

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

LCB File No. R049-03

July 30, 2003

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

AUTHORITY: §§1-5, NRS 385.080, 391.100 and section 74 of Senate Bill No. 1 of the 19th Special Session of the Nevada Legislature.

Section 1. Chapter 391 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 5, inclusive, of this regulation, “paraprofessional” has the meaning ascribed to it in section 73 of Senate Bill No. 1 of the 19th Special Session of the Nevada Legislature.*

Sec. 3. 1. *Each school district and charter school shall recognize that a paraprofessional has satisfied the qualifications prescribed by the No Child Left Behind Act of 2001, 20 U.S.C. § 6319, if the paraprofessional possesses a high school diploma or its recognized equivalent and has:*

(a) Completed at least 48 semester hours of credit at an accredited college or university;
(b) Obtained an associate’s degree or higher degree from an accredited college or university; or

(c) Passed:

(1) The ParaPro Assessment prepared and administered by the Educational Testing Service with a score of at least 460; or

(2) An alternative assessment approved by the Board pursuant to section 4 of this regulation with a score prescribed by the Board.

2. Each school district and charter school shall ensure that a paraprofessional who is:

(a) Initially hired by the school district or charter school on or after January 8, 2002, to work in a program supported with Title I money satisfies the requirements of 20 U.S.C. § 6319 upon hire.

(b) Hired by the school district or charter school before January 8, 2002, to work in a program supported with Title I money satisfies the requirements of 20 U.S.C. § 6319 on or before January 8, 2006.

Sec. 4. 1. The board of trustees of a school district or the governing body of a charter school may submit to the Board an alternative assessment for consideration and approval by the Board for purposes of paragraph (c) of subsection 1 of section 3 of this regulation. The school district or charter school must submit information to demonstrate that:

(a) The assessment may be used to measure a person's competency in the knowledge of and the ability to assist with providing instruction in:

(1) Reading or reading readiness;

(2) Mathematics or mathematics readiness; and

(3) Writing or writing readiness;

(b) The assessment is valid and reliable;

(c) The assessment produces a specific score related to the person's performance on the assessment; and

(d) The level of competence that each person must meet or exceed on the assessment may be determined in a reliable manner.

2. If the Board approves an alternative assessment submitted pursuant to subsection 1:

(a) The Board shall prescribe the passing score that a person must achieve on the assessment to satisfy the requirements of paragraph (c) of subsection 1 of section 3 of this regulation; and

(b) Each school district and charter school shall accept proof of passage of that assessment with the score prescribed by the Board as satisfaction of the requirements of paragraph (c) of subsection 1 of section 3 of this regulation.

Sec. 5. *The Department shall establish and maintain:*

1. A statewide database of paraprofessionals who satisfy the requirements of section 3 of this regulation based upon information provided by the school districts and charter schools; and

2. A list of each assessment approved by the Board pursuant to section 4 of this regulation, if any, and the passing score that must be achieved to satisfy the requirements of paragraph (c) of subsection 1 of section 3 of this regulation.