

LCB File No. T010-99

TEMPORARY REGULATION OF THE STATE BOARD OF EDUCATION

**ADOPTED REGULATION OF THE
NEVADA STATE BOARD OF EDUCATION**

Explanation: Matter in italics is new; matter in brackets [] is material to be omitted.

AUTHORITY: NRS 385.080

Section 1. Chapter 392 of NAC is hereby amended as follows:

392.205 *Policies and Practices.* *The local educational agency shall adopt, review and revise policies and practices to remove barriers to the enrollment and retention of homeless children and to ensure they are not isolated or stigmatized.*

392.215 *Policy Requirements.* *For each homeless child or youth, the local educational agency shall:*

- 1. Either continue the child or youth's education in the school of origin for the remainder of the academic year, or enroll the child or youth in the attendance area where the child is actually living and eligible to attend. In the best interests of the child or youth, and to the extent feasible, comply with the request made by the parent or guardian regarding school selection.*
- 2. Within seven (7) working days after receiving the name and location of a child or youth who is homeless and who meets the age requirements of NRS 392.040, provide the homeless child or youth with education and services received by other pupils.*
- 3. For each homeless child or youth within the school district, maintain appropriate school records and assist the parent or guardian in obtaining verification of the child or youth's age and identity and the child or youth's prior school records.*

4. *Verify, or assist the parent or guardian in obtaining, proper immunization of the homeless child or youth.*
5. *Appoint a district-wide liaison to coordinate with local social service agencies and with other programs to assist homeless children and their families.*
6. *Identify school-site advocates to assist their schools' homeless children and their families and to serve as the contact people for the district-wide liaison.*

Section 2. Chapter 392.205-.215 are hereby repealed and replaced by the above.

Language to be repealed:

Homeless Children

392.205 [Required education and services. Within 7 working days after receiving the name and location of a child who is homeless and who meets the age requirements of NRS 392.040, a school district shall provide the homeless child with education and services comparable to the education and services received by other pupils.]

(Added to NAC by Bd. of Education, eff. 12-13-89)

392.215 [Maintenance of school records; immunization. For each homeless child enrolled within a school district, the district shall maintain the appropriate school records for the child. If the parents of the child cannot provide the following items, the district shall:

1. Provide proper immunization for the child or obtain verification that the child has been immunized;
2. Verify the child's age and identity; and
3. Obtain the child's prior school records.]

(Added to NAC by Bd. of Education, eff. 12-13-89)

**NEVADA STATE BOARD OF EDUCATION
NEVADA STATE BOARD FOR OCCUPATIONAL EDUCATION**

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066
NAC 392, Homeless Children**

IMPACT STATEMENT

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) 392, Homeless Children:

1. A description of how public comment was solicited, a summary of public response, and explanation how other interested persons may obtain a copy of the summary.

Notice of Workshop to Solicit Comments on Proposed Regulations was sent to approximately one-hundred twenty-five individuals and educational organizations. One workshop was held October 23, 1998. There were no comments from the public. No written comments from the public were received.

The Notice of Intent to Act Upon a Regulation for public hearing on the proposed revisions was sent to approximately one-hundred twenty-five individuals and educational organizations. Two public hearings were conducted on October 24, 1998, and December 12, 1998, to provide the opportunity for comments by affected parties and the public. There were no comments from the public. No written comments were received.

2. The Number of Persons Who:

a) **Attended Each Hearing:** Workshop: 10 First Hearing: 25 Second Hearing: 17

b) **Testified at Each Hearing:** Workshop: 0 First Hearing: 0 Second Hearing: 3

and,

c) **Submitted Written Statements:** Workshop: 0 First Hearing: 0 Second Hearing: 0

A copy of any written comments may be obtained by calling LaDonna Byrd, Board Secretary, at the Department of Education (702) 687-9225, or by writing to the Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

3. A description of how comment was solicited from affected businesses, a summary of the response and an explanation how other interested parties may obtain a copy of the summary.

Comment was solicited through the workshop notice of September 22, 1998, and public hearing notices of September 22, 1998, and November 9, 1998.

A copy of the summary and/or minutes of the public hearing may be obtained by calling LaDonna Byrd, Board Secretary, at the Department of Education (702) 687-9225, or by writing to the Department of Education at 700 East Fifth Street, Carson City, Nevada 89701-5096.

- 4. If the regulation was adopted with or without change to any part of the proposed regulation, a summary of the reasons for adopting.**

The temporary regulation was adopted by the Nevada State Board of Education at the public hearing on December 12, 1998, without changes to the proposed language.

- 5. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:**

There is no economic effect on the school districts. There is no estimated economic effect on the public.

- 6. 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.

- 7. 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 government agency regulations will be overlapped or duplicated by the above noted regulations. There is no duplication or overlap of federal regulations.

- 8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**

There are none.

- 9. 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 or involve a new fee.