

SECRETARY OF STATE
FILING DATA

**Form For Filing
Administrative Regulations**

FOR EMERGENCY
REGULATIONS ONLY

Effective date _____

Expiration date _____

Agency: Nevada State Board of

Education

Governor's signature

Classification: PROPOSED ADOPTED BY AGENCY EMERGENCY

Brief description of action: The Nevada Department of Education adopted proposed amendments to NAC Chapter 389.800. The proposed changes (1) revising requirements relating to programs of career and technical education and (2) providing other matters properly relating hereto.

Authority citation other than 233B: NRS 388.380, NRS 388.360, NRS 385.080, and NRS 385.114

Notice Date: January 9, 2024

Date of Adoption by Agency: June 12, 2024

Hearing Dates: June 12, 2024

Joe Lombardo
Governor

Jhone M. Ebert
Superintendent of
Public Instruction



Southern Nevada Office
2080 East Flamingo Rd,
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Las Vegas, Nevada 89119-0811
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STATE BOARD OF EDUCATION

700 E. Fifth Street | Carson City, Nevada 89701-5096
Phone: (775) 687-9200 | www.doe.nv.gov | Fax: (775) 687-9101

August 12, 2024

Legislative Review of Adopted Regulations as Required by NRS 233B.066 LCB File #R019-24

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 389:

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

This regulation language is necessary for students in career and technical education courses to pursue industry-recognized credentials.

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 was no public comment at either the workshop or the public hearing.

3. The number of persons who:

- a. Attended Workshop: 6; Hearing:
- b. Testified at Workshop: 0; Hearing: 0
- c. Submitted Written Statements: Workshop: 0; Hearing: 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.

There was no public comment at either the workshop or the public hearing.

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 was no public comment at either the workshop or the public hearing.

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.

The State Board of Education adopted the proposed regulation language at the public hearing held on April 15, 2024. No changes were requested, so the proposed regulation language was adopted without change.

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.

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
June 12, 2024
9:00 AM**

| Office | Address | City | Meeting Room |
|-------------------------|----------------------|-------------|------------------------------|
| 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 | YouTube Link |

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 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. 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, the Nevada Department of Education website, 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 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**

- Regional Convening to Support State Action to Advance the Education Professions
- Board Member Updates
- Nevada System of Higher Education (NSHE) Updates

5. **Superintendent's Report**

- Nevada Department of Education Updates

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 Dual Credit Courses for Clark County School District
- b. Possible Approval of Dual Credit Courses for Washoe County School District
- c. Possible Approval of Private School Renewal Licenses
- d. Possible Approval of Class Size Report Reduction, FY 2024 Q2
- e. Possible Approval of Minutes from April 15, 2024, State Board of Education Meeting
- f. Possible Approval of Minutes from April 29, 2024, State Board of Education Meeting
- g. Possible Approval of Minutes from May 01, 2024, State Board of Education Meeting

7. **Information, Discussion, and For Possible Action Regarding Appointments to the State Public Charter School Authority Governing Board** (*Information, Discussion, and for Possible Action*)

The Board will review candidates who have applied for consideration to serve on the State Public Charter School Authority governing board in accordance with NRS 388A.153. The Board may take action to select a candidate to serve as the State Board appointee for a three-year term.

8. **Information, Discussion, and For Possible Action Regarding the Educator Scholarship Awards** (*Information, Discussion, and for Possible Action*)

The Board will receive a report and presentation regarding current available funds for scholarship awards and requests for fiscal year 2024 pursuant to NRS 391A.550-90, AB 400, and AB 515. Possible action may include awarding scholarships to various State-approved traditional and/or alternative routes to licensure educator preparation programs.

- Kathleen Galland-Collins, Assistant Director, Office of Educator Development, Licensure, and Family Engagement
- Anabel Sanchez, Education Programs Professional, Office of Educator Development, Licensure, and Family Engagement

9. **Information, Discussion, and For Possible Action Regarding the Proposed Nevada Educator Performance Framework (NEPF) Teacher and School Administrator Rubrics Redesign** (*Information, Discussion, and for Possible Action*)

The Board will receive a recommendation from the Teachers and Leaders Council regarding the proposed changes to the NEPF Teacher and School Administrator Evaluation rubrics.

- Kathleen Galland-Collins, Assistant Director, Office of Educator Development, Licensure, and Family Engagement
- Dr. Pam Teel, Vice Chair, Teachers and Leaders Council
- Kathryn Hoyt, Education Programs Professional, Office of Educator Development, Licensure, and Family Engagement

10. 10:00 AM Public Hearing to Solicit Comments on Proposed Regulation R138-23P Revising the Weights Assigned to the Domains Used to Evaluate the Performance of Teachers and Certain Administrators (*Information, Discussion, and for Possible Action*)

The Board will vote to adopt language as set forth in LCB File #R138-23, amending NAC 391.571 and NAC 391.574

- Kathleen Galland Collins, Assistant Director, Office of Educator Development, Licensure, and Family Engagement
- Kathryn Hoyt, Education Programs Professional, Office of Educator Development, Licensure, and Family Engagement

11. 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

12. 10:04 AM Public Hearing to Solicit Comments on Proposed Regulation R064-24P Amending NAC 389.555 and NAC 389.516 Relating to Employability Skills for Career Readiness (*Information, Discussion, and for Possible Action*)

The Board will consider the proposed regulation removal of all language from NAC 389.555 and NAC 389.516.

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

13. 10:06 AM Public Hearing to Solicit Comments on Proposed Regulation R074-24 Relating to the Creation of Curriculum for the Teacher Academy College Pathway Program (*Information, Discussion, and for Possible Action*)

The Board will consider approving the curriculum for the teacher academy pathway program (TACPP).

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

14. 10:08 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 Educational Options

15. Information and Discussion Regarding Department of Education Guidance on Artificial Intelligence in Schools (*Information and Discussion*)

The Board will hear a presentation from the Deputy Superintendent for Student Achievement regarding the ethics statement and guidance around the use of artificial intelligence for educational purposes.

- Ann Marie Dickson, Deputy Superintendent for Student Achievement, Nevada Department of Education
- Jayne Malorni, Education Programs Professional, Office of Teaching and Learning

16. Information and Discussion of Read by Grade 3 topics (*Information and Discussion*)

The Board will receive information regarding aspects of the Read by Grade 3 provisions outlined in AB 400.

- Joan Jackson, Education Programs Professional, Nevada Department of Education
- Kevin Laxalt, Education Programs Professional, Nevada Department of Education
- Mark Rincon, Education Programs Professional, Nevada Department of Education

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

- Mechanism for rural support
- Successful outcomes achieved by the State Board of Education
- Commission on School Funding Tracking
- Dual Credit Programs by NSHE
- Teacher Exit Survey
- Emergency Special Education license
- Federal and State Required Assessments

18. 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.

19. Adjournment

NEVADA DEPARTMENT OF EDUCATION

February 9, 2024

1:00 PM

| Office | Address | City | Meeting Room |
|-------------------------|----------------------|-----------|------------------------------|
| 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 | YouTube Link |

PUBLIC NOTICE

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AGENDA

1. CALL TO ORDER

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 an agenda as an item on which action may be taken. The Department will impose a time limit of three minutes. Please hold comments specific to a given workshop until public comment is called upon for that workshop specifically.

3. 1:05 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 390.XXX – REGULATIONS LIMITING TIME TAKEN FROM INSTRUCTION TO CONDUCT, AND NUMBER OF, ASSESSMENTS; WAIVER.

(For possible action)

The proposed changes seek to incorporate comments from a year of engagement with districts and draft language.

- Peter Zutz, Administrator, Office of Assessment Data, and Accountability Management

4. 1:10 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 387.013- 153; NAC CHAPTER 387.XXX; NAC CHAPTER 389.034-040; NAC 389.445-700; AND NAC CHAPTER 389.XXX – RELATING TO SCHOOL CALENDARS, CREDIT HOURS, INSTRUCTIONAL TIME AND RELATED MEASURES. (For possible action)

The proposed changes seek to open to comment for amendments related to school calendars, credit hours, instructional time, and related measures.

- Amelia Thibault, Director, Office of Division Compliance

5. 1:15 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED AMENDMENTS TO NAC CHAPTER 389.800 – GENERAL REQUIREMENTS FOR CTE PROGRAM. (For possible action)

The proposed changes seek to make CTE more inclusive and accessible.

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

6. 1:20 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NAC CHAPTER 388.141 - VISUAL IMPAIRMENT ELIBILITY CRITERIA; NAC CHAPTER 388.395; AND NAC CHAPTER 388. XXX – LANGUAGE DEVELOPMENT FOR CHILDREN WHO ARE DEAF, HARD OF HEARING, BLIND, OR VISUALLY IMPAIRED. (For possible action)

The proposed changes seek to update visual impairment eligibility.

- Christi Hines-Coates, Education Programs Supervisor, Office of Inclusive Learning

7. 1:25 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NAC CHAPTER 389.488 – EXEMPTION AND CREDIT OPTIONS FOR PHYSICAL EDUCATION. (For possible action)

The proposed changes seek improve credit options for physical education.

- Cindi Chang, Director, Office of Teaching and Learning

8. 1:30 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NAC CHAPTER 389.445 – REQUIREMENTS FOR PROMOTION TO HIGH SCHOOL AND CHAPTER 390.320 – PLACEMENT OF PUPILS IN MORE RIGOROUS COURSES. (For possible action)

The proposed changes seek to change requirements for promotion to high school and to improve criterion-referenced examinations based on contents standards pursuant to NRS 389.520.

- Cindi Chang, Director, Office of Teaching and Learning

9. 1:35 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NAC 389.672 – ACADEMIC CREDIT FOR COURSES OF STUDY IN CAREER AND TECHNICAL EDUCATION: PERIODIC REVIEW AND APPROVAL OF EACH COURSE; NAC 389.672 ACADEMIC CREDIT FOR A COURSE OF STUDY IN CAREER AND TECHNICAL EDUCATION: LIMITATIONS AND PREREQUISTIES. (For possible action)

The proposed changes seek to modify the language to align with state academic standards.

- Cindi Chang, Director, Office of Teaching and Learning

10. 1:40 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED AMENDMENTS TO NAC CHAPTER 389.555 – EMPLOYABILITY SKILLS FOR CAREER READINESS. (For possible action)

The proposed changes seek to remove certain language and add language regarding the Board of Education.

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

11. 1:45 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED AMENDMENTS TO NAC CHAPTER 391.XXX – WORK-BASED LEARNING. (For possible action)

The proposed changes seek to be more inclusive of industries for work-based learning.

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

12. 1:50 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED AMENDMENTS TO DRAFT REGULATION R099-23 – ADULT AND REGULAR HIGH SCHOOL DIPLOMA. (For possible action)

The proposed changes revise certain eligibility and course requirements for graduation from public high school.

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

13. 2:00 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NAC CHAPTER 388.XXX– TEACHER ACADEMY COLLEGE PATHWAY PROGRAM CURRICULUM. (For possible action)

The proposed changes concern the curriculum for the Teacher Academy College Pathway Program.

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

14. 2:05 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NAC CHAPTER 390.117– ATTENDANCE AT ADULT HIGH SCHOOL PROGRAM FOR TEST PREPARATION. (For possible action)

The proposed changes seek to clarify the language concerning when a person under the age of 18 passes the high school equivalency and when they can attend an adult high school program.

- Nancy Olsen, Education Programs Supervisor, Office of Career Readiness, Adult Learning, and Education Options.

15. 2:10 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NAC CHAPTER 390.135– PRESCRIBED ASSESSMENTS; MINIMUM PASSING SCORES; HIGH SCHOOL EQUIVALENCY. (For possible action)

The proposed changes seek to clarify the language concerning minimum passing scores.

- Nancy Olsen, Education Programs Supervisor, Office of Career Readiness, Adult Learning, and Education Options.

16. 2:20 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NAC 391A.300 – PROFESSIONAL DEVELOPMENT OF TEACHERS AND ADMINISTRATORS. (For possible action)

The proposed changes seek to improve professional development standards for teachers and administrators.

- Kathleen Galland-Collins, Education Programs Supervisor, Office of Educator Development, Licensure, and Family Engagement.
- Anabel Sanchez, Education Programs Professional, Office of Educator Development, Licensure, and Family Engagement.

17. PUBLIC COMMENT #2

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

18. ADJOURNMENT

Joe Lombardo
Governor

Jhone M. Ebert
Superintendent of
Public Instruction



Southern Nevada Office
2080 East Flamingo Rd,
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DEPARTMENT OF EDUCATION
700 E. Fifth Street | Carson City, Nevada 89701-5096
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Notice of Workshop to Solicit Comments on Proposed Regulation

The Nevada Department of Education is proposing regulation language pertaining to the Nevada Administrative Code (NAC). The Workshop has been scheduled for **Friday, February 9, 2024**, via [YouTube](#) 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:

1:15 PM. Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 389.800 – General Requirements for CTE 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 NVBoardEd@doe.nv.gov, by telephone at 775-443-5519, 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 NVBoardEd@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 **Thursday, February 8, 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.