

Joe Lombardo
Governor

Jhone M. Ebert
Superintendent of
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STATE OF NEVADA
DEPARTMENT OF EDUCATION
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October 14, 2024

Legislative Review of Adopted Regulations as Required by NRS 233B.066
LCB File #R096-24

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 388:

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

This regulation is necessary to create efficiency in keeping track of students and protecting their identities.

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: 1; Hearing: 15
- 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 October 2, 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
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 15, 2024

Notice of Intent to Act Upon a Regulation

Notice of Hearing for the Adoption of Regulations of the Nevada State Board of Education as proposed in LCB File #R096-24.

The STATE BOARD will hold a public hearing at **2:00 PM** on Wednesday, October 2nd, 2024 via [Livestream Link](#). The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations pertaining to NAC 385.015 and of the Nevada Administrative Code (NAC), pursuant to NRS 385.080, 388A.110, 388A.411, 388A.417, 388A.110, 385.114, 389.1715 regarding the use of a pupil's social security number as an identification number for the records of a pupil.

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

1. The need for and the purpose of the proposed regulation or amendment:

- To revise provisions relating to the number for identification assigned to a pupil enrolled in a public school

2. If the proposed regulation is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation prepared by the Legislative Counsel pursuant to NRS 233B.063.

The revised text of the proposed regulation is attached to this notice.

3. Description of the proposed regulation, or the subjects and issues involved: The proposed regulation would revise provisions relating to identification numbers assigned to pupils enrolled in public schools..

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. Method used by the agency in determining the impact on a small business: Small business is not impacted by this regulation.

6. 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 governmental 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 regulation.
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 [Event - October 2, 2024 Nevada Department of Education Regulation Hearing | Nevada Department of Education \(nv.gov\)](#) 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 may provide in-person testimony, submit written comment to 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, **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, October 1st. A record of all submitted comments will be retained, and the Department or Board 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 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>, 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.

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.

NEVADA DEPARTMENT OF EDUCATION

April 22, 2024

3:00 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 Department 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, and public comment will be taken under each workshop specific to that item. A time limit of three minutes will be imposed for public comments in order to afford all members of the public who wish to comment an opportunity to do so within the timeframe available. 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 Workshop. The Department reserves the right to call on individuals from the audience or to allow for testimony at any time. All individuals providing testimony must fill out a visitor card. Reasonable efforts will be made for members of the public who have disabilities and require special accommodations or assistance at the meeting. Please call Angie Castellanos, Board Secretary, at (702) 486-8725 or email at NVBoardEd@doe.nv.gov at least five business days in advance so that arrangements can be made. The support materials to this agenda are available at no charge on the Nevada Department of Education Regulation Workshops and Public Hearings [Meeting Materials page](#) (under the meeting date referenced above) or by contacting Angie Castellanos at the Nevada Department of Education Office, 2080 E. Flamingo Rd, 89119, or via phone at (702) 486-8725, or by email at NVBoardEd@doe.nv.gov. This public notice has been sent to all persons on the agencies mailing list for administrative regulations 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. Copies of this notice will also be emailed and/or mailed to members of the public upon request.

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. 3:05 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 385.015 – REMOVE IDENTIFICATION NUMBERS ON PUPILS RECORDS IN PUBLIC SCHOOLS (For possible action)

The proposed changes seek to remove social security numbers on public school pupil records .

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

4. 3:08 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 389.488 – PHYSICAL EDUCATION EXEMPTION (For possible action)

The proposed changes seek to make changes to language concerning exemption and credit options for physical education.

- Cindi Chang, Director, Office of Teaching and Learning

5. 3:11 PM WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) 391.285– EDORSEMENT TO TEACH READING

The proposed changes seek to update language relating to the endorsement to teach reading.

- Cindi Chang, Director, Office of Teaching and Learning

6. 3:14 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 388.141 and CHAPTER 388.395 - VISUAL IMPAIRMENT ELIBILITY CRITERIA.

The proposed changes seek to update visual impairment criteria.

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

7. 3:17 P.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE NAC CHAPTER 388. 5175, NAC 388.518, NAC 388.519, AND NAC 388.595 – LANGUAGE DEVELOPMENT FOR CHILDREN WHO ARE DEAF, HARD OF HEARING, BLIND, OR VISUALLY IMPAIRED.

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

8. 3:20 PM WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 388D.070– UPDATE EDUCATION CHOICE SCHOLARSHIP.

The proposed changes seek to change the date on the educational choice scholarship report.

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

9. 3:23 PM WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) 394.235 – CRISIS PLANS FOR PRIVATE SCHOOLS

The proposed changes seek to update the language for private school crisis plans.

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

10. 3:26 PM WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) 394.030, NAC 394.200, and NAC 394.025 – ALIGN PRIVATE SCHOOL LICENSING LANGUAGE WITH NRS

The proposed changes seek to update accreditation agency in NAC.

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

11. 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.

12. ADJOURNMENT

aJoe Lombardo
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Jhone M. Ebert
Superintendent of
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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 **Monday, April 22, 2024** is [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:

3:05 P.M Workshop to Solicit Comments on Proposed Amendments to NAC 385.015 — To Remove Identification Numbers on Pupils Records in Public Schools.

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 **Friday, April 19, 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.