

Joe Lombardo
Governor

Jhone M. Ebert
Superintendent of
Public Instruction



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STATE BOARD OF EDUCATION

700 E. Fifth Street | Carson City, Nevada 89701-5096
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August 12, 2024

Legislative Review of Adopted Regulations as Required by NRS 233B.066 LCB File #R020-24

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 390:

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

This regulation language clears up confusion regarding when a person under the age of 18 can attend an adult high school program.

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:

- Attended Workshop: 6; Hearing:
- Testified at Workshop: 0; Hearing: 0
- 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.

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April 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 #R020-24.

The STATE BOARD will hold a public hearing at **3:30 PM** on Monday, April 15th, 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 390.117 and of the Nevada Administrative Code (NAC), pursuant to NRS 385.080, NRS 390.055 regarding clarification language of when a person younger than the age of 18 passes a high school equivalency and when they can attend an adult high school program.

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 clarify the age at which a student may attend an adult high school program.

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 requirements governing the application for authorization to sponsor a charter school to apply to an applicant that is a city or county.

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 - March 29, 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 Friday, April 12th. 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.

**STATE BOARD OF EDUCATION
WORKSHOP/HEARING
APRIL 15, 2024
3:30 PM**

Office	Address	City	Meeting 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 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 accommodation 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. 3:35 P.M. PUBLIC HEARING TO SOLICIT COMMENTS ON PROPOSED REGULATION R072-23P AMENDING NAC 388.XXX RELATING TO SOCIAL AND ENVIRONMENTAL FACTORS (Information/Discussion/Possible Action)

The Board will consider the proposed regulation revising the language addressing social and environmental factors for pupils at each school in every school district or charter school.

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

4. **3:40 P.M. PUBLIC HEARING TO SOLICIT COMMENTS ON PROPOSED REGULATION R133-22RP1 AMENDING NAC 388.XXX RELATING TO STUDENT MENTAL HEALTH FACILITY**
(Information/Discussion/Possible Action)
The Board will consider the proposed regulation revising the language pertaining to planning for and monitoring the student mental health facility.
 - Christy McGill, Deputy Superintendent, Educator Effectiveness and Family Engagement

5. **3:45 P.M. PUBLIC HEARING TO SOLICIT COMMENTS ON PROPOSED REGULATION R023-24 AMENDING NAC 389.672 and NAC 389.673 RELATING TO ACADEMIC CREDIT FOR COURSES OF STUDY IN CAREER AND TECHNICAL EDUCATION**
(Information/Discussion/Possible Action)
The Board will consider the proposed regulation revising the periodic review and approval and limitations and prerequisites of courses of study in career and technical education.
 - Cindi Chang, Director, Office of Teaching and Learning

6. **3:50 P.M. PUBLIC HEARING TO SOLICIT COMMENTS ON PROPOSED REGULATION R050-24 AMENDING NAC 390.XXX RELATING TO RIGOROUS COURSEWORK**
(Information/Discussion/Possible Action)
The Board will consider the proposed regulation revising the pupil plan pertaining to rigorous coursework.
 - Cindi Chang, Director, Office of Teaching and Learning

7. **3:55 P.M. PUBLIC HEARING TO SOLICIT COMMENTS ON PROPOSED REGULATION R074-23P AMENDING NAC 388.830 RELATING TO END-OF-COURSE FINALS**
(Information/Discussion/Possible Action)
The Board will consider the proposed regulation removing provisions relating to end-of-course finals.
 - Cindi Chang, Director, Office of Teaching and Learning

8. **4:00 P.M. PUBLIC HEARING TO SOLICIT COMMENTS ON PROPOSED REGULATION R099-23 RELATING TO THE ADULT AND REGULAR HIGH SCHOOL DIPLOMA**
(Information/Discussion/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

9. **4:05 P.M. PUBLIC HEARING TO SOLICIT COMMENTS ON PROPOSED REGULATION R020-24 AMENDING NAC 390.117 RELATING TO ATTENDANCE AT ADULT HIGH SCHOOL PROGRAM FOR TEST PREPARATION** *(Information/Discussion/Possible Action)*
The Board will consider the proposed regulation revising the language when a person under the age of 18 passes a high school equivalency and when they can attend an adult high school program.
 - Craig Statucki, Director, Office of Career Readiness, Adult Learning, and Educational Options

10. **4:10 P.M. PUBLIC HEARING TO SOLICIT COMMENTS ON PROPOSED REGULATION R019-24 AMENDING NAC 389.800 RELATING TO GENERAL REQUIREMENTS FOR CTE PROGRAM** *(Information/Discussion/Possible Action)*
The Board will consider the proposed regulation revising career and technical program language pertaining to industry-recognized credentials in lieu of end-of-program assessments when available.
 - Craig Statucki, Director, Office of Career Readiness, Adult Learning, and Educational Options

11. 4:15 P.M. PUBLIC HEARING TO SOLICIT COMMENTS ON PROPOSED REGULATION R145-22 AMENDING NAC 389.803 RELATING TO PROGRAM AREAS IN CAREER AND TECHNICAL EDUCATION (*Information/Discussion/Possible Action*)

The Board will consider the proposed regulation revising the language pertaining program areas in career and technical education in a public high school, middle school, or junior high school.

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

12. 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 the agenda as an item on which action may be taken. The Department will impose a time limit of three minutes.

13. 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

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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:

2:05 P.M. Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 390.117 – Attendance at Adult High School Programs for Test Preparation.

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.