

**STATE BOARD OF EDUCATION
REGULATION HEARING AGENDA
JUNE 24, 2026
9:00 AM**

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 Livestream

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, and public comment will be taken under each Hearing 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. 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 related to a regulation hearing, please submit your statement to NVBoardEd@doe.nv.gov no later than Friday, June 19. If you are unable to attend but would like to provide a written statement for public comment related to all other items on the agenda, please submit your statement before the conclusion of the meeting to NVBoardEd@doe.nv.gov. The Board president reserves the right to call on individuals from the audience or to allow for testimony at any time. Reasonable efforts will be made for members of the public who have disabilities and require special accommodations or assistance at the meeting. Please contact Zach Khan at NVBoardEd@doe.nv.gov at least five business days in advance so that arrangements may be made. The support materials to this agenda are available at no charge on the Nevada State Board of Education [Meeting Materials](#) page under the meeting date referenced above or by contacting Lisa Ford at 2080 E. Flamingo Rd, Ste 220, Las Vegas, NV 89119, by phone at 702-486-6561, or via email at NVBoardEd@doe.nv.gov. This public notice has been sent to all persons on the agencies mailing list for administrative regulations and the State Board 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 Nevada State Library and Archives. 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 Board will impose a time limit of three minutes. Please hold comments specific to a given hearing until public comment is called upon for that hearing specifically.

3. 9:00 AM REGULATION HEARING FOR R018-26 ON PROPOSED CHANGES TO NAC 388D REGARDING REPORTING REQUIREMENTS FOR SCHOLARSHIP GRANTING ORGANIZATIONS AND PRIVATE SCHOOLS RECEIVING FUNDS UNDER THE NEVADA EDUCATIONAL CHOICE SCHOLARSHIP PROGRAM (For possible action)

The State Board of Education will hold a regulation hearing on proposed changes to NAC 388D per R018-26. This regulation repeals regulatory language that was removed directly into statute by SB460 and creates a uniform method and data standards for student-level reporting.

- Anna Reynolds, Director, Office of Career Readiness, Adult Learning, and Education Options
- Ingrid Cepeda, Education Programs Supervisor

4. 9:01 AM REGULATION HEARING FOR R085-25 ON PROPOSED CHANGES TO NAC 388D REGARDING EXPANDED ACCOUNTABILITY AND STUDENT ASSESSMENT PROVISIONS FOR PRIVATE SCHOOLS RECEIVING FUNDS UNDER THE NEVADA EDUCATIONAL CHOICE SCHOLARSHIP PROGRAM *(For possible action)*

The State Board of Education will hold a regulation hearing on proposed changes to NAC 388D per R085-26. This regulation aligns private school assessment requirements with state and federal public school assessment requirements per SB460 (2025) provisions.

- Peter Zutz, Administrator, Office of Assessments, Data, and Accountability Management
- Mike Pacheco, Education Programs Supervisor

5. 9:02 AM REGULATION HEARING FOR R020-26 ON PROPOSED CHANGES TO NAC 389 REGARDING UPDATES TO THE UNIFORM GRADING SCALE *(For possible action)*

The State Board of Education will hold a regulation hearing on proposed changes to NAC 389 per R020-26. This regulation adds provisions to the uniform grading scale regarding dual credit coursework.

- Andrew Snyder, Education Programs Supervisor, Office of Teaching and Learning

6. 9:03 AM REGULATION HEARING FOR R131-22 ON PROPOSED CHANGES TO NAC 388 REGARDING RESIDENTIAL TREATMENT FACILITIES PROVIDING TREATMENT AND/OR EDUCATIONAL SERVICES TO PUBLIC SCHOOL STUDENTS *(For possible action)*

The State Board of Education will hold a regulation hearing on proposed changes to NAC 388 per R131-22. This regulation establishes procedures regarding the placement and care of K-12 students, particularly those in the custody of a public agency, into psychiatric hospital / residential treatment facilities. This regulation also outlines the duties of the hospital / facility and the local education agency as it relates to transition supports for students.

- LaNesha Battle, Director, Office for a Safe and Respectful Learning Environment
- Julie Bowers, Director, Office of Comprehensive Student Services

7. PUBLIC COMMENT #2

Public comment will be taken during this agenda item on any matter within the jurisdiction, control, or advisory power of the State Board. 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 Board will impose a time limit of three minutes.

8. ADJOURNMENT

Joe Lombardo
Governor

Dr. Victor Wakefield
Superintendent of Public
Instruction



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STATE OF NEVADA NEVADA DEPARTMENT OF EDUCATION

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Notice of Intent to Act Upon a Regulation

Notice of Hearing for the Adoption of LCB File R018-26 by the Nevada Department of Education

The Nevada Department of Education will hold a public hearing at **9:00 AM on Wednesday, June 24, 2026**, available to stream online via [YouTube](#) or attend at the following locations: Nevada Department of Education Offices, 700 E. Fifth Street, Board Room, Carson City and 2080 E. Flamingo Road, Room 114, Las Vegas, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the revision of language in Nevada Administrative Code (NAC) Chapter 388D.

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

- 1. The need and purpose of the proposed regulations and/or amendments:** SB460 (2025) expanded accountability and reporting for scholarship granting organizations and private schools receiving funds under the Nevada Educational Choice Scholarship Program.
- 2. Description of the proposed regulation or the subjects and issues involved:** This regulation repeals regulatory language that was moved directly into statute by SB460 and creates a uniform method / data standards for student reporting.
- 3. How to obtain a copy of the proposed regulatory language:** Attached to this posting and posted on the NDE website.
- 4. Estimated economic effect of the regulation on the business which it is to regulate and on the public:** No anticipated economic effect.
- 5. Methods used by the agency in determining the impact on small businesses:** This regulation relates to public and private education and will not have an impact on small businesses.
- 6. The estimated cost to the agency for enforcement of the proposed regulation:** No costs are identified with the implementation of this regulation beyond previously allocated amounts.
- 7. Description and citation of duplicative or overlapping regulations of other state or local government agencies:** None.
- 8. Whether the regulation is required by federal law:** No.
- 9. Whether the regulation is more stringent than federal regulations regarding the same activity:** No.

10. Whether the proposed regulation establishes a new fee or increase an existing fee: No.

A copy of all materials relating to the proposal may be obtained at the workshop, on the [NDE website](#), or by contacting the Nevada Department of Education via email at NVBoardEd@doe.nv.gov. Persons wishing to comment upon the proposed action of the Department may provide in-person testimony or submit written comment via email at NVBoardEd@doe.nv.gov. Comments may be submitted via email up until the time of the Hearing. If there is no in-person or written testimony submitted, the State Board of Education may proceed immediately to act upon any written submission.

This 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 and with Nevada State Library and Archives. Copies of this notice will also be emailed to members of the public upon request.

Notice per NRS 233B.064: Upon adoption of any regulation, the State Board, if requested to do so by an interested person either before adoption or within 30 days thereafter, shall 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.

**PROPOSED REGULATION OF THE
DEPARTMENT OF EDUCATION**

LCB File No. R018-26

April 8, 2026

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§ 1 and 2, NRS 388D.270, as amended by section 33 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3418, and sections 30 and 31 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at pages 3412 and 3413, respectively.

A REGULATION relating to education; revising provisions governing the tracking and reporting of information for the Nevada Educational Choice Scholarship Program; repealing certain duplicative regulations; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law creates the Nevada Educational Choice Scholarship Program to provide grants of money on behalf of certain pupils to pay for tuition and other expenses relating to attendance at certain schools, including, without limitation, private schools. (NRS 388D.250) Under the Program, each school that receives a grant of money on behalf of a pupil and each scholarship organization that awards such a grant are required to report certain information to the Department of Education. (NRS 388D.270, as amended by section 33 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3418, and sections 30, 31 and 31.3 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at pages 3412, 3413 and 3415, respectively) In addition, existing law requires the Department to adopt regulations establishing a method for schools to track the information required to be reported to the Department. (Sections 30 and 31 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at pages 3412 and 3413, respectively)

Existing law further requires the Superintendent of Public Instruction to prescribe a uniform program for the collection and maintenance of data concerning pupils. (NRS 385A.820, as amended by section 8.8 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3368) Existing regulations prescribe certain methods for public schools and school districts to collect and maintain such data, including the use of a list of codes and symbols published by the Department and the maintenance of records relating to the enrollment and attendance of pupils. (NAC 387.163, 387.165, 387.171)

Section 1 of this regulation establishes requirements to carry out the tracking and reporting of information for the Nevada Educational Choice Scholarship Program. Specifically, **section 1** requires each school that receives a grant of money on behalf of a pupil to assign a unique identification number to the pupil. **Section 1** also requires such a school, upon enrollment

of the pupil, to provide that number to each scholarship organization that awarded a grant on behalf of the pupil. **Section 1** further requires such a school to use the list of codes and symbols published by the Department and the master register of enrollment and attendance to track the information required to be reported to the Department.

Existing regulations governing the Nevada Educational Choice Scholarship Program include certain provisions relating to the operation of the Program. (NAC 388D.030-388D.080) During the 2025 Legislative Session, the Legislature enacted Senate Bill No. 460 (S.B. 460), which codified those provisions into the Nevada Revised Statutes. (Sections 31.2-31.7 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at pages 3414-3416) **Section 2** of this regulation repeals those regulations that duplicate the provisions codified into statute by S.B. 460. **Section 2** also repeals: (1) provisions that require schools to submit information duplicative of information required to be reported by scholarship organizations under existing law; and (2) provisions requiring the Department to compile and submit certain reports.

Section 1. Chapter 388D of NAC is hereby amended by adding thereto a new section to read as follows:

Each school, including, without limitation, a registered private school, that receives a grant of money on behalf of a pupil pursuant to NRS 388D.270, as amended by section 33 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3418, shall:

- 1. Assign a unique identification number to each pupil on whose behalf the school receives a grant of money, which must remain consistent for that pupil;*
- 2. Upon enrollment of the pupil, provide the identification number assigned pursuant to subsection 1 to each scholarship organization that awarded a grant of money on behalf of the pupil for use in reporting information required by section 31.3 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3415; and*
- 3. Use the list of codes and symbols published by the Department, as described in NAC 387.163, and the master register of enrollment and attendance described in NAC 387.171 to track the information that the school is required to report or provide to the Department pursuant to sections 30 and 31 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at pages 3412 and 3413, respectively.*

Sec. 2. NAC 388D.030, 388D.040, 388D.050, 388D.060, 388D.070, 388D.080 and 388D.120 are hereby repealed.

TEXT OF REPEALED SECTIONS

388D.030 Registration of scholarship organization to participate in Nevada

Educational Choice Scholarship Program. (NRS 388D.270) To participate in the Nevada Educational Choice Scholarship Program, a scholarship organization must register with the Department by providing:

1. On a form provided by the Superintendent of Public Instruction:
 - (a) The name, address and contact information of the scholarship organization; and
 - (b) If the scholarship organization uses a fiscal year other than July 1 to June 30, the period of the fiscal year used by the scholarship organization;
2. Evidence of an official declaration by the Internal Revenue Service that the scholarship organization qualifies as a tax-exempt organization pursuant to 26 U.S.C. § 501(c);
3. Confirmation that the scholarship organization is incorporated pursuant to chapter 82 of NRS;
4. A copy of the written procedures established pursuant to NAC 388D.080; and
5. An affidavit signed by the chief executive officer or president or chair of the board of directors of the scholarship organization under penalty of perjury stating that:
 - (a) No member of the board of directors or employee of the scholarship organization:

(1) Has declared bankruptcy within the 7 years immediately preceding the date on which the affidavit is submitted; or

(2) Has ever been convicted of a felony; and

(b) Neither the scholarship organization nor any member of the board of directors or employee thereof owns or operates a school in this State that receives grant money from the Nevada Educational Choice Scholarship Program.

388D.040 Information provided quarterly and annually to Department by registered scholarship organization; Department to compile and review information. (NRS 388D.270)

1. Each scholarship organization that is registered with the Department pursuant to NAC 388D.030 shall:

(a) By not later than October 15, January 15, March 15 and June 15 of each year, provide to the Department in a format prescribed by the Department an electronic list of each pupil on behalf of whom the scholarship organization awarded a grant pursuant to NRS 388D.270 for the previous quarter. The electronic list must include:

(1) Demographic information for each pupil, including the name, date of birth, grade level, gender and race or ethnicity of the pupil, whether the pupil has a disability, the household income of the pupil calculated pursuant to NAC 388D.080 and the name and address of the parent or guardian of the pupil;

(2) The amount of each grant provided on behalf of a pupil;

(3) The manner in which money from each grant has been used, including, without limitation:

(I) The name of each school that has received money from a grant;

(II) The tuition and fees charged by each such school; and

(III) Any portion of such money that has been used to pay for the transportation to and from the school; and

(4) The number of applications for a grant received by the scholarship organization for which a grant was not awarded and the reason that a grant was not awarded in each case.

(b) Annually submit to the Department the name of the school attended by each pupil on whose behalf a grant is provided during the school year immediately preceding the school year for which the grant is awarded or, if such a pupil was not enrolled in a school, whether the pupil was a homeschooled child, an opt-in child or was not required to attend school pursuant to NRS 392.040 for that school year.

2. The Department will annually:

(a) Compile the information submitted by each scholarship organization pursuant to subsection 1; and

(b) Review the information to determine whether to change the priority for awarding grants prescribed by NAC 388D.080 or to recommend legislation to revise the priority for awarding grants to the Legislature.

388D.050 Annual financial statement of registered scholarship organization; notice of ineligibility or ceasing to exist; disclosure of certain financial records. (NRS 388D.270)

Each scholarship organization that is registered with the Department pursuant to NAC 388D.030 shall:

1. Not more than 180 days after the conclusion of the fiscal year of the scholarship organization, submit to the Department a copy of an audited or compiled financial statement of the scholarship organization prepared by an independent certified public accountant.

2. If the scholarship organization no longer meets the qualifications prescribed by law to participate in the Nevada Educational Choice Scholarship Program as a scholarship organization or ceases to exist, notify the Department of Education within 30 days. Upon receiving such notification, the Department of Education will update the directory maintained pursuant to NAC 388D.070 and notify the Department of Taxation.

3. Within 72 hours after receiving notice from the Superintendent of Public Instruction or his or her designee, make any financial records of the scholarship organization or records concerning a pupil maintained by the scholarship organization available to the Superintendent or his or her designee for inspection during regular business hours.

388D.060 Notice to Department of Taxation of certain donations received by registered scholarship organization; maximum duration to carry forward donation. (NRS 388D.270)

1. A scholarship organization that is registered with the Department of Education pursuant to NAC 388D.030 shall notify the Department of Taxation in writing not more than 10 days after receiving a donation from a taxpayer pursuant to NRS 363A.139 or 363B.119, as applicable, of the amount of the donation.

2. Any donation received by a scholarship organization must not be carried forward for more than 5 years after the last day of the calendar year in which the donation is made.

388D.070 Department of Education to maintain directory of scholarship organizations on Internet website, submit quarterly list of scholarship organizations to Department of Taxation and submit annually summary of certain information. (NRS 388D.270) The Department of Education will:

1. Maintain on its Internet website a directory of each scholarship organization that is registered with the Department of Education pursuant to NAC 388D.030 and, by not later than

September 30, December 30, March 30 and June 30 of each year, submit to the Department of Taxation a list of each such scholarship organization.

2. Not later than July 31 of each year, submit to the Governor, the State Board and the Director of the Legislative Counsel Bureau a summary of the information reported to the Department by each scholarship organization pursuant to NRS 388D.280.

388D.080 Application to receive grant from registered scholarship organization; responsibilities of organization; order of priority to award grants. (NRS 388D.270)

1. The parent or guardian of a pupil who meets the requirements to receive a grant pursuant to NRS 388D.270 may apply to a scholarship organization registered with the Department pursuant to NAC 388D.030 for such a grant. A scholarship organization may charge each family that applies for a grant on behalf of one or more children of the family an administrative fee of not more than \$25.

2. A scholarship organization shall:

(a) Establish written procedures that the scholarship organization will use to determine whether a pupil meets the requirements to receive a grant pursuant to NRS 388D.270 and to award grants on behalf of qualified pupils.

(b) Post the procedures established pursuant to paragraph (a) on an Internet website maintained by the scholarship organization and provide a written copy of the procedures with each application form.

(c) Provide an application form to be completed by an applicant for a grant. A scholarship organization may only award a grant on behalf of a pupil for whom a complete application is submitted but is not required to award a grant to a pupil solely because his or her application is complete.

(d) Verify annually that each pupil on behalf of whom the organization awards a grant is a member of a household that has a household income which is not more than 300 percent of the federally designated level signifying poverty. Such verification must:

(1) Use the most recent federal poverty guidelines published in the Federal Register by the United States Department of Health and Human Services; and

(2) Calculate household income based on the information reported in the application submitted on behalf of the pupil and in accordance with the most recent guidance established by the Food and Nutrition Service of the United States Department of Agriculture for determining eligibility of pupils for free and reduced-price meals.

3. A scholarship organization shall award grants on behalf of pupils in the following order of priority:

(a) A grant must be awarded for the current school year on behalf of a pupil for whom a completed application was received on or before the deadline for the submission of such applications by the scholarship organization and on whose behalf a grant was awarded for the immediately preceding school year before a grant is awarded on behalf of any other pupil.

(b) A grant must be awarded on behalf of a pupil for whom a completed application was received on or before the deadline for the submission of such applications by the scholarship organization and who is the sibling of a pupil on whose behalf a grant has been awarded for the current school year before a grant is awarded on behalf of other pupils.

(c) A grant must be awarded on behalf of a pupil who is not described in paragraph (a) or (b) in the order in which the completed application is received. If there are an insufficient number of grants available to award a grant on behalf of each pupil for whom a complete application was received on the same day:

(1) A grant must be awarded on behalf of a pupil who is a member of a household that has a lower household income before a grant is awarded on behalf of a pupil who is a member of a household that has a higher household income;

(2) If two or more applicants are members of households that have the same household income, a grant must be awarded on behalf of the pupil who is enrolled in a public school that has received a lower rating based on the most recent annual report of the statewide system of accountability for public schools before a grant is awarded on behalf of a pupil who is enrolled in a public school that has received higher ratings; and

(3) If two or more applicants are members of households that have the same household income and attend public schools that received the same rating based on the most recent annual report of the statewide system of accountability for public schools, grants must be awarded on behalf of pupils in this category on a random basis.

388D.120 Quarterly submission of electronic list of certain information; annual report of aggregate data. (NRS 388D.270)

1. By not later than October 15, January 15, March 15 and June 15 of each year, each school that is registered pursuant to NAC 388D.100 shall submit to the Department electronically a list of each pupil on behalf of whom the school received money from a grant for the previous quarter pursuant to NRS 388D.270. The electronic list must include, for each grant:

(a) Demographic information for each pupil on behalf of whom grant money is received, including the name, date of birth, grade level, gender and race or ethnicity of the pupil and the name and address of the parent or guardian of the pupil;

(b) The name of each scholarship organization that awarded a grant to the school on behalf of a pupil and the amount of each grant; and

(c) The manner in which money from each grant has been used, including, without limitation, any portion of such money that has been used to pay for:

- (1) Tuition and fees charged by the school; and
- (2) Transportation to and from the school.

2. The Department will collect the records of academic progress that each school that is registered pursuant to NAC 388D.100 is required to maintain pursuant to NRS 388D.270 and aggregate the information contained in the records. By not later than December 15 of each even-numbered year, the Department will submit a report containing the aggregated information to the Governor, the State Board and the Director of the Legislative Counsel Bureau. The Department will not report information in a manner that discloses personally identifiable information of a pupil.

Joe Lombardo
Governor

Dr. Victor Wakefield
Superintendent of Public
Instruction



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Notice of Intent to Act Upon a Regulation

Notice of Hearing for the Adoption of LCB File R085-25 by the Nevada Department of Education

The Nevada Department of Education will hold a public hearing at **9:01 AM on Wednesday, June 24, 2026**, available to stream online via [YouTube](#) or attend at the following locations: Nevada Department of Education Offices, 700 E. Fifth Street, Board Room, Carson City and 2080 E. Flamingo Road, Room 114, Las Vegas, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the revision of language in Nevada Administrative Code (NAC) Chapter 388D.

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

- 1. The need and purpose of the proposed regulations and/or amendments:** SB460 (2025) expanded accountability and student assessment provisions for private schools receiving funds under the Nevada Educational Choice Scholarship Program.
- 2. Description of the proposed regulation or the subjects and issues involved:** This regulation aligns private school assessment requirements with state and federal public school assessment requirements.
- 3. How to obtain a copy of the proposed regulatory language:** Attached to this posting and posted on the NDE website.
- 4. Estimated economic effect of the regulation on the business which it is to regulate and on the public:** No anticipated economic effect.
- 5. Methods used by the agency in determining the impact on small businesses:** This regulation relates to public and private education and will not have an impact on small businesses.
- 6. The estimated cost to the agency for enforcement of the proposed regulation:** No costs are identified with the implementation of this regulation beyond previously allocated amounts.
- 7. Description and citation of duplicative or overlapping regulations of other state or local government agencies:** None.
- 8. Whether the regulation is required by federal law:** No.
- 9. Whether the regulation is more stringent than federal regulations regarding the same activity:** No.

10. Whether the proposed regulation establishes a new fee or increase an existing fee: No.

A copy of all materials relating to the proposal may be obtained at the workshop, on the [NDE website](#), or by contacting the Nevada Department of Education via email at NVBoardEd@doe.nv.gov. Persons wishing to comment upon the proposed action of the Department may provide in-person testimony or submit written comment via email at NVBoardEd@doe.nv.gov. Comments may be submitted via email up until the time of the Hearing. If there is no in-person or written testimony submitted, the State Board of Education may proceed immediately to act upon any written submission.

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Notice per NRS 233B.064: Upon adoption of any regulation, the State Board, if requested to do so by an interested person either before adoption or within 30 days thereafter, shall 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.

**PROPOSED REGULATION OF THE
DEPARTMENT OF EDUCATION**

LCB File No. R085-25

April 10, 2026

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: § 1, section 31 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3413.

A REGULATION relating to education; revising requirements governing certain examinations administered by registered private schools that participate in the Nevada Educational Choice Scholarship Program; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law establishes the Nevada Educational Choice Scholarship Program, whereby nonprofit organizations accept donations and provide grants to pupils from certain low-income families to allow such pupils to attend schools in this State chosen by the parents or legal guardians of those pupils, which may include private schools. (NRS 388D.270, as amended by section 33 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3418) Existing law requires: (1) each school that receives such a grant to administer certain examinations required by the State or equivalent national examinations that are norm-referenced; and (2) the Department of Education to adopt regulations prescribing requirements for the administration of such an examination by a private school. (Section 31 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3413) **Section 1** of this regulation requires each such registered private school to comply with certain requirements: (1) of existing law relating to the administration and security of examinations and the protection for disclosure of irregularities in the administration and security of examinations; (2) of existing regulations relating to the confidentiality and security of examination materials; (3) adopted by the Department relating to test security; (4) set forth in certain guidance and implementation documents; and (5) set forth in any training provided relating to administering examinations. **Section 1** further authorizes the Department to perform on-site monitoring of the administration of such examinations.

Section 1. NAC 388D.110 is hereby amended to read as follows:

388D.110 1. ~~[At least once each school year.]~~ Pursuant to section 31 of Senate Bill No. 406, chapter 506, Statutes of Nevada 2025, at page 3413, each registered private school ~~[shall]~~ that is required to administer ~~[at least one]~~ each of the examinations required pursuant to NRS

390.105 or the nationally norm-referenced ~~[test that has been]~~ *examination* approved by the Department pursuant to subsection ~~[2]~~ *3* to each pupil on behalf of whom a grant is provided pursuant to NRS 388D.270 ~~[-. The registered private school]~~ must ~~[include the results of the test in the record of the academic progress of the pupil that the school is required to maintain pursuant to subsection 5 of NRS 388D.270.]~~, *when administering such examinations, comply with the requirements set forth in:*

- (a) NRS 390.250 to 390.305, inclusive, for the administration and security of examinations;*
- (b) NRS 390.350 to 390.430, inclusive, concerning the protection for disclosure of irregularities in the administration and security of examinations;*
- (c) NAC 390.240 for the confidentiality and security of examination materials;*
- (d) The Test Security Procedures manual adopted by the Department pursuant to NRS 390.270 and available on the Internet website of the Department;*
- (e) Any guidance or implementation documents provided by an examination vendor, including, without limitation, manuals for examination administrators or coordinators, supplemental manuals, technical manuals for examination platforms or user guides; and*
- (f) Any training specifically provided for administering an examination, including, without limitation, providing accommodations, administering specific types of examinations or performing individual examinations.*

2. For the purposes of complying with the requirements of subsection 1, any reference in the provisions of NRS 390.250 to 390.305, inclusive, NRS 390.350 to 390.430, inclusive, NAC 390.240, the Test Security Procedures Manual or any other document or material described in paragraphs (a) to (f), inclusive, of subsection 1 to:

(a) The board of trustees of a school district or governing body of a charter school shall be deemed to include the governing body of the registered private school.

(b) The school district or charter school shall be deemed to include the registered private school.

3. Except as otherwise provided in subsection ~~[3.]~~ 4, the Department will approve a nationally norm-referenced ~~[test]~~ *examination* for administration to pupils on behalf of whom grants are awarded *in lieu of the examinations required pursuant to NRS 390.105* if:

(a) The test has a reliability coefficient of at least 0.8 measuring the internal consistency of the test;

(b) The test has high content validity;

(c) Norming studies have been conducted on the test within the immediately preceding 10 years; and

(d) The test serves as a measure of pupil achievement in English language arts and mathematics for pupils enrolled in kindergarten through grade 12.

~~[3.]~~ 4. The Department may approve a test that does not meet the requirements of subsection ~~[2]~~ 3 for administration to pupils on behalf of whom grants are awarded who are enrolled in kindergarten, first grade or second grade.

~~[4.]~~ 5. The Department will maintain a list of each test that is approved pursuant to subsections ~~[2]~~ 3 and ~~[3.]~~ 4.

~~[5.]~~ 6. *The Department may perform on-site monitoring of the administration of an examination required by NRS 390.105 or the nationally norm-referenced examination.*

7. As used in this section, “content validity” means the extent to which a test accurately measures the subject area that it purports to measure.

Joe Lombardo
Governor

Dr. Victor Wakefield
Superintendent of Public
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Notice of Intent to Act Upon a Regulation

Notice of Hearing for the Adoption of LCB File R020-26 by the Nevada State Board of Education

The Nevada Department of Education will hold a public hearing at **9:02 AM on Wednesday, June 24, 2026**, available to stream online via [YouTube](#) or attend at the following locations: Nevada Department of Education Offices, 700 E. Fifth Street, Board Room, Carson City and 2080 E. Flamingo Road, Room 114, Las Vegas, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the revision of language in Nevada Administrative Code (NAC) Chapter 389.

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

- 1. The need and purpose of the proposed regulations and/or amendments:** NRS 389.007 requires the Board to adopt regulations regarding the uniform grading scale; with the expansion and implementation of dual credit courses, updates became necessary.
- 2. Description of the proposed regulation or the subjects and issues involved:** The proposed regulation adds provisions to the uniform grading scale regarding completion of dual credit courses.
- 3. How to obtain a copy of the proposed regulatory language:** Attached to this posting and posted on the NDE website.
- 4. Estimated economic effect of the regulation on the business which it is to regulate and on the public:** No anticipated economic effect.
- 5. Methods used by the agency in determining the impact on small businesses:** This regulation relates to public education and will not have an impact on small businesses.
- 6. The estimated cost to the agency for enforcement of the proposed regulation:** No costs are identified with the implementation of this regulation beyond previously allocated amounts.
- 7. Description and citation of duplicative or overlapping regulations of other state or local government agencies:** None.
- 8. Whether the regulation is required by federal law:** No.
- 9. Whether the regulation is more stringent than federal regulations regarding the same activity:** No.

10. Whether the proposed regulation establishes a new fee or increase an existing fee: No.

A copy of all materials relating to the proposal may be obtained at the workshop, on the [NDE website](#), or by contacting the Nevada Department of Education via email at NVBoardEd@doe.nv.gov. Persons wishing to comment upon the proposed action of the Department may provide in-person testimony or submit written comment via email at NVBoardEd@doe.nv.gov. Comments may be submitted via email up until the time of the Hearing. If there is no in-person or written testimony submitted, the State Board of Education may proceed immediately to act upon any written submission.

This 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 and with Nevada State Library and Archives. Copies of this notice will also be emailed to members of the public upon request.

Notice per NRS 233B.064: Upon adoption of any regulation, the State Board, if requested to do so by an interested person either before adoption or within 30 days thereafter, shall 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.

**PROPOSED REGULATION OF THE
STATE BOARD OF EDUCATION**

LCB File No. R020-26

March 4, 2026

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §§ 1 and 2, NRS 385.080 and 389.007.

A REGULATION relating to education; revising provisions governing the uniform grading scale for pupils enrolled in high school; prescribing a weighted value for the completion of a dual credit course; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the State Board of Education to adopt regulations that prescribe a uniform grading scale for all public high schools, including, without limitation, a uniform grading scale for dual credit courses, international baccalaureate courses, advanced placement courses and honors courses. Existing law requires such regulations to assign the same weight to dual credit courses and international baccalaureate courses as that assigned to advanced placement courses if the dual credit course or international baccalaureate course is in a core academic subject or a subject for which an advanced placement course is offered. (NRS 389.007) Existing regulations prescribe a weighted value of 0.050 for the completion of an advanced placement course or international baccalaureate course with a grade of A, B, C or D, which must be added to the value otherwise provided for that letter grade under the uniform grading scale. (NAC 389.6625) **Section 1** of this regulation prescribes a weighted value of 0.050 for the completion of a dual credit course with a grade of A, B, C or D. **Section 2** of this regulation provides that this weighted value applies to a dual credit course completed during or after the 2022-2023 school year. When determining the value to be assigned to a grade of a pupil who transferred from a high school located outside of this State or from a private high school located in this State to a public high school in this State, **section 1** requires this weighted value to be applied to a dual credit course completed with a grade of A, B, C or D by such a pupil.

Existing regulations authorize a school district or charter school to apply the uniform grading scale for pupils enrolled in grades 10, 11 and 12 during the 2014-2015 school year or to continue applying the grading scale that was in effect for those pupils before the 2014-2015 school year until the graduation of such pupils. (NAC 389.6625) **Section 1** removes these provisions.

Section 1. NAC 389.6625 is hereby amended to read as follows:

389.6625 1. ~~Except as otherwise provided in subsection 6, the~~ **The** board of trustees of each school district and the governing body of each charter school shall use the following uniform grading scale for pupils enrolled in the school district or charter school in grades 9 to 12, inclusive:

Course Point Range	Grade	Value
90.0-100	A	4.0
80.0-89.99	B	3.0
70.0-79.99	C	2.0
60.0-69.99	D	1.0
Below 60	F	0.0

2. The grading scale prescribed by subsection 1 must be weighted as follows:

(a) For completion of an honors course with a grade of A, B, C or D, a value of 0.025 must be added to the value otherwise prescribed by subsection 1.

(b) For completion of an advanced placement course with a grade of A, B, C or D, a value of 0.050 must be added to the value otherwise prescribed by subsection 1.

(c) For completion of an international baccalaureate course with a grade of A, B, C or D, a value of 0.050 must be added to the value otherwise prescribed by subsection 1.

(d) For completion of a dual credit course with a grade of A, B, C or D, a value of 0.050 must be added to the value otherwise prescribed by subsection 1.

3. The grade point average of a pupil enrolled in grade 9, 10, 11 or 12 must be computed to the third decimal place. A grade point average that:

- (a) Is less than 0.0005 must be rounded down; and
- (b) Is 0.0005 or higher must be rounded up.

4. If a pupil transfers from a high school located outside this State or from a private high school located in this State and enrolls in high school at a school district or charter school in this State, the pupil's transcript must be reviewed and a value must be assigned for each grade earned by the pupil in the other state or at the private high school as follows:

(a) If the pupil's transcript contains a letter grade for a course, that letter grade must be assigned a numerical value in accordance with the grading scale prescribed by subsection 1.

(b) If the pupil's transcript does not contain a letter grade for a course but contains a numerical value for a grade in the course, that numerical value must be assigned in accordance with the grading scale prescribed by subsection 1.

(c) If the pupil's transcript contains a notation that the pupil has completed an honors course, an advanced placement course, ~~or~~ an international baccalaureate course *or a dual credit course* with a grade of A, B, C or D, the weighted value prescribed by subsection 2 must be applied for that course. If the transcript does not contain such a notation, the grading scale prescribed by subsection 1 must be applied for the course.

~~5. [The uniform grading scale prescribed by this section applies to pupils who are enrolled in grade 9 beginning with the 2014-2015 school year, until graduation of those pupils, including, without limitation, pupils who repeat grade 9 in the 2014-2015 school year.~~

~~—6.— For pupils who are enrolled in grades 10, 11 and 12 for the 2014-2015 school year, a school district or charter school may, until graduation of those pupils:~~

~~—(a) Apply the uniform grading scale prescribed by this section; or~~

~~—(b) Continue applying the grading scale in effect for those pupils before the 2014-2015 school year.~~

~~—7.]~~ The board of trustees of each school district and the governing body of each charter school may adopt a policy assigning a plus or minus to the grades set forth in subsection 1. The policy must ensure that the value assigned to each grade earned by a pupil complies with the value set forth in the grading scale prescribed by subsection 1 and, if applicable, the weighted value prescribed by subsection 2.

Sec. 2. The amendatory provisions of section 1 of this regulation prescribing a weighted value to the grading scale for the completion of a dual credit course apply to any dual credit course completed during or after the 2022-2023 school year.

Joe Lombardo
Governor

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Superintendent of Public
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Notice of Intent to Act Upon a Regulation

Notice of Hearing for the Adoption of LCB File R131-22 by the Nevada State Board of Education

The Nevada Department of Education will hold a public hearing at **9:03 AM on Wednesday, June 24, 2026**, available to stream online via [YouTube](#) or attend at the following locations: Nevada Department of Education Offices, 700 E. Fifth Street, Board Room, Carson City and 2080 E. Flamingo Road, Room 114, Las Vegas, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the revision of language in Nevada Administrative Code (NAC) Chapter 388.

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

- 1. The need and purpose of the proposed regulations and/or amendments:** SB210 (2021) amended language regarding residential treatment facilities providing treatment and/or educational services to public school students. While subsequent legislation has been passed, this regulation still largely addresses the provisions under SB210.
- 2. Description of the proposed regulation or the subjects and issues involved:** This regulation establishes procedures regarding the placement and care of K-12 students, particularly those in the custody of a public agency, into psychiatric hospitals / residential treatment facilities. This regulation also outlines the duties of the hospital/facility and the local education agency as it relates to transition supports for students.
- 3. How to obtain a copy of the proposed regulatory language:** A copy of the language is attached to this notice.
- 4. Estimated economic effect of the regulation on the business which it is to regulate and on the public:** Noncompliance with the regulation may impact a facilities' eligibility for reimbursement for the provision of educational services.
- 5. Methods used by the agency in determining the impact on small businesses:** Small businesses are not affected by this regulation.
- 6. The estimated cost to the agency for enforcement of the proposed regulation:** 0.5 FTE has been allocated to this work within existing capacity.
- 7. Description and citation of duplicative or overlapping regulations of other state or local government agencies:** Aligns with existing statute and regulation.

8. **Whether the regulation is required by federal law:** No.
9. **Whether the regulation is more stringent than federal regulations regarding the same activity:** Not applicable.
10. **Whether the proposed regulation establishes a new fee or increase an existing fee:** No.

A copy of all materials relating to the proposal may be obtained at the workshop, on the [NDE website](#), or by contacting the Nevada Department of Education via email at NVBoardEd@doe.nv.gov. Persons wishing to comment upon the proposed action of the Department may provide in-person testimony or submit written comment via email at NVBoardEd@doe.nv.gov. Comments may be submitted via email up until the time of the Hearing. If there is no in-person or written testimony submitted, the State Board of Education may proceed immediately to act upon any written submission.

This 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 and with Nevada State Library and Archives. Copies of this notice will also be emailed to members of the public upon request.

Notice per NRS 233B.064: Upon adoption of any regulation, the State Board, if requested to do so by an interested person either before adoption or within 30 days thereafter, shall 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.

**THIRD REVISED PROPOSED REGULATION OF THE
STATE BOARD OF EDUCATION**

LCB File No. R131-22

April 28, 2026

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §§ 1-8 and 11, NRS 385.080; § 9, NRS 385.080 and 387.1225, as amended by section 4.7 of Senate Bill No. 81, chapter 491, Statutes of Nevada 2025, at page 3208; § 10, NRS 385.080 and 388.419; § 12, NRS 385.080 and 432B.60847.

A REGULATION relating to education; prescribing requirements relating to planning for and monitoring the education of certain children who are admitted to and discharged from a facility which provides residential treatment for mental illness; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes: (1) certain licensed health care facilities to request reimbursement from the Department of Education for services provided to a child; and (2) the adoption of regulations to facilitate such requests. (NRS 387.1225, as amended by section 4.7 of Senate Bill No. 81, chapter 491, Statutes of Nevada 2025, at page 3208) If a child in the custody of an agency which provides child welfare services is admitted to a psychiatric hospital, existing law requires the psychiatric hospital, in consultation with the public or private school in which the child was enrolled, any school district in which the child was enrolled or which was providing services to the child when he or she was admitted to the psychiatric hospital, the agency which provides child welfare services and any person responsible for the education of the child, to develop a plan for the continued education of the child while the child remains enrolled in the public or private school or the school district yet is admitted to the psychiatric hospital. (NRS 432B.60847) **Sections 2-8** of this regulation define certain terms relevant to the education of children who are admitted to mental health facilities. **Section 9** of this regulation requires a psychiatric hospital that has requested or intends to request reimbursement from the Department for educational services provided to a child who is in the custody of an agency which provides child welfare services to: (1) begin consulting to develop the plan for the continued education of the child not later than 3 school days after the admission of the child to the psychiatric hospital; and (2) include certain items in the plan.

Before a child who is in the custody of an agency which provides child welfare services is admitted by a court to a facility which provides residential treatment for mental illness, existing law requires the public or private school or school district in which the child was enrolled or which was providing services to the child when the child was admitted to perform certain duties, including convening a meeting to consider the appropriateness of the placement.

(NRS 432B.60847) **Section 10** of this regulation requires the inclusion of certain persons at such a meeting regarding a child who is a pupil with a disability and authorizes the inclusion of certain additional persons at such a meeting. **Section 10** requires the persons who attend such a meeting to provide guidance to the agency which provides child welfare services and the court concerning the placement of the child. When providing such guidance, **section 10** requires those persons to consider: (1) certain factors relating to the ability of the facility to provide an appropriate education for the child; and (2) any measures necessary to facilitate the return of the child to that school or transition to another school or other appropriate educational setting following discharge from the facility. **Section 11** of this regulation recommends the inclusion of similar persons, the provision of similar guidance and the consideration of similar factors and measures at such a meeting regarding a child who is not a pupil with a disability.

While a child who is in the custody of an agency which provides child welfare services is admitted to a facility which provides residential treatment for mental illness, existing law requires the public or private school or school district in which the child was enrolled or which was providing services to the child when he or she was admitted to monitor the child's progress. (NRS 432B.60847) **Section 10** requires such a school or school district to: (1) establish certain measures to facilitate such monitoring and ensure that the child receives educational services that meet the requirements of applicable law; and (2) revise the individualized education program of the child if necessary.

If a child who is in the custody of an agency which provides child welfare services is admitted to a facility which provides residential treatment for mental illness, existing law requires the public or private school or school district in which the child was enrolled or which was providing services to the child when the child was admitted to the facility to participate in discharge planning for transitioning the child into a school or any other educational setting. (NRS 432B.60847) **Section 12** of this regulation requires such a school or school district to prepare a written discharge plan for the continued education of the child and provide the written discharge plan to certain persons.

Section 1. Chapter 388 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 12, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 12, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 8, inclusive, of this regulation have the meanings ascribed to them in those sections.*

Sec. 3. *“Agency which provides child welfare services” has the meaning ascribed to it in NRS 432B.030.*

Sec. 4. *“Fictive kin” has the meaning ascribed to it in NRS 432B.0657.*

Sec. 5. *“Foster home” has the meaning ascribed to it in NRS 424.014.*

Sec. 6. *“Integrated student support” has the meaning ascribed to it in NRS 388.885.*

Sec. 7. *“Parent” has the meaning ascribed to it in NRS 432B.080.*

Sec. 8. *“Relative” has the meaning ascribed to it in NRS 432B.6213.*

Sec. 9. *A psychiatric hospital that has requested or intends to request reimbursement from the Department pursuant to NRS 387.1225, as amended by section 4.7 of Senate Bill No. 81, chapter 491, Statutes of Nevada 2025, at page 3208, for the cost of providing educational services to a child described in subsection 1 of NRS 432B.60847 must:*

1. Begin the consultation required by subsection 1 of NRS 432B.60847 not later than 3 school days after the child is admitted to the psychiatric hospital; and

2. Include in the plan for the continued education of the child developed pursuant to subsection 1 of NRS 432B.60847:

(a) An assessment of the credits that the child is anticipated to earn during the current semester; and

(b) Steps to ensure that the child receives credit for work that the child completes while admitted to the psychiatric hospital.

Sec. 10. *1. An individualized education program meeting convened pursuant to paragraph (a) of subsection 3 of NRS 432B.60847:*

(a) Must include each member of the individualized education program team, as defined in 20 U.S.C. § 1414(d)(1)(B), established for the child, including, without limitation, each member of the individualized education program team who is an employee of a school or school district; and

(b) May additionally include, to the extent allowed under federal law:

(1) The child;

- (2) A parent of the child;*
 - (3) A person who conducts a foster home in which the child was residing immediately before the child was admitted to a facility which provides residential treatment for mental illness;*
 - (4) The caseworker of the agency which provides child welfare services who has been assigned to the child;*
 - (5) The attorney appointed pursuant to NRS 432B.420, as amended by section 30 of Assembly Bill No. 344, chapter 328, Statutes of Nevada 2025, at page 2182, to represent the child;*
 - (6) The single point of contact designated by the relevant local education agency pursuant to NRS 388E.135;*
 - (7) A fictive kin of the child;*
 - (8) A relative of the child; or*
 - (9) Any additional persons invited by the educational decision maker appointed for the child pursuant to NRS 432B.462.*
- 2. The persons described in subsection 1 shall provide guidance to the agency which provides child welfare services and the court concerning the appropriateness of a residential placement under federal law as it relates to the educational needs of the child.*
- 3. When providing guidance pursuant to subsection 2, the persons described in subsection 1 shall consider the ability of the facility which provides residential treatment for mental illness to:*
- (a) Comply with the individualized education program or services plan established for the child;*

(b) Comply with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., and any regulations adopted pursuant thereto;

(c) Comply with NRS 388.417 to 388.5243, inclusive, and any regulations adopted pursuant thereto; and

(d) Provide or ensure access to any integrated student supports that the child needs.

4. At an individualized education program meeting convened pursuant to paragraph (a) of subsection 3 of NRS 432B.60847, the public or private school or school district described in that subsection shall:

(a) Establish the measures that will be taken to:

(1) Ensure that the child receives educational services that meet the requirements of state and federal law while the child is admitted to the facility which provides residential treatment for mental illness; and

(2) Monitor the academic progress of the child while the child is admitted to the facility which provides residential treatment for mental illness, as required by paragraph (c) of subsection 3 of NRS 432B.60847, in a manner that satisfies the requirements of 34 C.F.R. §§ 300.111 or 300.131, as applicable; and

(b) Revise the individualized education program of the child if necessary.

5. When performing the duties required by subsection 3 of NRS 432B.60847, a public or private school and any other persons involved in the performance of those duties shall consider any measures necessary to facilitate the return of the child to the school or the transition of the child to another school or other appropriate educational setting upon discharge from the facility which provides residential treatment for mental illness.

6. In monitoring the progress of a child pursuant to paragraph (c) of subsection 3 of NRS 432B.60847, a public or private school or school district described in subsection 3 of NRS 432B.60847 shall:

(a) Ensure that the monitoring is conducted in a manner that satisfies the requirements of 34 C.F.R. §§ 300.111 or 300.131, as applicable;

(b) Monitor the progress of the child on the individualized education program or services plan established for the child; and

(c) Monitor the credits earned by the child and the number of those credits accepted by the relevant local education agency.

Sec. 11. 1. *In addition to the persons described in paragraph (b) of subsection 3 of NRS 432B.60847, a meeting to consider the appropriateness of the residential placement of a child who is not a pupil with a disability must include the educational decision maker appointed for the child pursuant to NRS 432B.462, as required by that section. The meeting may additionally include, without limitation:*

(a) The child;

(b) A parent of the child;

(c) A person who conducts a foster home in which the child was residing immediately before the child was admitted to a facility which provides residential treatment for mental illness;

(d) The caseworker of the agency which provides child welfare services who has been assigned to the child;

(e) The attorney appointed pursuant to NRS 432B.420, as amended by section 30 of Assembly Bill No. 344, chapter 328, Statutes of Nevada 2025, at page 2182, to represent the child;

(f) The single point of contact designated by the relevant local education agency pursuant to NRS 388E.135;

(g) A fictive kin of the child;

(h) A relative of the child; and

(i) Any additional persons invited by the educational decision maker appointed for the child pursuant to NRS 432B.462.

2. The persons described in subsection 1 may provide guidance to the agency which provides child welfare services and the court concerning the appropriateness of a residential placement. In doing so, such persons may consider the ability of the facility which provides residential treatment for mental illness to:

(a) Provide for the educational needs of the child, including, without limitation, access to any integrated student supports that the child needs; and

(b) Prevent any violation of the educational rights of the child under federal and state law.

3. When performing the duties required by subsection 3 of NRS 432B.60847 with respect to a child who is not a pupil with a disability, a public or private school and any other persons involved in the performance of those duties may consider any measures necessary to facilitate the return of the child to the school or the transition of the child to another school or other appropriate educational setting upon discharge from the facility which provides residential treatment for mental illness. Such measures may include, without limitation, monitoring:

(a) The progress of the child; and

(b) The credits earned by the child and the number of those credits accepted by the relevant local education agency.

Sec. 12. *Before a child is discharged from a facility which provides residential treatment for mental illness, the public or private school or school district described in subsection 3 of NRS 432B.60847 shall:*

1. Prepare a written discharge plan for the continued education of the child after the child is discharged. The written discharge plan must include, without limitation:

(a) A safety plan, if recommended by the facility or otherwise deemed appropriate by the school or school district;

(b) The academic schedule of the child, which must be appropriate for the child based on the educational goals and needs of the child;

(c) A statement of whether, upon discharge, the child will need to be evaluated or reevaluated to determine whether the child is or remains a pupil with a disability;

(d) Recommendations regarding the creation or revision of an individualized education program or other accommodation under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794;

(e) A plan to support the continuity of services for the child under 34 C.F.R. §§ 300.111 or 300.131, as applicable;

(f) Recommendations from the facility regarding academic supports for the child;

(g) If applicable, plans for follow-up meetings with any clinicians who are providing or have provided services to the child;

(h) If applicable, plans for communicating with the school nurse concerning the needs of the child for medication;

(i) Procedures for transferring credit for work completed while the child was admitted to the facility; and

(j) If necessary, a plan for the child to earn credits necessary for graduation that the child was unable to earn while he or she was admitted to the facility.

2. Provide a copy of the written discharge plan prepared pursuant to subsection 1 to:

(a) The educational decision maker appointed for the child pursuant to NRS 432B.462;

(b) The caseworker of the agency which provides child welfare services who has been assigned to the child;

(c) The attorney appointed pursuant to NRS 432B.420, as amended by section 30 of Assembly Bill No. 344, chapter 328, Statutes of Nevada 2025, at page 2182, to represent the child; and

(d) The single point of contact designated by the relevant local education agency pursuant to NRS 388E.135.