

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

**LCB FILE NO. T014-25A**

**The following document is an adopted temporary regulation submitted  
by the agency on 06/02/2025**

## Program for Persons With Disabilities With Unique Needs - NAC sections 388.460 - 388.488

NAC sections 388.460 through 388.488 must be repealed because they explicitly reference and were designed to implement NRS sections 395.30, 395.40, 395.50, and 395.60, which have since been repealed. Maintaining regulations that are directly tied to non-existent statutory authority creates confusion and lacks a legal basis for their continued enforcement. The outdated application process for out-of-district placement described in these NAC sections has also been replaced by the CASE process, as outlined in NRS 388.5223 - 388-5243 and its implementing regulations, NAC 388.319 and NAC 388.323. Therefore, to ensure regulatory accuracy, consistency with current law, and to avoid confusion, NAC sections 388.460 through 388.488 should be repealed.

### ~~[Program for Persons With Disabilities With Unique Needs~~

~~—NAC 388.460—Definitions. (NRS 385.080, 388.419)—As used in this chapter, unless the context otherwise requires:~~

~~—1.—“Person with a disability” means a person who has:~~

~~—(a)—A hearing impairment;~~

~~—(b)—A visual impairment;~~

~~—(c)—An orthopedic impairment;~~

~~—(d)—A health impairment;~~

~~—(e)—A speech and language impairment;~~

~~—(f)—An intellectual disability;~~

~~—(g)—An emotional disturbance;~~

~~—(h)—Multiple impairments;~~

~~—(i)—Learning disabilities;~~

~~—(j)—Traumatic brain injury;~~

~~—(k)—An autism spectrum disorder; or~~

~~—(l)—Developmental delays.~~

~~—2.—“Residential school” means an institution, a foster home or other facility which is located in or outside the county school district of a person with a disability and in which he or she receives room and board and special education for his or her particular disability.~~

~~—3.—“Special education program” has the meaning ascribed to it in NRS 388.5219.~~

~~—[Bd. of Education, Handicapped Persons § 2, eff. 2-12-81]— (NAC A 3-14-96; A by Bd. of Education by R017-18, 1-30-2019)— (Substituted in revision for NAC 395.010)~~

~~—**NAC 388.462—Psychological and educational evaluation of persons with disabilities.** (NRS 385.080)~~

~~—1.—A county school district shall conduct a comprehensive psychological and educational evaluation of each person with a disability whom it considers for placement outside the district pursuant to NRS 388.5211 to 388.5243, inclusive:~~

~~—2.—Such an evaluation must be conducted every 3 years or more frequently if conditions warrant or if requested by the person with a disability, his or her parents, parent, guardian or residential school:~~

~~—[Bd. of Education, Handicapped Persons § 3, eff. 2-12-81]— (NAC A 3-14-96)— (Substituted in revision for NAC 395.020)~~

~~—**NAC 388.464—Individualized educational programs: Preparation; purpose; review or revision.** (NRS 385.080)~~

~~—1.—The county school district shall prepare an individualized educational program for each person with a disability whom it considers for placement outside the district.~~

~~—2.—The individualized program aids in determining the person’s eligibility for benefits under NRS 388.5211 to 388.5243, inclusive, and in identifying an appropriate educational program for the person:~~

~~—3.—In any meeting for review or revision of the individualized program, the county school district shall provide for representation from the residential school concerning its special program of education:~~

~~—[Bd. of Education, Handicapped Persons § 4, eff. 2-12-81]— (NAC A 3-14-96)— (Substituted in revision for NAC 395.030)~~

~~—**NAC 388.466—Determination by administrative staff; application to board of trustees.** (NRS 385.080)—The administrative staff of a county school district shall determine whether an appropriate educational program is available within the district. If it is determined that there is not a program available, the staff shall verify that all~~

requirements for eligibility set forth in ~~NRS 388.5223~~ have been met and submit the application to the board of trustees of the district:

~~—[Bd. of Education, Handicapped Persons § 6, eff. 2-12-81]— (NAC A 2-1-85)—  
(Substituted in revision for NAC 395.040)~~

~~—NAC 388.468—Submission of documents by board of trustees to Superintendent of Public Instruction. (NRS 385.080)—The board of trustees of the county school district shall send the following documents to the Superintendent of Public Instruction:~~

~~—1.—The individualized educational program for the person with a disability:~~

~~—2.—Parental agreement to accept responsibility for the medical, dental and personal expenses of the person with a disability:~~

~~—3.—A signed authorization from the person with a disability, his or her parents, parent or guardian allowing the Department of Education to obtain and release confidential information about the person to other residential schools:~~

~~—4.—The comprehensive evaluation of the person with a disability provided by the school district:~~

~~—5.—A summary of the previous actions taken by the school district to provide an appropriate education for the person with a disability:~~

~~—[Bd. of Education, Handicapped Persons § 9, eff. 2-12-81]— (NAC A 3-14-96)—  
(Substituted in revision for NAC 395.060)~~

~~—NAC 388.470—Receipt of application; Superintendent of Public Instruction authorized to request further evaluation. (NRS 385.080)—After receiving the application and supporting documents, the Superintendent of Public Instruction may request that a further evaluation of the person with a disability be conducted at state expense:~~

~~—[Bd. of Education, Handicapped Persons § 10, eff. 2-12-81]— (NAC A 3-14-96)—  
(Substituted in revision for NAC 395.080)~~

~~—NAC 388.472—Confidentiality of records by Department of Education. (NRS 385.080)—The Department of Education will keep confidential all records of transactions pertaining to the person with a disability. All information which can be identified as related to the person with a disability will be treated in a secure and confidential manner:~~

~~—[Bd. of Education, Handicapped Persons § 16, eff. 2-12-81]— (NAC A 3-14-96)—  
(Substituted in revision for NAC 395.090)~~

~~—NAC 388.474—Rejection of application. (NRS 385.080)—If the Superintendent of Public Instruction does not approve an application, he or she shall return it to the board of trustees of the county school district for reevaluation.~~

~~—[Bd. of Education, Handicapped Persons § 11, eff. 2-12-81]—(Substituted in revision for NAC 395.100)~~

~~—NAC 388.476—Approval of application; selection of educational program. (NRS 385.080)—Upon approval of an application by the Superintendent of Public Instruction, the Department of Education will select an educational program based on the following criteria:~~

~~—1.—The person must be educated in the least restrictive environment which is appropriate for him or her.~~

~~—2.—The placement must be the least expensive to the State of those possible placements which are equally appropriate.~~

~~—[Bd. of Education, Handicapped Persons § 12, eff. 2-12-81]—(Substituted in revision for NAC 395.110)~~

~~—NAC 388.478—Procedure when appropriate educational program not readily available. (NRS 385.080)—If an appropriate educational program is not readily available for the person with a disability, the Superintendent of Public Instruction shall so notify the person, his or her parents, parent or guardian and the county school district. The Department of Education will search for an appropriate educational placement for the person until:~~

~~—1.—The person's placement is accomplished in an appropriate program;~~

~~—2.—The person's application is withdrawn by his or her parents, parent or guardian; or~~

~~—3.—The person is no longer eligible to receive benefits under NRS 388.5223 to 388.5243, inclusive.~~

~~—[Bd. of Education, Handicapped Persons § 13, eff. 2-12-81]—(NAC A 3-14-96)—(Substituted in revision for NAC 395.120)~~

~~—NAC 388.480—Transportation expenses. (NRS 385.080)—The Department of Education will provide, by reimbursement, for the expenses of transportation:~~

~~—1.—Of the person with a disability and his or her parents, parent or guardian for the initial trip to a residential school and their return trip home; and~~

~~—2.—Of the person with a disability and one parent or an escort for subsequent trips to and from the residential school at the beginning and ending of each school year and during holidays and recesses scheduled by the school which are of 2 days duration or longer.~~

~~—[Bd. of Education, Handicapped Persons § 14, eff. 2-12-81]—(NAC A 3-14-96)—  
(Substituted in revision for NAC 395.130)~~

~~—NAC 388.482—Annual assessment and report of progress; visit by staff member; license of residence or school required. (NRS 385.080)~~

~~—1.—Each county school district shall, at least annually, determine the progress of each person with a disability from the school district who has received placement pursuant to NRS 388.5223 to 388.5243, inclusive. The school district shall:~~

~~—(a)—Review, at least annually and in accordance with subsection 3 of NAC 388.464, the individualized educational program for the person;~~

~~—(b)—Examine the person's report cards and other reports of his or her progress; and~~

~~—(c)—Submit an annual report concerning the person's progress to the Department of Education.~~

~~—2.—Staff members of the Department or county school district shall, to review the educational program and placement of such persons with disabilities, conduct a visit at least annually to each place of residence or education in which a person with a disability from the district has been assigned for special education and shall submit to the Superintendent of Public Instruction a report of the visit. The Superintendent shall send a copy of the report to the school district of the person with a disability and to the person's parents, parent or guardian.~~

~~—3.—No person with a disability will be placed in a residence or school which does not maintain appropriate licenses from the state in which it is located.~~

~~—[Bd. of Education, Handicapped Persons § 17, eff. 2-12-81]—(NAC A 3-14-96)—  
(Substituted in revision for NAC 395.140)~~

~~—NAC 388.484—Proposal of school district to return person with disability to school district; federal money for proposal; restriction on use of money in subsequent years. (NRS 385.080)~~

~~—1.—Each school district shall submit a proposal to the Department of Education describing special education and related services designed to return a person with a disability to the school district and the cost of such services.~~

~~—2.—If federal money is sufficient to pay the cost of the proposal, the Superintendent of Public Instruction shall make the necessary arrangements for the school district to provide the services described in its proposal:~~

~~—3.—Unless authorized by law, federal money provided pursuant to subsection 2 must not be used to pay for special education and related services offered by the school district in subsequent years:~~

~~—(Added to NAC by Bd. of Education, eff. 3-14-96) — (Substituted in revision for NAC 395.145)~~

~~—NAC 388.486—Change of address, telephone number or marital status. (NRS 385.080)—Each such parent or guardian shall immediately notify the county school district and the Department of Education of any change in his or her address, telephone number or marital status:~~

~~—[Bd. of Education, Handicapped Persons § 15, eff. 2-12-81] — (Substituted in revision for NAC 395.150)~~

~~—NAC 388.488—Continuation of benefits: Annual certification and notification by superintendent of school district; determination by Superintendent of Public Instruction; notice of ineligibility. (NRS 385.080)~~

~~—1.—The superintendent of each school district shall annually certify, and notify the board of trustees of the district, with regard to each person with a disability from the school district who is receiving benefits pursuant to NRS 388.5223 to 388.5243, inclusive, that:~~

~~—(a)—The person has an individualized educational program developed in accordance with chapter 388 of NAC; and~~

~~—(b)—After a review of the educational needs of the person and a review of the available resources of the local school district, it has been determined that an appropriate educational program is not available locally and, therefore, the person requires the continuation of benefits:~~

~~—2.—A determination concerning the continued eligibility of a person with a disability for benefits must be made by the Superintendent of Public Instruction based upon the following considerations:~~

~~—(a)—A current individualized educational program that is submitted to the Department of Education by a school district; and~~

~~—(b)—Information provided by the residential school or program attended by the person:~~

~~—3.—Written notification must be provided to the school district if the Superintendent of Public Instruction determines that the person with a disability is no longer eligible for benefits.~~

~~—[Bd. of Education, Handicapped Persons § 5, eff. 2-12-81]—(NAC A 3-14-96)—  
(Substituted in revision for NAC 395.160)]~~



SECRETARY OF STATE  
FILING DATA

**Form For Filing  
Administrative Regulations**

FOR EMERGENCY  
REGULATIONS ONLY

Effective date \_\_\_\_\_

Expiration date \_\_\_\_\_

**Agency: Nevada State Board of**

**Education**

\_\_\_\_\_  
**Governor's signature**

**Classification:** ☐ PROPOSED ☐ ☒ ADOPTED BY AGENCY ☐ ☐ EMERGENCY

**Brief description of action:** The Nevada State Board of Education adopted proposed amendments to NAC Chapter 388.460 – 388.488. The proposed changes (1) remove language Tied to the Program for Persons With Disabilities With Unique Needs Already Removed in Statute and (2) providing other matters properly relating hereto.

**Authority citation other than 233B:** NRS 388A.105

**Notice Date:** April 14, 2025

**Date of Adoption by Agency:** May 14, 2025

**Hearing Date:** May 14, 2025

Joe Lombardo  
Governor

Steve Canavero  
Superintendent of  
Public Instruction



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## STATE OF STATE BOARD OF EDUCATION

700 E. Fifth Street | Carson City, Nevada 89701-5096  
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June 2, 2025

### Legislative Review of Adopted Regulations as Required by NRS 233B.066 Pertaining to NAC 388.460 – 388.488 of the Nevada Administrative Code (NAC).

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 388:

**1. A clear and concise explanation of the need for the adopted regulation.**

This proposed regulation will remove language Tied to the Program for Persons With Disabilities With Unique Needs Already Removed in Statute. This is necessary to ensure LEAs are not experiencing confusion regarding inconsistency with NRS 388.5223 – 388.5243 and NAC language related to Program for Persons With Disabilities With Unique Needs.

**2. A 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.**

Public comment was solicited through both the regulation workshop and public hearing. The attached workshop agenda and notice was posted 15 days prior to the workshop. The attached public hearing agenda and notice was posted 30 days prior to the public hearing. A description of how members of the public could provide comment is included in both items.

There was public comment at the workshop and the public hearing.

**3. The number of persons who:**

- Attended Workshop: 1; Hearing: 26
- Testified at Workshop: 1 ; Hearing: 2
- Submitted Written Statements: Workshop: 1; Hearing: 0

**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: (a) name; (b) telephone number; (c) business address; (d) business telephone number; (e) electronic mail address; and (f) name of entity or organization represented.**

Workshop 5/2/25:

Neil A. Rombardo, Chief General Council, Washoe County School District,  
[nrombardo@washoeschools.net](mailto:nrombardo@washoeschools.net), 775-220-3673

Jonathan McGuire, Associate Attorney, Simons Hall Johnston PC, [JMcGuire@SHJNevada.com](mailto:JMcGuire@SHJNevada.com)

State Board of Education Hearing 5/14/25:

Neil A. Rombardo, Chief General Council, Washoe County School District,

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

Public comment was solicited through both the regulation workshop and public hearing. The attached workshop agenda and notice was posted 15 days prior to the workshop. The attached public hearing agenda and notice was posted 30 days prior to the public hearing. A description of how members of the public could provide comment is included in both items.

A copy of the summary may be obtained from the NDE by contacting Alicia Briancon at 775-443-5519 or [alicia.briancon@doe.nv.gov](mailto:alicia.briancon@doe.nv.gov). There was ample opportunity for public comment at both the workshop on 5/2/25 and hearing on 5/14/25.

**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.**

The Nevada State Board of Education adopted the proposed regulation language at the public hearing held on May 14, 2025. No changes were requested, so it was adopted without change.

**7. The estimated economic effect of the adopted regulation on the business which is to regulate and on the public. These must be stated separately and each case must include:**

There will be no economic effect of the regulation on the business that it regulates. There is no estimated economic effect on the public. There is no adverse or beneficial effect or immediate or long-term effect on the business that it regulates. There is no adverse or beneficial effect or immediate or long-term effect to the public.

**8. The estimated cost to the agency for enforcement of the adopted regulation.**

There is no additional cost to the agency for enforcement of this regulation.

**9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

No other state or governmental agency regulations will be overlapped or duplicated by the above noted regulation. There is no duplication or overlap of federal regulations.

**10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**

There are none.

**11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

This regulation does not provide for a new fee or increase an existing fee.

**Nevada Department of Education  
Nevada State Board of Education**

**May 14, 2025  
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	<a href="#">YouTube Link</a>

**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. A time limit of three minutes will be imposed by the Board president for public comments to afford all members of the public who wish to comment an opportunity to do so within the timeframe available to the Board. 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, please submit your statement to [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov) before the close of the Board Meeting. The Board president reserves the right to call on individuals from the audience or to allow for testimony at any time.*

*The support materials to this agenda are available at no charge on the NDE website at [Nevada State Board of Education Meeting Material Webpage](#) (under the meeting date referenced above) or by contacting Angie Castellanos at the Nevada Department of Education, 2080 E. Flamingo Road, #210, Las Vegas, NV 89119, via phone at 702-486-8725, or by email at [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov). This public notice has been posted at the offices of the Department of Education (NDE) in Carson City and Las Vegas, online at the Nevada Public Notice website, [notice.nv.gov](http://notice.nv.gov), the Nevada Department of Education website, [doe.nv.gov](http://doe.nv.gov), and sent to all interested persons who requested notice. Reasonable efforts will be made for members of the public who have disabilities and require special accommodations or assistance at the meeting; please contact Angie Castellanos at 702-486-8725 or [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov) at least five business days in advance so that arrangements can be made.*

**Agenda**

**1. Call to Order, Roll Call, Pledge of Allegiance, and Land Acknowledgement**

**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 the agenda as an item on which action may be taken. The President of the State Board of Education will impose a time limit of three minutes. Items agenzized as future agenda requests items are not part of Public Comment #1. Public Comment #2 will provide an opportunity for public comment on any matter within the State Board's jurisdiction, control, or advisory power.*

**3. Approval of Flexible Agenda (For Possible Action)**

#### **4. President's Report**

- Honoring Member Keyes
- Board Member and Subcommittee Updates
  - AB469 Subcommittee
  - At-Risk Subcommittee
- Working Groups
  - Curriculum
  - STIP (NRS 385.111-113)

#### **5. Interim Superintendent's Report**

- Nevada Department of Education Updates
- Developmental Delay Update
- Teacher Appreciation Week
- Purple Star Schools

#### **6. Consent Agenda (For Possible Action)**

*Information concerning the following consent agenda items has been provided to Board members for study prior to the meeting. Unless a Board member has a question concerning a particular item and asks that it be withdrawn from the consent list, all items are approved in one action.*

- Possible Approval of Private School License Renewals
- Possible Approval of FY25 Q2 CSR Report
- Possible Approval of SPCSA request for Thrive Point to be rated on the Nevada Alternative Performance Framework
- Possible Approval of March 12, 2025, Meeting Minutes
- Possible Approval of April 3, 2025, Special Meeting Minutes

#### **7. 9:10 A.M. Public Hearing for the Repeal of Regulations pertaining to NAC 388.460 – 388.488 (For Possible Action)**

The Board will consider the proposed repeal of the regulations tied to a program for persons with disabilities with unique needs that was already removed in statute.

- Julie Bowers, Education Programs Director, Office of Comprehensive Student Services

#### **8. Information, Discussion, and for Possible Action Regarding the Read by Grade 3 Assessment Selection (Information, Discussion, and for Possible Action)**

The Board will discuss and take possible action regarding the selection of the RBG3 assessment.

- Dr. Steve Canavero, Interim Superintendent of Public Instruction
- Ann Marie Dickson, Deputy Superintendent of the Student Achievement Division

#### **9. Information, Discussion, and for Possible Action Regarding the Superintendent Search Criteria (Information, Discussion, and for Possible Action)**

The Board will discuss and possibly take action to establish or revise the criteria for the Superintendent search.

- Dr. Katherine Dockweiler, President of the State Board of Education

#### **10. Information, Discussion, and for Possible Action Regarding Revisiting the State Board's Vision and Goals (Information, Discussion, and for Possible Action)**

The Board will revisit and review its current vision and goals, with opportunities for information, discussion, and possible action.

- Dr. Steve Canavero, Interim Superintendent of Public Instruction
- Dr. Katherine Dockweiler, President of the State Board of Education
- Tim Hughes, Vice President of the State Board of Education

**11. Public Comment #2**

*Public comment will be taken during this agenda item on any matter within the State Board's jurisdiction, control, or advisory power. No action may be taken on a matter raised under this item until the matter is included on the agenda as an item on which action may be taken. The President of the State Board of Education will impose a time limit of three minutes.*

**12. Future Agenda Items Requests****13. Adjournment**

Joe Lombardo  
Governor

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Superintendent of  
Public Instruction



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**STATE OF NEVADA**  
**STATE BOARD OF EDUCATION**  
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April 14, 2025

**Notice of Intent to Act Upon a Regulation**

Notice of Hearing for the Repeal of Regulations of the Nevada State Board of Education.

The STATE BOARD will hold a public hearing at **9:10 AM** on Wednesday, May 14<sup>th</sup>, 2025 via [Livestream Link](#) 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 hearing is to receive comments from all interested persons regarding the repeal of regulations pertaining to NAC 388.460 – 388.488 of the Nevada Administrative Code (NAC).

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

**1. The need for and the purpose of the proposed regulation or amendment:**

- To Remove Language Tied to Program for Persons With Disabilities With Unique Needs Already Removed in Statute.

**2. If the proposed regulation is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation prepared by the Legislative Counsel pursuant to NRS 233B.063.**

The revised text of the proposed regulation is attached to this notice.

**3. Description of the proposed regulation, or the subjects and issues involved:** The proposed regulation would remove language already removed in statute to create alignment.

**4. Estimated economic effect of the regulation on the business which it is to regulate and on the public.** There is no economic effect of the regulation on the business that it regulates and no impact on the public.

**5. Method used by the agency in determining the impact on a small business:** Small business is not impacted by this regulation.

**6. Estimated cost to the agency for enforcement of the proposed regulation:** no costs.

7. **Description and citation of duplicative or overlapping regulations of other state or local governmental agencies:** There is no duplication or overlap of regulations of state or local governmental agencies.
8. **Is the regulation required by federal law?** This regulation is not required pursuant to federal law.
9. **Does the regulation include provisions more stringent than a federal regulation regarding the same activity?** There is no federal law affecting or overlapping the proposed regulation.
10. **Does the proposed regulation establish a new fee or increase an existing fee?** The proposed regulations do not establish a new fee nor increase an existing fee of the regulating agency.

A copy of all materials relating to the proposed regulation may be obtained at the hearing, on the [Event - May 14, 2025 Nevada Department of Education Regulation Hearing | Nevada Department of Education \(nv.gov\)](#) by contacting the Nevada Department of Education, via email at [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov), by telephone at 775-443-5519, or in person at the Nevada Department of Education, **Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada**. Persons wishing to comment upon the proposed action of the Department may provide in-person testimony, submit written comment to Department via email at [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov) or submit their comments, data, views, or arguments in written form to the Nevada Department of Education, **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, 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 Tuesday, May 13th. A record of all submitted comments will be retained, and the Department or Board will proceed to consider any public comment received.

This notice and the text of the proposed regulation has been sent to all persons on the agencies mailing list for administrative regulations and the Department of Education 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>, available in the State of Nevada Register of Administrative Regulations pursuant to NRS 233B.0653, and physically posted 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.

**Notice required by NRS 233B.064:** Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will 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.

This notice and the text of the proposed regulation has been sent to all persons on the agencies mailing list for administrative regulations and the Commission on Professional Standards, 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>, available in the State of Nevada Register of Administrative Regulations pursuant to NRS 233B.0653, and physically posted 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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**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 **Friday, May 2, 2025** is [Livestream Link](#) 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:

**9:00 A.M Workshop to Solicit Comments on Proposed Amendments to NAC 388.460 – NAC 388.488 — To Remove Language Tied to Program for Persons With Disabilities With Unique Needs Already Removed in Statute.**

A copy of all materials relating to the proposal may be obtained at the workshop, on the [Meeting Materials page](#), by contacting the Nevada Department of Education, via email at [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov), by telephone at 775-443-5519, or in person at the **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada.** Persons wishing to comment upon the proposed action of the Department of Education may provide in-person testimony, submit written comment to the Department via email at [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov) or submit their comments, data, views, or arguments in written form to the **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, 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 **Thursday, May 1, 2025.**

This notice has been sent to all persons on the agencies mailing list for administrative regulations and the Department of Education 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.

Joe Lombardo  
Governor

Steve Canavero  
Interim  
Superintendent of  
Public Instruction



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**STATE OF NEVADA**  
**STATE BOARD OF EDUCATION**

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**SMALL BUSINESS IMPACT STATEMENT**  
**PURSUANT TO NRS 233B.0608**

**DATE:** April 14, 2025

**RE:** Workshop to Solicit Comments on Proposed Amendments to NAC Chapters 388.460 – 388.488

I, Steve Canavero, 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 removal of language tied to program for persons with disabilities with unique needs already removed in statute 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 dark ink, appearing to be "Steve Canavero", written over a horizontal line.

Steve Canavero  
Superintendent of Public Instruction