

**PROPOSED REGULATION OF THE
DEPARTMENT OF EDUCATION**

LCB FILE NO. R092-24I

**The following document is the initial draft regulation proposed
by the agency submitted on 05/03/2024**

Proposed Changes to NAC 389.488

Legend:

~~[Removal of language]~~: Language proposed for removal.

Proposed language: New language proposed.

NAC 389.488 Exemption from physical education. (NRS 385.080, 385.110)

1. A school district *or charter school* shall exempt a pupil from taking the course in physical education if the pupil requests the exemption on the basis of his or her:
 - (a) Physical or mental condition, and the request is supported by a written statement from a physician;
 - (b) Religious belief, and the request is supported by a written statement from the pupil's parent or guardian;
 - (c) Enrollment in the *Junior Reserve Officer Training Corps or Military Science*; or
 - (d) ~~[Intended enrollment in a program which is comparable to the course in physical education.]~~ *Enrollment in marching band.*

~~2. [If a pupil requests an exemption based on his or her intended enrollment in a program which is comparable to the course in physical education, the school district shall furnish the Superintendent of Public Instruction with a syllabus of that program. Upon the Superintendent's written approval, the school district shall grant the exemption.]~~

A school district or charter school shall exempt a pupil from one credit in physical education if the pupil participates in an activity that is comparable to a high school physical education course if:

- (a) The activity is on the approved activities list found on the physical education website maintained by the Department; and*
- (b) The pupil actively participates in the activity for at least 120 hours outside of the regularly scheduled school day; and*
- (c) The pupil's participation is verified by the school.*

3. A school district shall exempt a pupil from ~~[not more than]~~ one credit in physical education if the pupil participates in interscholastic athletics, on a drill team, ~~[in a marching band,]~~ in a dance group or on a cheerleading squad if:

- (a) The activity is sponsored by the school *district or governing body of each charter school*; and
- (b) ~~[The pupil actively participates in the activity for at least 120 hours]~~ *The pupil completes the activity in good standing.*

(Added to NAC by Bd. of Education, eff. 12-16-82; A 5-4-87) — (Substituted in revision for NAC 389.070)

Add to “Definitions”:

NAC 389.XXX “Exempt” defined. (NRS 385.080) “Exempt” means to release a pupil from a course requirement which others are subject.

Last Updated: 04/15/2024