** There is no duplication or overlap of regulations of state or local government

agencies.

8. **Is the regulation required by federal law?** This regulation is not required pursuant to federal law.
9. **Does the regulation include provisions more stringent than a federal regulation regarding the same activity?** There is no federal law affecting or overlapping the proposed regulations.
10. **Does the proposed regulation establish a new fee or increase an existing fee?** The proposed regulations do not establish a new fee nor increase an existing fee of the regulating agency.

A copy of all materials relating to the proposed regulation may be obtained at the hearing, on the [Nevada Department of Education webpage](#), by contacting the Commission on Professional Standards in Education, Nevada Department of Education, via email at [COPS@doe.nv.gov](mailto:COPS@doe.nv.gov), by telephone at (702) 668-4308 or in person at the Nevada Department of Education, 2080 E. Flamingo Rd. Las Vegas, Nevada. Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education may provide in-person testimony, submit written comment to the Commission on Professional Standards in Education via email at [COPS@doe.nv.gov](mailto:COPS@doe.nv.gov), or submit their comments, data, views, or arguments in written form to the Commission on Professional Standards in Education, Nevada Department of Education, 2080 E. Flamingo Rd. Las Vegas, Nevada. Comments may be submitted via email leading up to and for the duration of the meeting, and those submitted via mail must be received by the Department on or before **Friday, June 14, 2024**. A record of all submitted comments will be retained, and the Commission on Professional Standards will proceed to consider any public comment received.

This notice and the text of the proposed regulation has been sent to all persons on the agencies mailing list for administrative regulations and the Commission on Professional Standards, and posted on the Nevada Department of Education's website at <https://doe.nv.gov>, Nevada's Public Notice site at <https://notice.nv.gov>, the Nevada State Legislature's webpage at <https://leg.state.nv.us>, available in the State of Nevada Register of Administrative Regulations pursuant to NRS 233B.0653, and physically posted at the Nevada Department of Education Offices and with Nevada State Library and Archives. Copies of this notice will also be emailed and/or mailed to members of the public upon request.

**Notice required by NRS 233B.064:** Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.



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**Notice of Workshop to Solicit Comments on Proposed Regulation**

The Commission on Professional Standards in Education is proposing regulation language pertaining to the Nevada Administrative Code (NAC). The Workshop has been scheduled for **Wednesday, February 21, 2024**, via [Livestream Link](#) and at the following locations: **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada**. The purpose of the Workshop is to solicit comments from interested persons on the following general topics to be addressed in a proposed regulation:

**9:10 A.M. Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 391.363 – Qualifications for teaching pupils who have disabilities and who are under 8 years of age in a program of early childhood special education; endorsement to teach pupils in such program.**

A copy of all materials relating to the proposal may be obtained at the workshop, on the [Meeting Materials page](#), by contacting the Nevada Department of Education, via email at [geraldine.mendiola@doe.nv.gov](mailto:geraldine.mendiola@doe.nv.gov), by telephone at 702-668-4317, or in person at the **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada**. Persons wishing to comment upon the proposed action of the Department of Education may provide in-person testimony, submit written comment to the Department via email at [COPS@doe.nv.gov](mailto:COPS@doe.nv.gov) or submit their comments, data, views, or arguments in written form to the **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada**. Comments may be submitted via email leading up to and for the duration of the workshop, and those submitted via mail must be received by the Department on or before **Tuesday, February 20, 2024**.

This notice has been sent to all persons on the agencies mailing list for administrative regulations and the Department of Education and posted on the Nevada Department of Education's website at <https://doe.nv.gov>, Nevada's Public Notice site at <https://notice.nv.gov>, the Nevada State Legislature's webpage at <https://leg.state.nv.us>, and physically at the Nevada Department of Education Offices and with Nevada State Library and Archives. Copies of this notice will also be emailed and/or mailed to members of the public upon request.