

Steve Sisolak
Governor

Jhone M. Ebert
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STATE OF NEVADA
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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 **Thursday, September 30, 2021** via [Lifesize](#) 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:

9:05 A.M. Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 387.190, NAC 390.470, NAC 390.480, and NAC 390.500 which pertain to requirements and opportunities to enroll and earn an Adult High School Diploma, as required by Assembly Bill 215 (2021).

A copy of all materials relating to the proposal may be obtained at the workshop, on the Nevada Department of Education Regulation Workshops and Public Hearings [Meeting Materials](#) page, by contacting Amelia Thibault, Interim Board Secretary, Nevada Department of Education via email at NVBoardEd@doe.nv.gov, by telephone at 775-687-9217 or in person at the Nevada Department of Education, 700 E. 5th St, Carson City, Nevada. Persons wishing to comment upon the proposed action of the Department 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, 700 E. 5th St, Carson City, 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 September 29, 2021.

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 and/or mailed to members of the public upon request.

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SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608

DATE: September 30, 2021

RE: Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 387.190, NAC 390.470, NAC 390.480, and NAC 390.500 which pertain to requirements and opportunities to enroll and earn an Adult High School Diploma, as required by Assembly Bill 215 (2021).

I, Jhone M. Ebert, being the duly appointed Superintendent of Public Instruction of the Nevada Department of Education, do hereby certify, to the best of my knowledge or belief:

1. The proposed regulation regarding the Adult High School Diploma is not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business.
2. A concerted effort was made to determine any economic burden.
3. All relevant materials were reviewed, and the Department considered its history with implementing similar regulations; the proposed changes are within the scope of the Department's activities and present no significant cost of enforcement.
4. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or adverse economic impact can be assessed.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jhone M. Ebert".

Jhone M. Ebert
Superintendent of Public Instruction

NAC 387.190 Adult high school program. ([NRS 385.080](#))

1. A person who:

(a) Is at least 18 years of age or who meets the requirements for participation in a program of education for incarcerated persons established pursuant to [NAC 388H.040](#); or,

(b) Is 17 years of age and has attended 4 years of high school without graduating with his or her class;

~~(b)~~ (c) Has not received his or her high school diploma; and

~~(e)~~ (d) Is not currently enrolled in a high school,

↪ may be enrolled as a pupil in an adult high school program designed to enable him or her to obtain a diploma.

2. A person who is at least 16 years of age but less than 18 years of age and who participates in an alternative program for the education of pupils at risk of dropping out of school pursuant to [NRS 388.537](#) may enroll in an adult high school program with the approval of the board of trustees of the school district in which the pupil is enrolled only for the purpose of preparing to take a high school equivalency assessment.

3. Before commencing an adult high school program, a school district must apply to the Department for permission to conduct the program. The application must be made on a form provided by the Department and include the:

(a) Name of the course to be taught; and

(b) Proposed beginning and ending dates for each class.

4. The Superintendent of Public Instruction shall review each application to operate an adult high school program submitted to the Department and approve or deny the application. If the application is denied by the Superintendent, the school district may appeal the decision of the Superintendent to the State Board of Education. The State Board may approve or deny the application for an adult high school program upon appeal.

5. An application that has been approved by the Superintendent of Public Instruction or the State Board of Education pursuant to subsection 4 remains in effect for 5 years after the date of approval. The board of trustees of a school district shall update its plan to operate an adult high school program at least once annually if a substantive change is made to the plan.

6. A class that is part of an approved program may begin or end at any time during the school year.

7. A school district that offers an adult high school program shall offer a sufficient number of required and elective courses for a pupil enrolled in the program to obtain

the credits necessary to receive an adult standard diploma. Such required and elective courses must include the content identified in the school district's approved curriculum.

[Dep't of Education, Pupil Accounting Reg., eff. 12-15-77] — (NAC A by Bd. of Education, 9-6-83; 6-23-86; R033-99, 11-3-99; R029-01, 11-1-2001; R134-07, 6-17-2008; R067-14, 10-24-2014)

NAC 390.470 Requirements for adult standard diploma. ([NRS 385.080](#), [385.114](#), [390.600](#))

1. A school district may award an adult standard diploma to a person who:

(a) Withdrew from high school before the person's graduation and was not eligible to graduate with his or her class, or participated in an alternative program for the education of pupils at risk of dropping out of school established by a school district pursuant to [NRS 388.537](#);

(b) Has passed all required end-of-course examinations;

(c) Has earned, in high school, in an adult high school program or in an alternative program for the education of pupils at risk of dropping out of school established by a school district pursuant to [NRS 388.537](#), or waived, the units of credit required in subsection 2; and

(d) Is 18 years of age or older at the time of the award or is 17 years of age but less than 18 years of age *and has attended 4 years of high school without graduating with his or her class, or* ~~and~~ participates in an alternative program for the education of pupils at risk of dropping out of school pursuant to [NRS 388.537](#).

2. Except as otherwise provided in subsection 3, the units of credit which a person must have earned or waived to be qualified to receive an adult standard diploma are a total of 13 units for required courses and a total of 7 1/2 units for elective courses. The person must have earned or waived his or her units for the required courses in accordance with the following table:

Required Course	Minimum Number of Units
American government.....	1
American history.....	1
Arts and humanities, Junior Reserve Officers' Training Corps (Level III or Level IV) or career and technical education.....	1
English.....	4
Health education.....	1/2
Mathematics.....	3
Science.....	2
Use of computers.....	1/2
TOTAL:	13

3. If a person demonstrates a competency in the use of computers, the person is not required to complete the course in the use of computers and must earn or waive a total of 12 1/2 units in required courses.

(Added to NAC by Bd. of Education, 12-16-82, eff. 7-1-83; A 5-4-87; 3-9-88, eff. 7-1-92; R067-97, 12-10-97; R037-99, 11-3-99, eff. 7-1-2000; R029-01, 11-1-2001, eff. 7-1-2002; R061-02, 9-6-2002; A by Bd. for Career & Tech. Educ. by R172-05, 2-23-2006; A by Bd. of Education by R134-07, 6-17-2008; R082-14, 10-24-2014; R061-14, 12-22-2014) — (Substituted in revision for NAC 389.688)

NAC 390.480 Credit received through adult high school program applicable toward adult standard diploma. ([NRS 385.080](#), [385.114](#))

1. Units of credit earned by a person through an adult high school program may be applied toward meeting the requirements for an adult standard diploma only if the course in which the units were earned was:

- (a) Taught in a school district of this State; or
- (b) Equivalent to a regular course offered in the high school where the diploma will be issued, and the course is approved by the principal of the high school for that purpose.

2. As used in this section, “adult high school program” means instruction or training provided at or below the level of a secondary school for persons who:

- (a) Are at least 18 years of age and who have not completed high school.
- (b) Are 17 years of age but less than 18 years of age *and have attended 4 years of high school without graduating with his or her class, or* ~~and participate~~ *participates* in an alternative program for the education of pupils at risk of dropping out of school pursuant to [NRS 388.537](#).

- (c) Are 16 years of age and authorized to attend an adult high school program pursuant to [NAC 390.510](#).

(Added to NAC by Bd. of Education, eff. 12-16-82; A by R067-97, 12-10-97; R029-01, 11-1-2001; R134-07, 6-17-2008) — (Substituted in revision for NAC 389.690)

NAC 390.500 Waiver of credits for adult standard diploma; scores required on high school equivalency assessment for waiver. ([NRS 385.080](#), [390.055](#))

1. Except as otherwise provided in this section, a person who is 18 years of age or older and who seeks an adult standard diploma may waive units of credit for language arts, mathematics, science and social studies by taking a high school equivalency assessment in those subjects. A person who seeks an adult standard diploma who is at least 17 years of age but less than 18 years of age *and has attended 4 years of high school without graduating with his or her class, or* ~~and~~ who is enrolled in an alternative program for the education of pupils at risk of dropping out of school established by a

school district pursuant to [NRS 388.537](#) may waive units of credit pursuant to this section.

2. The maximum number of credits which may be waived in the areas of language arts, mathematics and science must be based on the number of credits previously earned which meet the minimum requirements for course content outlined in [NAC 389.450](#) to [389.511](#), inclusive, and the credits waived upon the completion of a high school equivalency assessment selected pursuant to [NRS 390.055](#).

3. Credits in elective courses may be waived only in the area of social studies. The maximum number of credits which may be waived in the area of social studies must be based on a high school equivalency assessment selected pursuant to [NRS 390.055](#).

4. The following tables set forth the scores which a person must achieve on a high school equivalency assessment to waive credits in required and elective courses and the corresponding number of units which may be waived:

General Educational Development Test (2002 Series)

Subject	Designation of Test	Maximum Number of Units	
		For Score of 450 to 499.9	For Score of 500 or higher
English	I and IV (average)	2	4
Mathematics	V	1	3
Science	III	1	2
Social Studies	II	1	2

General Educational Development Test (2014 Series)

Subject	Designation of Test	Maximum Number of Units	
		For Score of 145 to 157	For Score of 158 or higher
Language Arts	I	2	4
Mathematics	II	1	3
Science	III	1	2
Social Studies	IV	1	2

HiSET Exam (2014 Series)

Subject	Designation of Test	Maximum Number of Units	
		For Score of 10 or 11	For Score of 12 or higher
Language Arts	I and V (average)	2	4
Mathematics	II	1	3
Science	III	1	2
Social Studies	IV	1	2

Test Assessing Secondary Completion (2014 Series)

Subject	Designation of Test	Maximum Number of Units	
		For Score of 500 to 529	For Score of 530 or higher
Language Arts	I and V (average)	2	4
Mathematics	II	1	3
Science	III	1	2
Social Studies	IV	1	2

(Added to NAC by Bd. of Education, eff. 12-16-82; A 5-4-87; 3-9-88; R067-97, 12-10-97; R029-01, 11-1-2001; R194-01, 4-1-2002; R194-01, 4-1-2002, eff. 7-1-2002; R134-07, 6-17-2008; R155-13, 6-23-2014; R050-16, 6-28-2016) — (Substituted in revision for NAC 389.694)