

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

LCB File No. R196-24

July 29, 2025

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

AUTHORITY: §§ 1-3, NRS 385.080 and 388.159; § 4, NRS 385.080 and 388.157, as amended by section 15.6 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3395.

A REGULATION relating to education; repealing provisions approving certain assessments for use in assessing the proficiency in reading of pupils enrolled in an elementary school; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the State Board of Education to adopt regulations as necessary for the execution of its powers and duties. (NRS 385.080) Before the enactment of Senate Bill No. 460 (S.B. 460) of the 2025 Legislative Session, existing law required the board of trustees of a school district and the governing body of a charter school to prepare a plan to improve the literacy of pupils enrolled in an elementary school, and, in relevant part, required that the plan include procedures to assess the proficiency of a pupil in reading by using assessments approved by the State Board. (NRS 388.157, as that section existed before July 1, 2025) Existing regulations set forth the assessments approved by the State Board for this purpose. (NAC 388.660)

S.B. 460 removed the requirement that such assessments be approved by the State Board, thereby authorizing the board of trustees of a school district or the governing body of a charter school, as applicable, to include in the plan any valid and reliable standards-based assessment to assess proficiency in reading. Additionally, S.B. 460 authorizes the Department of Education to prescribe the assessment which must be used in a school district or charter school if an assessment was not included in the plan. (NRS 388.157, as amended by section 15.6 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3395)

Section 4 of this regulation repeals the provisions concerning the assessments approved by the State Board. **Sections 1-3** of this regulation make conforming changes to reflect the repeal of the provisions in **section 4**.

Section 1. NAC 388.662 is hereby amended to read as follows:

388.662 A literacy specialist shall complete training or professional development concerning:

1. The standards of content and performance for English language arts for all grades at an elementary school;
2. The current Nevada State Literacy Plan, in the form most recently published by the Department, which may be obtained free of charge on the Internet website maintained by the Department, and the plan prepared by the board of trustees of the school district or the governing body of the charter school where the literacy specialist is employed to improve the literacy of pupils as required by NRS 388.157 ~~§~~, *as amended by section 15.6 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3395;*
3. Evidence-based instructional resources and methods for instruction and intervention in literacy, including, without limitation, the instruction and intervention required by NRS 392.750 to 392.770, inclusive;
4. Methods for screening for and intervention concerning dyslexia and other reading disabilities, including, without limitation, the screening and intervention described in NRS 388.439, 388.441 and 388.443, the minimum standards prescribed by the State Board for the special education of pupils with dyslexia pursuant to NRS 388.419 and the Dyslexia Resource Guide published by the Department pursuant to NRS 388.447;
5. Using the assessments ~~approved by the State Board in NAC 388.660;~~ *administered pursuant to NRS 388.157, as amended by section 15.6 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3395;*
6. Methods for using diagnostic and progress monitoring assessments;
7. Guiding teachers in data analysis and data-based decision making to inform instruction;

8. National standards for coaching teachers in literacy instruction, including, without limitation, methods for effectively delivering and receiving feedback; and

9. Evidence-based instructional resources and methods for instruction and intervention in literacy for pupils who are English learners.

Sec. 2. NAC 388.664 is hereby amended to read as follows:

388.664 A teacher who is employed by a school district or charter school to teach elementary school pupils shall complete professional development provided by a literacy specialist concerning:

1. The standards of content and performance for English language arts for all grades at an elementary school;

2. The current Nevada State Literacy Plan, in the form most recently published by the Department, which may be obtained free of charge on the Internet website maintained by the Department, and the plan prepared by the board of trustees of the school district or the governing body of the charter school where the teacher is employed to improve the literacy of pupils as required by NRS 388.157 ~~HB~~, *as amended by section 15.6 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3395;*

3. Evidence-based instructional resources and methods for instruction and intervention in literacy, including, without limitation, the instruction and intervention required by NRS 392.750 to 392.770, inclusive;

4. Methods for screening for and intervention concerning dyslexia and other reading disabilities, including, without limitation, the screening and intervention described in NRS 388.439, 388.441 and 388.443, the minimum standards prescribed by the State Board for the

special education of pupils with dyslexia pursuant to NRS 388.419 and the Dyslexia Resource Guide published by the Department pursuant to NRS 388.447;

5. Using the assessments ~~[approved by the State Board in NAC 388.660;]~~ *administered pursuant to NRS 388.157, as amended by section 15.6 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3395;*

6. Methods for using diagnostic and progress-monitoring assessments;

7. Application of data analysis and data-based decision-making strategies to inform instruction;

8. Collaborative practices that focus on pupil learning by effectively participating in professional learning or coaching; and

9. Evidence-based instructional resources and methods for instruction and intervention in literacy for pupils who are English learners.

Sec. 3. NAC 388.666 is hereby amended to read as follows:

388.666 A literacy specialist shall:

1. Demonstrate leadership in instruction, intervention, assessment, professional learning and family engagement relating to literacy as outlined in a plan to improve the literacy of pupils as required by NRS 388.157 ~~[H]~~, *as amended by section 15.6 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3395;*

2. Assist teachers at the school where the literacy specialist is employed by implementing a system of support which includes, without limitation, various methods to provide literacy instruction, intervention services and intensive instruction for pupils who have been identified as deficient in the subject area of reading, including, without limitation, pupils who are reading below grade-level expectations;

3. Support teachers in establishing plans to monitor the growth and increase the proficiency of pupils in reading by regularly assessing the growth of pupils in any area of deficiency in reading, including, without limitation, reading below grade-level expectations;
4. Collaborate with the principal of the elementary school where the literacy specialist is employed to develop a schedule of the professional development prescribed by NAC 388.664 for teachers and assist in providing such professional development;
5. Provide any necessary additional instruction to teachers and administrators concerning the assessments ~~approved in NAC 388.660;~~ *administered pursuant to NRS 388.157, as amended by section 15.6 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3395;*
6. Provide instruction and support for the parents and guardians of pupils who have been identified as deficient in the subject area of reading, including, without limitation, pupils who are reading below grade-level expectations; and
7. Assist teachers and administrators in analyzing pupil data and the effectiveness of intervention services and intensive instruction to make strategic and ongoing instructional decisions.

Sec. 4. NAC 388.660 is hereby repealed.

TEXT OF REPEALED SECTION

388.660 **Approved assessments for assessing pupil's proficiency in subject area of reading. (NRS 385.080, 388.157)** For the 2017-2018 school year and each school year thereafter, the State Board hereby approves the following as assessments for assessing a pupil's proficiency in the subject area of reading:

1. The Brigance Early Childhood Screen III: K & 1 published by Curriculum Associates;
and
2. The Measures of Academic Progress (MAP) assessment published by the Northwest Evaluation Association.