

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

LCB File No. R083-25

January 6, 2025

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

AUTHORITY: § 1, NRS 387.652, as amended by section 13.5 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3386, and NRS 387.656.

A REGULATION relating to education; interpreting of the term “vulnerable and historically underserved populations” for the purpose of determining whether certain entities providing prekindergarten programs are eligible for grants awarded by the Department of Education to support prekindergarten education programs; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law creates the Early Childhood Literacy and Readiness Account and authorizes the Department of Education to award grants to school districts, sponsors of charter schools, institutions within the Nevada System of Higher Education and nonprofit organizations to support early childhood literacy and readiness programs. (NRS 387.1273 and 387.1275, as amended by section 13 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3385) Existing law additionally requires the Department, to the extent money is available, to award grants to school districts, sponsors of charter schools, institutions within the Nevada System of Higher Education or nonprofit organizations to support prekindergarten programs. Under existing law, among other requirements, a prekindergarten program supported by such a grant is required to serve, to the extent practicable to ensure that prekindergarten program serves as many children as possible, children: (1) whose household has a household income of not more than 250 percent of federal poverty level; (2) who have an individualized educational program; (3) whose primary language is not English; or (4) who are members of vulnerable and historically underserved populations. (NRS 387.652, as amended by section 13.5 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, page 3386)

This regulation defines “vulnerable and historically underserved populations” for the purposes of awarding such grants for prekindergarten programs.

Section 1. Chapter 387 of NAC is hereby amended by adding thereto a new section to read as follows:

For the purposes of awarding grants of money to school districts, sponsors of charter schools, institutions within the Nevada System of Higher Education and nonprofit organizations to support prekindergarten programs pursuant to NRS 387.652, as amended by section 13.5 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3386, the Department interprets the term “vulnerable and historically underserved populations” to mean any of the following populations:

- 1. Children living in a geographic area designated by the United States Department of Agriculture as rural, designated by the United States Department of Agriculture as a frontier and remote area or located on qualified tribal land as defined in NRS 387.3289;*
- 2. Children residing in a foster home;*
- 3. Children residing in a household with a relative or fictive kin, as defined in NRS 432B.0657, and in which no parent of the children reside;*
- 4. Children with an incarcerated parent or guardian;*
- 5. Homeless children and youths, as defined in the McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§ 11434a(2);*
- 6. Children residing in a zone of attendance, as defined in NRS 385B.045 in which are located only elementary schools rated one star or two stars under the statewide system of accountability for public schools, without consideration of unrated schools;*
- 7. Children in families with asylum or refugee status as designated by the United States Citizenship and Immigration Services of the Department of Homeland Security; or*
- 8. Children residing in a household with a parent or guardian who is raising a child or children without a spouse or partner to assist in the upbringing of the child.*