

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

LCB File No. R019-26

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

AUTHORITY: §§ 1-4, NRS 388G.590, as amended by section 33.53 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3422.

A REGULATION relating to local school precincts; updating certain references; repealing certain regulations relating to the transfer of certain responsibilities to local school precincts; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides for the reorganization of large school districts, which are school districts that have more than 100,000 pupils enrolled in its public schools (currently only the Clark County School District). (NRS 388G.510-388G.810) Existing law deems each public school within a large school district to be a local school precinct. (NRS 388G.600, as amended by section 33.54 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3422)

Before the enactment of Senate Bill No. 460 (S.B. 460) during the 2025 Legislative Session, the provisions of former NRS 388G.610 required the superintendent of a large school district to transfer to each local school precinct in the large school district the authority to carry out certain responsibilities, thereby enabling local school precincts to operate using site-based decision making. However, S.B. 460 repealed this authority. (Section 85 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3484) Additionally, S.B. 460 eliminated a requirement that the superintendent of a large school district allocate a certain percentage of certain unrestricted funds to local school precincts in the district. (NRS 388G.660, as amended by section 33.57 of Senate Bill No. 460, chapter 506, Statutes of Nevada 2025, at page 3424) Existing regulations establish provisions authorizing the principal of a local school precinct to take certain actions with respect to the manner in which the local school precinct: (1) carries out the responsibilities transferred to the local school precinct; and (2) uses the unrestricted funds allocated to the local school precinct. (NAC 388G.110-388G.140 and section 1 of Adopted Reg. of Bd. of Education, LCB File No. R064-22) **Section 4** of this regulation repeals these obsolete provisions. **Sections 1 and 2** of this regulation eliminate references in existing regulations to provisions of: (1) the Nevada Administrative Code repealed by **section 4**; and (2) the Nevada Revised Statutes repealed by S.B. 460. **Section 3** of this regulation updates a reference to a section of the Nevada Revised Statutes which was repealed by S.B. 460.

Section 1. NAC 388G.100 is hereby amended to read as follows:

388G.100 1. The board of trustees of a large school district shall establish a dispute resolution process for issues relating to retaliation and reprisal as a result of the performance of duties as a member of an organizational team for a local school precinct established pursuant to NRS 388G.700 and for any other disputes relating to the provisions of *this section*, NRS ~~388G.500~~ **388G.510** to 388G.810, inclusive, ~~NAC 388G.100 to 388G.140, inclusive,~~ and sections 2 and 3 of LCB File No. R063-22.

2. A dispute resolution process established pursuant to subsection 1 must include a requirement that:

(a) A large school district must respond within 5 business days after the date on which a request for dispute resolution is received by the school district. Such a response must be made in writing on a form prescribed by the board of trustees of the school district.

(b) All disputes must be resolved within 15 business days after the date on which a request for dispute resolution is received by the school district.

(c) Within 30 business days after the date on which a request for dispute resolution is received by the school district, the school district shall:

(1) Prepare a report regarding the dispute resolution and provide the report to the parties involved in the dispute resolution.

(2) Post the report prepared pursuant to subparagraph (1) on the Internet website maintained by the school district. The school district shall redact from such a report any information that could be used to identify the parties involved in the dispute resolution.

3. A party involved in a dispute may, within 10 business days after the date on which the person receives a report pursuant to subparagraph (1) of paragraph (c) of subsection 2, file with the Department a request that the Department resolve the dispute. Such a request must include a:

(a) Letter that states the reason the party is dissatisfied with the outcome of the dispute resolution by the school district and requests the Department to resolve the dispute;

(b) Copy of the report provided pursuant to subparagraph (1) of paragraph (c) of subsection 2; and

(c) Signed declaration that waives any applicable right of the person to the confidentiality of information concerning the dispute.

4. Within 10 business days after the date on which the Department receives a request to resolve a dispute pursuant to subsection 3, the Department shall:

(a) Determine whether resolution by the Department is warranted. The Department shall determine that such resolution is warranted if it determines, based on the information provided in the request made pursuant to subsection 3, there is reason to believe that the decision of the school district was erroneous.

(b) Notify the school district and the person who made the request of its decision.

5. If the Department determines that resolution by the Department is warranted pursuant to paragraph (a) of subsection 4, the Department shall provide the names of approved hearing officers to the parties involved in the dispute and invite each party to indicate to the Department a preference regarding which hearing officer the party would like to be selected.

6. The Department shall, within 5 business days after the last day on which a party indicates its preference regarding a hearing officer pursuant to subsection 5, arrange for a 3-hour dispute resolution session before:

(a) The hearing officer for whom the school district expressed a preference;

(b) The hearing officer for whom the other person involved in the dispute expressed a preference, if such an officer is different from the person for whom the school district expressed a preference; and

(c) A hearing officer selected by the Department.

7. The Department shall, within 10 business days after the date on which a dispute resolution session is held pursuant to subsection 6, compile a report regarding the dispute resolution and provide a copy of that report to the parties involved in the dispute.

8. If the Superintendent of Public Instruction finds that a school district has failed to comply with the requirements of this section, the Superintendent of Public Instruction may request the board of trustees of the school district to submit to the Superintendent of Public Instruction a plan of corrective action pursuant to NRS 385.175. Such a request and any response to such a request by the school district must be made available to members of the public upon request.

9. The actual cost of a dispute resolution process pursuant to this section is the sole responsibility of the large school district and includes, without limitation, the expense of and compensation for hearing officers selected pursuant to subsections 5 and 6, and any financial burden related to consequences imposed for noncompliance with the provisions of *this section*, NRS ~~388G.500~~ **388G.510** to 388G.810, inclusive, ~~NAC 388G.100 to 388G.140, inclusive,~~ and sections 2 and 3 of LCB File No. R063-22.

Sec. 2. Section 2 of LCB File No. R063-22 is hereby amended to read as follows:

1. A large school district shall, at least annually, provide mandatory training on the provisions of this section, NRS ~~388G.500~~ **388G.510** to 388G.810, inclusive, NAC 388G.100 ~~[to 388G.140, inclusive,]~~ and section 3 of LCB File No. R063-22 to:

- (a) All voting members of the board of trustees of the large school district;
- (b) The superintendent of schools of the large school district;
- (c) All members of the cabinet of the superintendent of schools, if any;
- (d) All supervisors of a principal;
- (e) All principals employed by the large school district; and
- (f) Any person who is a member of an organizational team of a local school precinct within the large school district.

2. The training provided pursuant to subsection 1 must be approved by the Superintendent of Public Instruction or his or her designee before delivery. Upon such approval, any training materials must be made available on the Internet website of the large school district.

Sec. 3. Section 3 of LCB File No. R063-22 is hereby amended to read as follows:

1. The principal of a local school precinct:
- (a) Shall select teachers for the local school precinct pursuant to subsection 2 of NRS ~~388G.610~~ **388G.700** who, as determined by the principal, meet the needs of the local school precinct pursuant to the plan of operation for the local school precinct.
 - (b) May select teachers for the local school precinct who are not in good standing if the principal determines that the selection of such a teacher is necessary to carry out the plan of operation for the local school precinct.

(c) May select substitute teachers for the local school precinct only if the principal:

(1) Determines that the selection of such a teacher is necessary to carry out the plan of operation for the local school precinct, including, without limitation, the staffing of the local school precinct as described in the plan of operation;

(2) Does not engage in discrimination on the basis of race, religion, color, national origin, disability, sexual orientation, gender identity or expression, ancestry, familial status, age or sex in making such a selection; and

(3) Complies with the procedures established by the large school district pursuant to subsection 3.

2. A large school district shall provide each principal of a local school precinct access to the current electronic human resources system of the school district which, at a minimum, allows each principal seeking to fill a vacant position to create and view a list of all licensed teachers who are employed by the school district and eligible to fill the vacant position. The list must include, without limitation, the contact information of each teacher and a designation of whether each teacher is in good standing.

3. A large school district shall establish procedures for the selection of a substitute teacher by the principal of a local school precinct. Such procedures must include, without limitation, requirements that each principal:

(a) Demonstrate and retain records documenting that the principal has selected teachers in good standing for the local school precinct to the greatest extent possible.

(b) Demonstrate and retain records documenting all reasons, pursuant to the plan of operation for the local school precinct, that a teacher in good standing was not selected, if such a teacher

was available for selection. For the purposes of this paragraph, a principal may not use financial savings as a reason not to select a teacher in good standing.

(c) Actively monitor each substitute teacher who was selected to fill a vacancy at the local school precinct.

(d) Ensure that a person holding a special license as an emergency substitute teacher issued pursuant to NAC 391.0896 fills a vacancy in the local school precinct only if a licensed teacher, including a substitute teacher, is not available to fill the vacancy.

4. If the principal of the local school precinct fails to demonstrate that teachers in good standing have been selected to fill vacancies at the local school precinct to the greatest extent possible, a large school district may place a teacher in good standing in a position which is vacant or for which a substitute teacher was selected at the local school precinct.

5. A large school district shall provide a report to the Board on or before June 30 and December 30 of each year which includes, without limitation, for the time period since the previous report, for each vacancy at a local school precinct for which a substitute teacher was selected:

(a) The number of teachers in good standing and not in good standing who were available to be selected for the vacancy;

(b) The number of teachers in good standing and not in good standing who were interviewed for the vacancy;

(c) All reasons that a teacher in good standing was not selected for the vacancy; and

(d) All justifications used for selecting a substitute teacher for the vacancy.

6. As used in this section:

(a) “Active discipline” means a written warning, admonition, suspension or dismissal, including any such action which is subject to a dispute regarding an interpretation, application or alleged violation of any provision of a collective bargaining agreement, which has been made within:

(1) The 2 years and 1 day immediately preceding the date on which a determination is made as to whether a teacher is in good standing; or

(2) The 3 years and 1 day immediately preceding the date on which a determination is made as to whether a teacher is in good standing, if another action was made within the 2 years immediately preceding the date of the most recent action.

(b) “In good standing” means a teacher who:

(1) Holds a valid license issued pursuant to chapter 391 of NRS;

(2) Has received an overall performance rating of highly effective or effective under the statewide performance evaluation system established by the Board pursuant to NRS 391.465 for the most recent school year or, if the teacher is a probationary employee, as defined in NRS 391.650, on an initial term of probation, a rating of highly effective, effective or developing;

(3) Has no active discipline in his or her personnel file;

(4) Has had fewer than 10 absences for reasons other than documented medical reasons during the last school year; and

(5) Is not prohibited from employment pursuant to NRS 391.850 to 391.930, inclusive.

(c) “Substitute teacher” means a person who holds an endorsement as a substitute teacher on a special license or a provisional special license issued pursuant to subsection 2 of NAC

391.0897, and who does not hold any additional valid license described in paragraph (a) of subsection 1 of NAC 391.0897.

Sec. 4. NAC 388G.110, 388G.120, 388G.130 and 388G.140 and section 1 of LCB File No. R064-22 are hereby repealed.

TEXT OF REPEALED SECTIONS

388G.110 Service level agreements: When required; required provisions. (NRS 388G.590)

1. If authority to carry out a responsibility is transferred from a large school district to a local school precinct pursuant to NRS 388G.610, and the local school precinct wishes to have the large school district carry out the responsibility, the large school district must enter into a service level agreement with the principal of the local school precinct.

2. A service level agreement entered into pursuant to this section must describe, without limitation:

- (a) The purpose of the responsibility to be carried out by the large school district;
- (b) Any laws, policies or regulations applicable to the manner in which the responsibility is carried out;

(c) The roles and responsibilities remaining with the local school precinct or the principal with respect to the responsibility;

(d) A description of the scope of the responsibility which the large school district will carry out and the manner in which the quality of any services provided will be measured; and

(e) A description of any actions that a local school precinct may take if it is not satisfied with the manner in which the large school district carries out the responsibility pursuant to the agreement.

3. A service level agreement entered into pursuant to this section must include the amount of money which the local school precinct agrees to pay the large school district to carry out the responsibility described in the agreement.

388G.120 Service level agreements: Annual determination of services to be offered by large school district; establishment of draft agreements; publication of draft agreements. (NRS 388G.590)

1. Each school year, a large school district shall determine which responsibilities it will offer to provide for a local school precinct for the next school year and establish a draft service level agreement for the provision of that responsibility. The large school district shall provide each draft service level agreement to each school associate superintendent.

2. Upon receipt of the draft service level agreements pursuant to subsection 1, a school associate superintendent must meet with the principal of each local school precinct for which he or she is responsible to review and solicit comments on the standard draft service level agreement.

3. The school associate superintendent shall compile a report of the comments received from principals and provide that report to the superintendent of the large school district. The superintendent of the large school district shall finalize each draft service level agreement for the next school year after receiving and considering such reports.

4. On or before January 15 of each year, the superintendent of a large school district shall publish and make available to the principals of local school precincts each draft service level agreement for responsibilities for which the large school district is willing to enter into a service level agreement to carry out for local school precincts for the next school year.

388G.130 Service level agreements: Negotiation of specific terms; inclusion of assignment of central staff deemed to satisfy certain requirements; prohibited provisions.
(NRS 388G.590)

1. The principal of a local school precinct that wishes to enter into a service level agreement with the large school district may use a draft service level agreement created pursuant to NAC 388G.120 to negotiate the specific terms of the service level agreement.

2. If a service level agreement includes assignment of staff from central services, the service level agreement shall be deemed to satisfy the requirements set forth in subsection 6 of NRS 388G.610.

3. A service level agreement must not provide:

(a) Central services with supervisory authority over the principal of the local school precinct or any member of the staff who works under the direct supervision of the principal; or

(b) The principal of a local school precinct or any member of the staff who works under the direct supervision of the principal with supervisory authority over a member of the staff of central services.

388G.140 Use of certain money allocated to local school precinct; conditions under which money deemed allocated to local school precinct. (NRS 388G.590)

1. The principal of a local school precinct may, in accordance with a plan of operation developed pursuant to NRS 388G.700, determine the manner in which to use money allocated to the local school precinct pursuant to NRS 388G.660, including, without limitation, whether to use the money allocated to carry out a responsibility for which the local school precinct has been transferred authority or use the money allocated in another way.

2. Money shall be deemed allocated to a local school precinct pursuant to NRS 388G.660 only when the money is included in the portion of the budget for the local school precinct over which the local school precinct has control and discretion with respect to the manner in which the money is used.

Section 1 of LCB File No. R064-22:

Sec. 1. The State Board interprets “other staff who work under the direct supervision of the principal,” as used in NRS 388G.610, to mean any employee who is:

1. Assigned to the local school precinct;
2. Evaluated by the principal or a designee of the principal; and
3. Not a member of central services.