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11/26/2024

Legislative Review of Adopted Regulations as Required by NRS 233B.066
LCB File #R067-24

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 allow an applicant to be exempt from passing a competency test in basic reading, writing, and mathematics if the applicant submits to the Department evidence that, after not passing a test the applicant began and completed, with a grade "B" or better a course of study in each subject area of the test that the applicant did not pass. This regulation is also needed to comply with Assembly Bill 428 (2023).

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 notice was posted 15 days prior to the workshop. The attached public hearing 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. Other interested persons may have obtained a copy of the summary by viewing the Commission on Professional Standards in Education webpage or by contacting the Commission secretary via email, telephone, or by writing to the address on the agenda or public notice.

Include summary of public comment. There was no public comment at either the workshop or the public hearing for this regulation, thus there is no summary of public comment.

3. The number of persons who attended each workshop/hearing, testified at each workshop/hearing, submitted to the agency written comments:

Workshop held on 04/17/2024

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

Hearing held on 09/18/2024

- Number in attendance: 3
- Number testifying: 0
- Written statements submitted: 0

State Board of Education Meeting held on 10/02/2024 (consent agenda item) took place to approve

the Commission adopted regulation per NRS 391.027.

- Number in attendance: 5
- Number testifying: 0
- Written statements submitted: 0

4. **For each person identified in 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.**

Include summary of public comment. There was no public comment at either the workshop or the public hearing for this regulation thus there is no summary of public comment.

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 notice was posted 15 days prior to the workshop. The attached public hearing 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.

Include summary of public comment. There was no public comment at either the workshop or the public hearing for this regulation thus there is no summary of public comment.

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 09/18/24 because the agency and Commission engage stakeholders in workgroups to draft agreed upon language prior to the Workshop & Hearing.

Include summary and description of changes, if any. No changes were requested, and the regulation 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. 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
October 02, 2024
2:00 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

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. 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

- 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.

- Possible Approval of Commission on Professional Standards in Education, R011-24
- Possible Approval of Commission on Professional Standards in Education, R067-24
- Possible Approval of Commission on Professional Standards in Education, R100-24
- Possible Approval of Commission on Professional Standards in Education, R070-24
- Possible Approval of Commission on Professional Standards in Education, R009-24
- Possible Approval of Private School License Renewals
- Possible Approval of Petition for Revocation of the Nevada Educators License for Rasheda Rose
- Possible Approval of September 04, 2024, State Board of Education Meeting Minutes

7. Information, Discussion, and for Possible Action on the Direction for the 2025 Statewide Plan for the Improvement of Pupils (Information, Discussion, and Possible Action)

The Board will receive information and take possible action on the direction of the 2025 Statewide Plan for the Improvement of Pupils including the key plan components that will be utilized to effectively measure the improvement of student achievement outcomes.

- Lisa Ford, Chief Strategy Officer, Nevada Department of Education
- Kris Huffman, Strategic Initiatives Consultant, Nevada Department of Education

8. Information and Discussion Regarding the Procurement Process for Selecting the Read by Grade 3 Assessment (Information and Discussion)

The Board will hear a presentation regarding the state procurement process to select the Read by Grade 3 assessment including required state processes; a draft timeline; and a discussion on the draft Request for Proposal (RFP).

- Ann Marie Dickson, Deputy Superintendent for Student Achievement
- Peter Zutz, Administrator, Office of Assessment, Data, and Accountability Management
- Shawna Jessen, Director of Teaching and Learning

9. Information and Discussion Regarding Read by Grade 3 (Information and Discussion)

The Board will receive an update on the progress of the Read by Grade 3 initiative.

- Ann Marie Dickson, Deputy Superintendent for Student Achievement
- Joan Jackson, Education Programs Professional, Nevada Department of Education
- Mandy Letham, Education Programs Professional, Nevada Department of Education

10. Information and Discussion Regarding the Read by Grade 3 and MAP Assessment Data (Information and Discussion)

The Board will receive a presentation on the Read by Grade 3 program, along with an analysis of the results from the Measure of Academic Progress (MAP) assessment. This presentation will provide insights into student reading growth and achievement over the past year.

- Ann Marie Dickson, Deputy Superintendent for Student Achievement
- Scott Peters, Ph.D. Director, Research Consulting Partnerships, Northwest Evaluation Association

11. Information and Discussion Regarding the Release of the Nevada Report Card Including Indicator

Data from Acing Accountability (*Information and Discussion*)

The Board will hear a presentation regarding the release of the Nevada Report Card Data from the 2023-2024 school year; including data reflecting metrics in the state’s Acing Accountability report. The presentation will include an updated overview of the state’s public school’s performance related to academic achievement and graduation rates.

- Peter Zutz, Administrator, Office of Assessment, Data, and Accountability Management
- Dr. Gunes Kaplan, Education Programs Supervisor, Office of Assessment, Data, and Accountability Management

12. Information and Discussion Regarding the Regulatory Authority of the State Board of Education Outlined in R065-22 to Oversee and Enforce Compliance with the Reorganization Mandates of Large School Districts (*Information and Discussion*)

The Board will discuss the potential budget shortfall within the Clark County School District, the measures being implemented by the State Superintendent to address the issue, and to review the Board’s statutory authority as it relates to this matter.

- Jhone Ebert, Nevada State Superintendent of Public Instruction

13. 4:00 PM Public Hearing to Solicit Comments on Proposed Regulation R096-24 Pertaining to NAC 385.015 Regarding the Use of a Pupils Social Security Number (*Information, Discussion, and Possible Action*)

The Board will consider amending the proposed regulation to revise the provisions relating to the number for identification assigned to a pupil enrolled in a public school.

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

14. 4:10 PM Public Hearing to Solicit Comments on Proposed Regulation R095-24P Pursuant to the Requirements of NRS 233B.0603 (*Information, Discussion, and Possible Action*)

The Board will consider amending the location for a copy of the crisis response plan for renewal of a private school license.

- Barbara Bidell, Education Program Professional, Office of Student and School Supports, Private School Supports

15. 4:15 PM 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.

- Ann Marie Dickson, Deputy Superintendent for Student Achievement
- Craig Statucki, Director of Career Readiness, Adult Learning, and Education Options
- Shawna Jessen, Director of Teaching and Learning

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

- Successful outcomes achieved by the State Board of Education
- Clark County School District’s Exit/Transfer Survey
- Dual Credit Programs by NSHE
- Clark County School District’s Reorganization Compliance Report NRS 388G
- ESSER update
- Grad Score/Infinite Campus
- Developmental Delay, Disabilities Education Act IDEA

17. 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.

18. Adjournment

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August 18, 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 #R067-24

The Commission on Professional Standards in Education will hold a public hearing **at 9:04 A.M.** on **Wednesday, September 18, 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 391.036 of the Nevada Administrative Code (NAC) pursuant to the Nevada Revised Statute (NRS) 391.019 and 391.021.

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.*

NRS 391.021, the Commission on Professional Standards in Education shall adopt regulations:

- *Governing examinations for the initial licensure; exemption for teacher and educational personnel who obtain reciprocal license.*

- 2. Description of the proposed regulation, or the subjects and issues involved:** The proposed regulation is relating to education; exempting certain applicants for licensure as a teacher or other educational personnel from the requirement to pass a competency test in basic reading, writing and mathematics; and providing other matters properly relating thereto. This regulation will allow applicants for licensure to take a course with a grade "B" or better in lieu of a basic competency test after first attempting and not passing the test.
- 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 regulation does not establish a new fee or increase an existing fee.

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, 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, 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 **Tuesday, September 17, 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, April 17, 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:

9:04 A.M. Workshop to Solicit Comments on Proposed Amendments to NAC 391.036 – Tests of competency required for initial license; exemptions; failure to comply.

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, 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 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, April 16, 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.