

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

**LCB File No. R163-26**

July 27, 2026

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

AUTHORITY: §§ 1 and 3, NRS 385.080, 388A.105, 388A.110 and 388C.060; § 2, NRS 385.080 and 388.360.

A REGULATION relating to education; revising requirements for the budget of charter schools and university schools for profoundly gifted pupils; revising provisions relating to career and technical education; repealing regulations relating to special education program units; repealing regulations relating to charter schools and university schools for profoundly gifted pupils; 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) Existing law also: (1) designates the State Board as the sole state agency responsible for the administration of career and technical education; and (2) authorizes the State Board to adopt regulations relating to career and technical education. (NRS 388.360) Existing regulations provide that the State Board will request the Superintendent of Public Instruction to: (1) annually present to the State Board the list of industry recognized credentials that the Executive Director of the Governor's Office of Workforce Innovation identifies pursuant to existing law; and (2) require school districts to report the number of pupils who earn such credentials. (NAC 389.800) **Section 2** of this regulation removes this provision.

Existing regulations provide that, when the Legislature makes an appropriation for discretionary special education program units, the State Board will reserve at least three units allocated for each fiscal year for programs which serve pupils from more than one school district and will allocate any remaining units to meet the needs that are unique to particular school districts that cannot be satisfied by existing special education program units or federal or local money. Moreover, existing regulations require the Superintendent of Public Instruction to notify all school districts in this State of the availability of such units and to invite the districts to submit applications for the units. (NAC 387.400) Existing regulations also: (1) require a school district to apply for special education units to the Superintendent of Public Instruction before the beginning of the school year, except under certain circumstances; and (2) prescribe the required contents of such applications and the circumstances that a school district may use to show it has a unique need. (NAC 387.410) Finally, existing regulations provide that special education

program units that are awarded pursuant to an application for such units expire after 1 year. (NAC 387.420) **Section 3** of this regulation repeals these provisions.

Existing law requires the Department of Education to adopt regulations concerning certain matters relating to charter schools and authorizes the Department to adopt regulations as it determines are necessary to carry out the provisions of law relating to charter schools. (NRS 388A.105, 388A.110) Specifically, existing law authorizes the Department to adopt regulations that prescribe the: (1) procedures for accounting and budgeting; and (2) requirements for performance audits and financial audits of charter schools. (NRS 388A.110) Existing regulations prescribed by the State Board: (1) require the governing body of each charter school and the governing body of each university school for profoundly gifted pupils to, for each fiscal year, compile a report concerning the capital improvements owned, leased or operated by the charter school or university school for profoundly gifted pupils; and (2) set forth the requirements for the preparation and submission of such reports. (NAC 387.710) **Section 3** repeals this provision.

Existing regulations require a charter school or university school for profoundly gifted pupils which expends more than \$6,000 on activities intended to influence the passage or defeat of legislation during a legislative session to file a supplemental report with the Department within 60 days after adjournment sine die of the session. (NAC 387.750) **Section 3** repeals this provision.

Existing regulations require the budget of a charter school and a university school for profoundly gifted pupils to include, without limitation, a separate statement of the anticipated expenses relating to activities designed to influence the passage or defeat of any legislation. (NAC 387.715) **Section 1** of this regulation makes a conforming change to remove this requirement from the budget.

**Section 1.** NAC 387.715 is hereby amended to read as follows:

387.715 Each budget of a charter school and each budget of a university school for profoundly gifted pupils must include:

1. Detailed estimates of revenues, balances in other funds and other sources of financing for the budget year classified by funds and sources in a manner and on forms prescribed by the Department of Taxation for use by local governments.

2. Detailed estimates of expenditures and other uses of money for the budget year classified in a manner and on forms prescribed by the Department of Taxation for use by local governments.

~~3. A separate statement of the anticipated expenses relating to activities designed to influence the passage or defeat of any legislation, setting forth each separate category of~~

~~expenditure that is required to be included in a supplemental report pursuant to subsection 1 of NAC 387.750.~~

**Sec. 2.** NAC 389.800 is hereby amended to read as follows:

389.800 1. Courses of study in career and technical education offered by the board of trustees of a school district in a program of study for a program of career and technical education set forth in subsection 1 of NAC 389.803 must:

(a) Be based upon state standards and a written curriculum that has been developed in collaboration with representatives of the industry being studied to measure the competency of the pupil and which includes:

(1) The current skills and levels of performance necessary to perform the duties and tasks involved in being employed in the career field being taught or to support advancement in education and job training in a related career.

(2) Instruction which reinforces academic skills of reading, writing, speaking, listening, mathematics, science and using technology.

(b) Be designed to:

(1) Allow the pupil to pursue postsecondary academic options, career training or an industry-recognized credential.

(2) Include pupils with disabilities.

(c) Provide the pupil with reasonable access to standard equipment used in the industry the pupil is studying.

(d) Include instruction in employability skills for career readiness and measure the proficiency of the pupil in the standards prescribed for that instruction through an assessment that measures proficiency in employability skills prescribed by the Department of Education.

(e) Except as otherwise provided in subsection 5, require a pupil who completes the final course of instruction for a particular course of study in career and technical education to:

(1) Take an end-of-program assessment prescribed by the Department of Education which measures the proficiency of the pupil in the course of study; or

(2) Obtain an industry-recognized credential in the industry being studied.

2. The teacher of a course of study in career and technical education shall:

(a) Possess a valid endorsement to his or her license for each industry in which he or she teaches a course of study.

(b) Use resources, materials and techniques which do not discriminate among pupils.

(c) Evaluate the pupil's achievement of the required goals in the course of study.

3. Each pupil enrolled in a course of study in career and technical education:

(a) Must be given the opportunity to participate in career and technical student organizations that are:

(1) Affiliated with state and national organizations;

(2) Associated with the industry the pupil is studying; and

(3) An integral part of the instructional program.

(b) Upon completion of the program, should be qualified to enter a higher level of training or to enroll in a program of postsecondary education without the necessity of repeating previously learned skills.

4. Each pupil who completes a course of study in career and technical education must be awarded a certificate which states that he or she has attained specific skills in the industry being studied if the pupil:

(a) Maintained at least a 3.0 grade point average, based on a 4.0 grading scale, for all units of credit applicable toward the course of study in career and technical education;

(b) Passed the assessment that measures proficiency in employability skills prescribed by the Department of Education pursuant to paragraph (d) of subsection 1; and

(c) Has met the requirements of paragraph (e) of subsection 1, if applicable.

5. The requirements of paragraph (e) of subsection 1 do not apply if:

(a) An end-of-program assessment prescribed by the Department of Education which measures the proficiency of the pupil in the course of study is not available; and

(b) An industry-recognized credential in the industry being studied is not available.

6. Each school district shall submit to the Department of Education an annual report that lists the number of pupils to whom a certificate has been awarded pursuant to subsection 4.

7. The superintendent of each school district that establishes a program of career and technical education:

(a) Shall maintain a current and comprehensive inventory of all capital equipment, if any, maintained for each course offered in career and technical education;

(b) Shall establish a list of equipment that is comparable to that used in the related career fields in which a course of study is offered;

(c) Shall not allow the use in career and technical education of equipment or facilities which do not meet the generally applicable safety requirements, including those adopted to ensure occupational safety and health for that career field; and

(d) Shall adopt a written statement of philosophy for the program of career and technical education, which must include, without limitation, stated goals that such instruction will align to state standards and support advancement in education and job training in a related career.

8. The teacher of a course of study in career and technical education shall cooperate with the guidance counselor of each school to assist pupils to enroll in an appropriate course of study. The guidance counselor shall assist the pupil to achieve:

(a) An awareness of the opportunities for the development of technical and employability skills required in the various industries.

(b) An exploration of the pupil's abilities with his or her career interest.

(c) Completion of the course of study in career and technical education.

(d) Opportunities for continued career development, education and training.

9. The Department of Education shall request surveys to be taken of each pupil who has completed a course of study in career and technical education to determine the effectiveness of the program.

~~110. —The State Board of Education will request the Superintendent of Public Instruction to present annually to the State Board the list of industry-recognized credentials identified by the Executive Director of the Governor's Office of Workforce Innovation pursuant to NRS 232.975 and to require school districts to report the number of pupils who earn each of those credentials.~~

**Sec. 3.** NAC 387.400, 387.410, 387.420, 387.710 and 387.750 are hereby repealed.

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## TEXT OF REPEALED SECTIONS

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**387.400** Availability of special education program units to school districts.

1. Whenever the Legislature makes an appropriation for discretionary special education program units, the State Board of Education will reserve at least three of the units allocated for each fiscal year for programs which serve pupils from more than one school district. The Board will allocate any remaining units to meet needs which are unique to particular school districts and cannot be satisfied by allotted special education program units or by federal or local money.

2. The Superintendent of Public Instruction shall notify all school districts in the State of the availability of special education program units and shall invite the districts to submit applications for the units.

**387.410 Application for units; action by State Board of Education.**

1. Except as otherwise provided in this section, a school district must submit its application to the Superintendent before the beginning of the school year. If the Superintendent receives an application after the school year begins, it will be considered if money is available; an allocation made as a result of such an application will be prorated for the balance of the school year.

2. Each application must:

(a) Identify the need for the special education program unit by providing evidence that existing allocations of special education program units are insufficient to satisfy the demand for special education in the school district; and

(b) Describe the program of instruction which will be provided to pupils if the special education program unit is allocated.

3. A school district may show that it has a unique need if:

(a) A limited incidence of pupils with disabilities exists in a rural area;

(b) A significant change has occurred in the number of pupils;

(c) A need exists to offer a program for more than a 180-day school year; or

(d) A change has occurred in the financial resources available to the school district and the change will result in its inability to serve a substantial number of pupils.

4. The Superintendent shall review each application before submitting it to the State Board of Education for its approval or disapproval. The Superintendent shall notify the applicant of the Board's action.

**387.420 Expiration of unit.** A special education program unit awarded pursuant to this section and NAC 387.400 and 387.410 expires after 1 year.

**387.710 Annual report concerning capital improvements owned, leased or operated by charter school or university school for profoundly gifted pupils.**

1. In addition to the records and inventory controls established and maintained pursuant to NAC 387.770, the governing body of each charter school and the governing body of each university school for profoundly gifted pupils shall, for each fiscal year, compile a report concerning the capital improvements owned, leased or operated by the charter school or university school for profoundly gifted pupils.

2. The report of the capital improvements required pursuant to subsection 1 must be prepared in such detail as is required by generally accepted accounting principles.

3. The governing body of each charter school and the governing body of each university school for profoundly gifted pupils shall submit, in any format including an electronic format, a copy of the report compiled pursuant to subsection 1 on or before February 1 of the year next succeeding the period to which the report pertains to the Department.

**387.750 Reporting of expenditures of charter school or university school for profoundly gifted pupils for lobbying activities; filing with Department.**

1. In each year in which the Legislature convenes, a charter school or university school for profoundly gifted pupils which expends more than \$6,000 on activities designed to influence the passage or defeat of any legislation shall file with the Department within 60 days after the adjournment sine die of the legislative session a report supplemental to its final budget which includes separate items for expenses relating to that activity, including, without limitation:

(a) Transportation.

(b) The amount of money spent on:

(1) The lodging and meals of its officers, lobbyists and employees;

(2) The salary or wages paid to its officers and employees; and

(3) Compensation paid to any lobbyists, to the extent that such information does not duplicate the information required pursuant to subparagraphs (1) and (2).

(c) The amount of money spent on entertainment, gifts or other expenses which are required to be reported pursuant to chapter 218H of NRS.

(d) The amount of money spent in Carson City on supplies, equipment and facilities and other personnel and services needed to support the activity.

(e) An identification of the fund, account or other source against which the expenses were charged.

2. The amounts reported pursuant to subsection 1 must include any funds spent by an educational management organization with whom the charter school or university school for profoundly gifted pupils has a contract.

3. The charter school or university school for profoundly gifted pupils shall make a copy of the supplemental report available for inspection within 60 days after the adjournment sine die of the legislative session.

