

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

LCB File No. R036-15

Effective October 27, 2015

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

AUTHORITY: §§1-4, NRS 385.080 and 389.805.

A REGULATION relating to education; revising provisions relating to end-of-course examinations; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires a pupil to pass at least four end-of-course examinations in courses of study prescribed by the State Board of Education as a condition to receiving a high school diploma. (NRS 389.805) Existing regulations prescribe the end-of-course examinations for pupils scheduled to graduate at the end of the 2016-2017 school year and thereafter. (Sections 10 and 52 of LCB File No. R061-14) **Section 1** of this regulation removes the requirement that a pupil in the graduating cohort of 2019 pass one comprehensive end-of-course examination in English Language Arts in order to receive a standard high school diploma and instead requires such a pupil to pass end-of-course examinations in English Language Arts I and II. **Section 1** also removes the requirement that, in order to receive a standard high school diploma, such a pupil must pass end-of-course examinations in science and any additional subject area for which the State Board has adopted the common core standards and instead makes those end-of-course examinations a requirement for a pupil in the graduating cohort of 2020 or any year thereafter.

Existing regulations provide that a pupil who has enrolled in or has completed each course for which an end-of-course examination is approved is eligible to take the examination after entering grade 7. (Section 12 of LCB File No. R061-14) **Section 2** of this regulation revises this requirement to provide that such a pupil is eligible to take an end-of-course examination after entering grade 6.

Section 1. Section 10 of LCB File No. R061-14 is hereby amended to read as follows:

Sec. 10. 1. A pupil in the graduating cohort of 2017 or 2018 must not be given a standard high school diploma until the pupil has passed:

(a) The Nevada End-Of-Course Examination in Mathematics I;

- (b) The Nevada End-Of-Course Examination in Mathematics II;
- (c) The Nevada End-Of-Course Examination in English Language Arts I; and
- (d) The Nevada End-Of-Course Examination in English Language Arts II.

2. For the purposes of subsection 1, a pupil shall be deemed to have passed an end-of-course examination if the pupil obtains at least the passing score published for the examination by the Department or:

- (a) Passes the course with which the examination is aligned, in accordance with any established grading policy of the school district or charter school, as applicable; and
- (b) Takes and makes a reasonable attempt to complete the examination.

3. A pupil in the graduating cohort of 2019 ~~for any year thereafter~~ must not be given a standard high school diploma until the pupil has passed:

- (a) The Nevada End-Of-Course Examination in Mathematics I;
- (b) The Nevada End-Of-Course Examination in Mathematics II;
- (c) The Nevada End-Of-Course Examination in English Language Arts ~~I~~ **I; and**
- (d) The Nevada End-Of-Course Examination in English Language Arts II.**

4. A pupil in the graduating cohort of 2020 or any year thereafter must not be given a standard high school diploma until the pupil has passed:

- (a) The Nevada End-Of-Course Examination in Mathematics I;**
- (b) The Nevada End-of-Course Examination in Mathematics II;**
- (c) The Nevada End-Of-Course Examination in English Language Arts;**
- (d) The Nevada End-Of-Course Examination in Science; and
- (e) ~~The~~ **Any other** end-of-course examination ~~in each additional subject area for which~~ **required by** the State Board ~~has adopted the common core standards.~~

~~—4.1~~ *which is applicable to a graduating cohort.*

5. Each edition of an end-of-course examination must be based upon the standards of content and performance established for the applicable course of study pursuant to NRS 389.520.

Sec. 2. Section 12 of LCB File No. R061-14 is hereby amended to read as follows:

Sec. 12. After entering grade ~~4.1~~ 6, a pupil who is enrolled in or has completed each course for which an end-of-course examination is approved pursuant to section 11 of this regulation is eligible to take the examination.

Sec. 3. Section 55 of LCB File No. R061-14 is hereby amended to read as follows:

Sec. 55. 1. This section and sections 1, 3, 4, 6 to 18, inclusive, 20, 22, 24, 27, 29, 31, 33, 36, 38 to 41, inclusive, 43, 44, 46, 48 and 50 and subsection 1 of section 54 of this regulation become effective on December 22, 2014.

2. Section 53 of this regulation becomes effective on January 1, 2015.

3. Sections 2, 5, 19, 21, 23, 25, 26, 28, 30, 32, 34, 35, 37, 42, 45, 47, 49 ~~4.1~~ and 51 ~~{and 52}~~ and subsection 2 of section 54 of this regulation become effective on the date on which the high school proficiency examination is no longer administered pursuant to sections 44 and 44.3 of Assembly Bill No. 288, chapter 506, Statutes of Nevada 2013, at page 3296.

Sec. 4. Section 52 of LCB File No. R061-14 is hereby repealed.

TEXT OF REPEALED SECTION

Sec. 52. Section 10 of LCB File No. R061-14 is hereby amended to read as follows:

- Sec. 10. 1. ~~[A pupil in the graduating cohort of 2017 or 2018 must not be given a standard high school diploma until the pupil has passed:~~
- ~~—(a) The Nevada End-Of-Course Examination in Mathematics I;~~
 - ~~—(b) The Nevada End-Of-Course Examination in Mathematics II;~~
 - ~~—(c) The Nevada End-Of-Course Examination in English Language Arts I; and~~
 - ~~—(d) The Nevada End-Of-Course Examination in English Language Arts II.~~
- ~~—2. For the purposes of subsection 1, a pupil shall be deemed to have passed an end-of-course examination if the pupil obtains at least the passing score published for the examination by the Department or:~~
- ~~—(a) Passes the course with which the examination is aligned, in accordance with any established grading policy of the school district or charter school, as applicable; and~~
 - ~~—(b) Takes and makes a reasonable attempt to complete the examination.~~
- ~~—3.]~~ A pupil ~~[in the graduating cohort of 2019 or any year thereafter]~~ must not be given a standard high school diploma until the pupil has passed:
- (a) The Nevada End-Of-Course Examination in Mathematics I;
 - (b) The Nevada End-Of-Course Examination in Mathematics II;
 - (c) The Nevada End-Of-Course Examination in English Language Arts;

(d) The Nevada End-Of-Course Examination in Science; and

(e) The end-of-course examination in each additional subject area for which the State

Board has adopted the common core standards.

~~4.1~~ 2. Each edition of an end-of-course examination must be based upon the standards of content and performance established for the applicable course of study pursuant to NRS 389.520.

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS—NRS 233B.066

Informational Statement

LCB File No: proposed changes R036-15, NAC 389

- 1. A clear and concise explanation of the need for the adopted regulation:** The need and purpose of the proposed amendment to regulation is to align the End of Course graduation requirement with the timeline for implementation of the Nevada Academic Content Standards in Science and align the End of Course graduation requirement with action by the State Board of Education.

- 2. 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.**

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of Proposed Amendments was filed at the following locations on September 4, 2015. The offices of the Nevada Department of Education in Carson City and Las Vegas, at the 17 Nevada School District Superintendent's Offices, the 17 county main public libraries, the Nevada State Library and Archives, the Department of Education website and the Legislative Council Bureau website.

A summary may be obtained by contacting Karen Johansen, Administrative Assistant, Nevada Department of Education, 775-687-9225 or by writing to the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

- 3. The number of persons who:**
 - (a) Attended each hearing: 42**
 - (b) Testified at each hearing; 0**
 - (c) Submitted written comments: none**
- 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: None**
 - (a) Name:**
 - (b) Telephone number;**
 - (c) Business Address;**
 - (d) Business telephone number;**
 - (e) Electronic mail address;**
 - (f) Name of entity or organization represented**

- 5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of Proposed Amendments was filed at the following locations on September 4, 2015: The offices of the Nevada Department of Education in Carson City and Las Vegas, at the 17 Nevada School District Superintendent's Offices, the 17 county main public libraries, the Nevada State Library and Archives, the Department of Education website and the Legislative Council Bureau website.

A summary may be obtained by contacting Karen Johansen, Administrative Assistant, Nevada Department of Education, 775-687-9225 or by writing to the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

- 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.** Because there was no testimony.
- 7. The estimated economic effect of the regulation on the business which it is to regulate and on the public:**
 - (a) Estimated economic effect on the businesses which they are to regulate**
None.
 - (b) Estimated economic effect on the public which they are to regulate**
None
- 8. The estimated cost to the agency for enforcement of the proposed regulation:** None
- 9. A description of any regulations of other State of governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.** None.
- 10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.** None.
- 11. Of the regulation provides a new fee or increases an existing fee, the total annual amount of the agency expects to collect and the manner in which the money will be used.** None.