

LCB File No. T026-00

ADOPTED TEMPORARY REGULATION OF THE
STATE BOARD OF EDUCATION

(Effective November 2, 2000)

ADOPTED REGULATIONS OF THE
NEVADA STATE BOARD OF EDUCATION
NEVADA STATE BOARD FOR OCCUPATIONAL EDUCATION

Explanation: Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

Authority: NRS 385.080 and 389.110.

SECTION 1. Chapter 389 of NAC is hereby amended by adding thereto the provisions set forth as section 2, inclusive, of this regulation to read as follows:

SECTION 2. NAC 389.663 Units and grade point average required to receive advanced diploma. (NRS 385.080) To receive an advanced diploma evidencing graduation from high school, a pupil who enrolls in the ninth grade during or after the 1999-2000 school year must, in addition to having passed the proficiency examination required by NRS 389.015, have earned a minimum of 17 units of credit for required courses, ~~and~~ 7 units of credit for elective courses for a total of at least 24 units of credit~~[-]~~, *and have achieved a minimum grade point average of 3.0 on a 4.0 scale, weighted or unweighted, for all units of credit applicable toward graduation.* The units for the required courses must be earned in accordance with the following table:

Required Course	Minimum Number of Units
American government.....	1
American history.....	1
Arts and humanities.....	1
Social studies.....	1
English, including reading, composition and writing.....	4
Health education.....	1/2

Mathematics.....	3
Physical education.....	2
Use of computers.....	1/2
Science.....	3

TOTAL: 17

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Adoption of Regulations of the Nevada State Board of Education/Nevada State Board for Occupational Education

The Nevada State Board of Education/Nevada State Board for Occupational Education will hold a public hearing on **Saturday, October 21, 2000**, at the **Department of Education, Board Room 101, 700 East Fifth Street, Carson City, Nevada.**

The time for the public hearing has been scheduled as follows:

11:15 a.m. **Public Hearing and Possible Board Adoption of Proposed Revisions to Regulation, NAC 389.663, Enhancement of Advanced Diploma Requirements (Second of Two Public Hearings)**

The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation language that pertain to **Chapter 389** of the Nevada Administrative Code.

The purpose of the proposed regulation language is to enhancement the Advanced High School Diploma by adding a grade point average requirement.

There is no anticipated economic effect of the regulation on the business that the agency regulates. There are no known adverse effects. The beneficial, immediate and long term effects will be to establish more rigorous standards for the Advanced High School Diploma.

There is no anticipated economic effect on the public. There is no estimated cost for enforcement to the regulating agency.

There is no federal law affecting the proposed regulations. There is no duplication or overlap of state or local government agencies. The proposed regulations do not establish any new fees nor increase an existing fee of the regulating agency.

Persons wishing to comment upon the proposed action of the Nevada State Board of Education/Nevada State Board for Occupational Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form to the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096. Written submissions must be received by Department of Education **on or before Monday, October 16, 2000**. The following statement applies for hearings noticed above for possible Board adoption: If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Board of Education/Nevada State Board for Occupational Education may proceed immediately to act upon any written submissions.

A copy of this notice and the proposed regulation will be on file at the Nevada State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the proposed new regulation will be available at the Nevada Department of Education, 700 East Fifth Street, Carson City, 89701-5096, and in all counties at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233b.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and

the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

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 reasons for overruling the consideration urged against its adoption.

This notice has been filed at the following locations: The offices of the Nevada Department of Education in Carson City and Las Vegas, at the 17 Nevada School District Superintendents' Offices, the 17 county main public libraries, and at the Nevada State Library and Archives.

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9/19/00

**NEVADA STATE BOARD OF EDUCATION
NEVADA STATE BOARD FOR OCCUPATIONAL EDUCATION**

RULES FOR PUBLIC TESTIMONY

1. In accordance with NRS 233B.060, the Board, before adopting, amending or repealing any permanent or temporary regulations shall give at least 30 days of notice.
2. The Board will endeavor to hold public hearings on its intended action in two separate locations. The Board does reserve the right to hold only one hearing. A public hearing held by video telecommunication, allowing access at two separate locations, will be considered as two hearings. Also, under NRS 233B.060, the Board has the authority to promulgate emergency regulations which expire and then must go through the regular public hearing process.
3. All persons wishing to submit written testimony for a public hearing of the Board should do so at least five (5) working days before the scheduled public hearing.
4. Written submissions should be sent to the Board Secretary, State Board of Education, Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096. All materials will be duplicated for distribution to the Board members.
5. Persons wishing to give oral testimony at the public hearing should sign in at the meeting on the cards provided and submit the card to the Board secretary.
6. Each person giving oral testimony is asked to provide a single page abstract of comments, if possible.
7. The Board President, at the time of the public hearing, may ask a person to condense their testimony so that all persons wishing to speak will have the opportunity. Time limits on testimony may be placed at the discretion of the Board President.

Adopted 3/21/93

INFORMATIONAL STATEMENT

NEVADA DEPARTMENT OF EDUCATION

NEVADA STATE BOARD OF EDUCATION NEVADA STATE BOARD FOR OCCUPATIONAL EDUCATION

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066 NAC 389.663, Enhancement of Advanced Diploma Requirements (Temporary Regulation)

IMPACT STATEMENT

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) 389:

- 1. A description of how public comment was solicited, a summary of public response, and explanation how other interested persons may obtain a copy of the summary.**

The Workshop to Solicit Comments on Proposed Regulations was held on July 28, 2000.

The Notice of Intent to Act Upon a Regulation for public hearing and Board permanent adoption of the proposed revisions to NAC 389, Enhancement of Advanced Diploma Requirements, was sent to approximately one-hundred fifty individuals and educational organizations. Two public hearings were conducted on September 16, and October 21, 2000, to provide the opportunity for comments by affected parties and the public. There were comments from the public.

- 2. The Number of Persons Who:**

a) **Attended Each Hearing:** Workshop: 12 1st Hearing: 10 2nd Hearing: 6

b) **Testified at Each Hearing;** Workshop: 4 1st Hearing: 2 2nd Hearing: 1

and,

c) **Submitted Written Statements:** Workshop: 0 1st Hearing: 0 2nd Hearing: 0

No written comments were submitted.

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

Comment was solicited through Workshop notice of July 12, 2000, and public hearing notices of August 11, 2000, and September 19, 2000.

At the July 28, 2000, Workshop to Solicit Comments, three individuals addressed the proposed revisions: 1) Dotty Merrill, Director, Student Testing and Assessment/Government Affairs, Washoe County School District encouraged the Board to make the proposed changes effective

with the 1999-2000 ninth grade students, to discourage one class of students from moving through without a grade point average requirement; 2) Dr. Robert McCord, Consultant, Clark County School District, supported the request of the Washoe County School District and Mrs. Merrill's comments; and, 3) Rodney Young, Clark County School District, expressed support for the proposed change. Discussion was also held on revising the language to indicate that the 3.0 GPA on a 4.0 scale will be weighted and unweighted for all units of credit applicable for graduation to match the requirements currently in place for the Millennium Scholarship.

At the September 16, 2000, public hearing, two persons spoke to the proposed changes: 1) Jeanne B. Ohl, CRT Specialist, Washoe County School District, expressed appreciation on behalf of the school district for bringing this issue forward to public hearing; and, 2) Dr. Robert McCord, Consultant, Clark County School District, reiterated the Clark County School District's support of the recommendation.

At the October 21, 2000, public hearing, Dotty Merrill, Director, Student Testing and Assessments/Government Affairs, reminded of the previous support for the proposed language changes to the advanced diploma requirements.

A copy of the summary and/or minutes of the public hearing may be obtained by calling LaDonna Byrd, Board Secretary, at the Department of Education (775) 687-9225, or by writing to the Department of Education at 700 East Fifth Street, Carson City, Nevada 89701-5096.

4. If the regulation was adopted with or without change to any part of the proposed regulation, a summary of the reasons for adopting.

The temporary regulation language was adopted by the Nevada State Board of Education at the public hearing held October 21, 2000, without revision to the proposed language.

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

There is no economic effect on the business which is regulated. There is no estimated economic effect on the public, either adversely or beneficially, nor immediate or long term.

6. 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.

7. 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 government agency regulations will be overlapped or duplicated by the above noted regulations. There is no duplication or overlap of federal regulations.

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

There are none.

- 9. 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 or involve a new fee.

10/30/00