

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

LCB File No. R015-25

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

AUTHORITY: § 1, NRS 388.900.

A REGULATION relating to education; requiring the board of trustees of each school district and the governing body of each charter school to annually review and identify the social and environmental factors that affect the educational experience of certain pupils and to annually submit to the Department of Education a report concerning those factors; requiring the Department to provide certain data sources and a standard reporting template to each school district and charter school; requiring the Department to post certain information on its Internet website; requiring certain governmental entities and persons to consider certain factors when making decisions concerning a school or interacting with and making decisions concerning the staff of a school or pupils enrolled at a school; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Board of Education to adopt regulations that require the board of trustees of each school district and the governing body of each charter school to identify the social and environmental factors that affect the educational experience of pupils at each school in the school district or each charter school governed by the governing body, as applicable. Existing law also requires the State Board to adopt regulations requiring the Department of Education, the board of trustees of each school district, the governing body of each charter school and the staff of each public school to consider those factors when making decisions concerning the school or interacting with and making decisions concerning the staff of the school or pupils enrolled at the school. (NRS 388.900) Existing federal law requires a school district, in order to be eligible for certain grants from the federal government, to prepare and submit to the Department a plan to improve the achievement of pupils enrolled in the schools within the school district. (20 U.S.C. § 6312)

This regulation requires the board of trustees of each school district and the governing body of each charter school to annually review and identify the social and environmental factors affecting the educational experience of pupils at each school in that school district or each charter school governed by the governing body, as applicable, which may include, without limitation: (1) housing stability; (2) food security; (3) poverty and employment; (4) transportation access; (5) access to health care; (6) community safety; (7) the prevalence of trauma; and (8) the unique needs and characteristics of the community served by the school district or charter school.

This regulation further requires the board of trustees of each school district and the governing body of each charter school to submit to the Department, at the same time as the annual submission by a school district of a plan to improve the achievement of pupils enrolled in the schools within the school district pursuant to existing federal law, a report identifying such social and environmental factors.

This regulation also requires the Department to: (1) annually provide a list of not more than three publicly available, credible data sources for each identified social and environmental factor to each school district and charter school; (2) provide a standard reporting template to each school district and charter school; and (3) post such a list and reporting template on the Internet website of the Department. Finally, when making decisions concerning a school or interacting with and making decisions concerning the staff of a school or the pupils enrolled at a school, this regulation requires the Department, the board of trustees of each school district, the governing body of each charter school and the staff of each public school to consider the social and environmental factors identified in the report and any mitigating factor that serves to protect pupils against or reduce the harm caused by those social and environmental factors.

Section 1. Chapter 388 of NAC is hereby amended by adding thereto a new section to read as follows:

1. The board of trustees of each school district and the governing body of each charter school shall annually review and identify the social and environmental factors that affect the educational experience of pupils at each school in the school district or the charter school, as applicable, using the list provided by the Department pursuant to paragraph (a) of subsection 3, and submit a report on such factors to the Department. Such factors may include, without limitation:

- (a) Housing stability;*
- (b) Food security;*
- (c) Poverty and employment;*
- (d) Transportation access;*
- (e) Access to health care;*
- (f) Community safety;*
- (g) The prevalence of trauma; and*

(h) The unique needs and characteristics of the community served by the school district or charter school.

2. Each school district and charter school shall submit to the Department the report required pursuant to subsection 1 at the same time as any annual submission by a school district of a plan to improve the achievement of pupils enrolled in the schools within the school district would be required pursuant to 20 U.S.C. § 6312, regardless of whether such a plan is required to be submitted pursuant to that section. The requirement of the report in subsection 1 may be fulfilled by:

(a) Completing the standard reporting template provided by the Department pursuant to paragraph (b) of subsection 3; or

(b) Submitting a document that references any relevant section of the plan to improve the achievement of pupils enrolled in the schools within the school district which addresses the requirements of subsection 1.

3. To facilitate compliance with this section and NRS 388.900, the Department shall:

(a) Annually provide a list of not more than three publicly available, credible data sources for each social and environmental factor specified in subsection 1 to each school district and charter school;

(b) Provide a standard reporting template to each school district and charter school; and

(c) Post the most recent list described in paragraph (a) and the template described in paragraph (b) on the Internet website of the Department.

4. When making decisions concerning a school or interacting with and making decisions concerning the staff of a school or the pupils enrolled at a school, the Department, the board of trustees of each school district, the governing body of each charter school and the staff of

each public school shall consider the social and environmental factors identified pursuant to subsection 1 and any mitigating factor.

5. As used in this section, “mitigating factor” means a condition, resource, relationship or other factor in the community served by a school that protects pupils from or reduces the potential adverse impact of social and environmental factors, and which may include, without limitation:

(a) Stable or supportive family and caregiver relationships;

(b) Community-based services that provide health, mental health, housing or social support;

(c) A positive school climate and evidence-based tiered supports;

(d) Access to before-school and after-school programming; and

(e) Organizations that serve youth, community partnerships or cultural strengths that enhance resilience.