

LCB File No. R007-03

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

(This proposed regulation was previously adopted as LCB File No. T001-02)

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

AUTHORITY: NRS 385.080 & 389.015

Section 1. NAC 389 is hereby amended as follows:

Section 2. NAC 389.048 Eligibility for high school proficiency examinations.

1. Except as otherwise provided in subsection 2, to determine the eligibility of a pupil who has completed at least grade 9 in the 2001-2002 school year or thereafter to take the high school proficiency examinations, the pupil shall be deemed in:

- (a) Grade 10 if the pupil has completed at least 5 units of credit.
- (b) Grade 11 if the pupil has completed at least 11 units of credit.
- (c) Grade 12 if the pupil has completed at least 17 units of credit.

2. ~~[If a pupil has an academic plan which projects that the pupil will graduate from high school before he is granted the number of opportunities to take the high school proficiency examinations that is otherwise granted to pupils in grades 11 and 12, the pupil may submit a written request to the superintendent of schools of the school district in which the pupil is enrolled or the governing body of the charter school in which the pupil is enrolled to take the high school proficiency examinations for the first time before he has earned the 5 units of credit required for grade 10.]~~ *If, at the beginning of a pupil's 4th year or more of school commencing with grade 9, the pupil has earned fewer than 17 units of credit, but has an academic plan which projects that the pupil will graduate from high school at the end of that school year, the pupil may submit a written request to the superintendent of schools of the school district in which the pupil is enrolled or the governing body of the charter school in which the pupil is enrolled to take the high school proficiency examinations during times scheduled for 12th grade pupils.*

Section 3. NAC 389.655 Passage of proficiency examinations.

1. A pupil must not be given a standard diploma until the pupil has, after entering grade 11, passed:

- (a) The Nevada High School Proficiency Examination in Reading;
- (b) The Nevada High School Proficiency Examination in Mathematics; and
- (c) The Nevada High School Proficiency Examination in Writing for the Eleventh Grade and Above.

For pupils who graduate from high school before the 2004-2005 school year, the Nevada High School Proficiency Examination in Science must be used solely to gather information concerning the examination and must not be used as a condition for receipt of a high school diploma.

2. After entering grade 10, if a pupil passes one of the high school proficiency examinations, the pupil is not required to take that examination again to graduate.

3. For pupils who enroll in grade 11 in the 1997-1998 school year, passing scores on the high school proficiency examinations are as follows:

- (a) In reading, 70 percent of the questions on the examination answered correctly.
- (b) In mathematics, 61 percent of the questions on the examination answered correctly.
- (c) In writing, 7.

4. For pupils who enroll in grade 11 in the 1998-1999 school year, the 1999-2000 school year or the 2000-2001 school year, passing scores on the high school proficiency examinations are as follows:

- (a) In reading, a scaled score of 71.
- (b) In mathematics, a scaled score of 64.
- (c) In writing, 7.

5. ~~[On or before January 1, 2002, the state board of education will set the passing scores on the high school proficiency examinations for pupils who enroll in grade 11 in the 2001-2002 school year or thereafter. In making its determination of the appropriate passing scores, the state board of education will consider the scores received by pupils in the October 2001 administration of the examinations. The department of education shall provide notice to each school district and charter school of the passing scores that are set at least until such time as the scores are codified in regulation.]~~ *For pupils who enroll in grade 10 and in grade 11 in the 2001-2002 school year, passing scores on the high school proficiency examinations are as follows:*

- (a) In reading, a scaled score of 251.*
- (b) In mathematics, a scaled score of 304.*
- (c) In writing, 7.*

6. A passing score that is in effect at the time that a pupil enrolls in grade 11 will remain in effect for 1 year after the pupil's anticipated completion of grade 12.

7. For pupils who enroll in an adult high school diploma program after July 1, 2000, but before July 1, 2003, passing scores on the high school proficiency examinations are as follows:

- (a) In reading, a scaled score of 71.*
- (b) In mathematics, a scaled score of 64.*
- (c) In writing, 7.*

8. For pupils who enroll in an adult high school diploma program after July 1, 2003, passing scores on the high school proficiency examinations ~~are the scores that are set by the state board of education pursuant to subsection 5~~ *will be determined prior to the 2003-2004 school year.*

Section 4. 1. *For students classified as being in 10th grade at the beginning of their 3rd school year who participated in the norm-referenced test as a 10th grader in the fall of their 2nd school year, schools and school districts must:*

- a) Use the scores from the initial 10th grade administration; or,*
- b) Require students to retest.*

2. School districts must adopt a uniform policy to address Subsection 1.

3. For students classified as being in 10th grade at the beginning of their 3rd school year who did not participate in the norm-referenced test as a 10th grader in the fall of their 2nd school year, schools and school districts must require the students' participation.