

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

LCB File No. T014-13

NAC 390.040 Recommendations for adoption of textbooks or electronic media: Time for submission; effect of incorrect or inaccurate evaluation. (NRS 385.080, 390.140)

1. A recommendation for the adoption of a textbook or electronic media must be submitted to the department of education ~~{in December, March or April}~~ to be considered by the state board of education *per Department policy*. ~~{The state board may grant exceptions to this requirement if a school district can demonstrate compelling circumstances why the recommendation was not submitted in December, March or April. Recommendations submitted after June 30 will not be considered by the state board.}~~

2. The department of education may delay the consideration of a recommendation for the adoption of a textbook or electronic media if it finds that any of the information required by NAC 390.020 or 390.025, as applicable, is incorrect or inaccurate.

**STATE BOARD OF EDUCATION
NEVADA STATE BOARD FOR CAREER AND TECHNICAL EDUCATION**

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED
BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066
LCB File No. T014-13**

**Proposed Amendments to NAC 390.040 to; Recommendations for adoption of textbooks or
electronic media: time for submissions; effect for incorrect or inaccurate evaluation.**

INFORMATIONAL STATEMENT

The following statement is submitted for adopted amendments to Nevada Administrative Code 390:

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.

Notice of Workshop to Solicit Comments on Proposed Regulations was sent to approximately 200 individuals and educational organizations. A workshop was held on May 09, 2013 and there was no public comment.

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of amended NAC 390.040; Recommendations for adoption of textbooks or electronic media was sent to approximately 200 individuals and educational organization. A public hearing was conducted on June 13, 2013 to provide the opportunity for comments by affected parties and the public. There was no public comment. The State Board of Education adopted the proposed temporary amended regulation.

2. The Number of Persons Who:

a) Attended Each Hearing: First Workshop: 25; First Hearing: 25

Second Hearing: N/A

b) Testified at Each Hearing: First Workshop: 0; First Hearing: 0;

c) Submitted Written Statements: First Workshop: 0; Second Workshop: 0

A copy of any written comments may be obtained by contacting Karen Johansen, Administrative Assistant, Nevada Department of Education, 775-687-9225, or by writing to the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

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

Comments were solicited through the workshop notice of April 16, 2013, and a public hearing notice of May 14, 2013. At the May 14, 2013 Workshop to Solicit Comments, there was no public comment to the proposed temporary regulation. At the June 13, 2013 public hearing there was no public comment to the proposed temporary regulation.

Summary of Comments:

Workshop comments:

There were no workshop comments.

Public hearing comments:

There were no public hearing comments.

A copy of the summary and/or minutes of the public hearing may be obtained by contacting Karen Johansen, Administrative Assistant, Nevada Department of Education, 775-687-9225, or by writing to the Nevada 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 Nevada State Board of Education adopted the proposed temporary regulation language at the public hearing held June 13, 2013. The reason for adopting the temporary regulation is to change the dates that textbook/instructional materials or electronic media will be submitted to the State Board of Education for approval. The changes to the language will promote a seamless evaluation system for textbook/instructional materials or electronic media.

5. The estimated economic effect of the adopted regulation on the business that 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 public or the business it regulates.

There is no cost to the Department of Education to adopt these regulations. There is no federal law affecting the proposed regulations. There is no duplication or overlap of state or local governmental agencies. The proposed regulations do not establish a new fee nor increase an existing fee of the regulating agency.

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 governmental 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.

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 for a new fee or increase an existing fee.