

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

Explanation: Matter in italics is new, matter in brackets **[H]** to be omitted.
Statutory Authority: NRS 394

New Section: *NAC 394.XXXX Private Elementary and Secondary Education School approved by the Northwest Association of Accredited Schools (NAAS)*

1. An education institution that requests a private school license pursuant to NRS 394.241 (2) as an approved member of the Northwest Association of Accredited Schools must submit to the Department, on a form provided by the Department, including:

(A) A copy of the Northwest Association of Accredited Schools membership verification.

(B) A copy of the articles of incorporation for the educational institution, the bylaws for the institution or other documentation acceptable to the Department that sets forth the purpose of the educational institution.

(C) A sample of the catalog or brochure of the private school containing at least the following information:

(1) The name and address of the private school;

(2) The names of the members of its governing body, its officials and faculty, including, without limitations:

(a) The name of any administrator, supervisor or instructor licensed by the Department; and

(b) The name and a brief description of the qualifications of any administrator or instructor who is not licensed by the Department and who meets the alternative requirements set forth in subsection 1 or 2 of NAC 394,050;

(3) The date of publication of the catalog;

(4) The philosophy of the private school;

(5) A brief description of proposed grades and programs;

(6) The daily schedule of classes of the private school and, if secondary education is provided, the number of credits which a student must earn;

(7) A description of all charges, the purpose for each charge, and the methods and time of payment;

(8) A detailed schedule of all fees, including, without limitation, tuition, fees for books, supplies, activities for pupils and the use of laboratories, service charges, rentals, deposits, and charges for room and board; and

(9) A clear statement of the policy of the private school on cancellations and refunds.

(D) The method the applicant will use to distribute the approved catalog or brochure to parents and pupils before enrollment. The contents of the catalog or brochure must be incorporated in all agreements and contracts for enrollment.

(E) Calendars showing legal holidays, beginning and ending dates of terms, and other important dates for each of the years under the term of the private school license. The school year must include at least 180 school days.

(F) Documentation which indicates that the facility occupied by the educational institution meets the requirements of applicable codes for the prevention of fire and codes pertaining to safety, health and sanitation.

(G) Documentation which indicates that an owner or administrator of the educational institution has communicated with the Division of Industrial Relations of the Department of Business and Industry regarding compliance with the federal Occupational Safety and Health Act of 1970.

(H) Evidence of compliance with NRS 394.190 if the educational institution uses vehicles for the transportation of pupils.

(I) An applicant shall submit plans, blueprints or line drawings which describe in detail the facilities in which the private school will operate. "As built" drawings must be submitted for existing facilities.

(J) Applicants for an initial private school license or for renewal of a private school license shall submit a proposed budget showing estimated revenues and expenditures for each of the years of operation authorized by the private school license to establish reasonable financial stability. An applicant shall:

(K) Fully disclose to the Department all owners, directors, officers, shareholders, trustees and any other parties maintaining a financial interest in the private school, and the basis upon which the organization is legally constituted. An incorporated private school shall submit a certificate of authorization to do business from the Secretary of State and a copy of its articles of incorporation and bylaws. Any changes in the articles or bylaws must be reported to the Board.

(L) Submit a financial statement. A private school with an enrollment of at least 30 pupils but not more than 150 pupils shall have a certified public accountant or public accountant compile the statement. A private school with an enrollment of more than 150 pupils shall have a certified public accountant review the statement and sign it.

(M) Per NRS 394.271 a \$5,000 surety bond or certificate of deposit has to be filed.

(N) Evidence of an official declaration of tax-exempt status by the Internal Revenue Service must be submitted with an application from a nonprofit organization.

(O) Provide samples of proposed advertising.

(1) A private school licensed by the Board shall not use the words "State Board of Education" in any outdoor advertising or on the building itself.

(2) The words "licensed by the State Board of Education" or any other allusion to state licensing of the private school, if included in any brochure, stationery or printed advertisement of any nature, must be in print no larger than the smallest print used elsewhere in the material

(P) Submit an occupational permit for each employee without a teacher's license or administrator's license that works with the students. Any fees or costs associated with the local occupational permit, including, but not limited to, the cost of investigations by the Federal Bureau of Investigation, must be paid by the applicant or employee.

(Q) Submit three local references attesting to the character and reputation of the owner or chairman of the board of trustees of the private school.

(R) Submit the policy and regulations of the private school on enrollment and entrance requirements. The policy and regulations must be clearly stated in all literature.

(S). Submit a statement of assurance that students will be admitted to the private school without regard to race.

(T) State the policy and regulations of the private school relating to student conduct or behavior and conditions for dismissal. Dismissal procedures must comply with requirements of due process of law.

2. Facilities or plans must be inspected and approved by the Department for conformity with acceptable educational standards and specifications and for compliance with the provisions of this chapter before a private school license is issued.

3. NRS 394.168 through NRS 394.1699 required new applicants to submit a Crisis Response Plan. If you are renewing your private school license, only Crisis Response Plans that have been revised need to be submitted.

4. The board of directors of a private school, or upon written authority of the board of directors, the chief administrator of the private school, may schedule not more than 5 short school days in session per school year. Before using a short school day in session, the private school must have the written approval of the Superintendent of Public Instruction.

5. On or before October 15 of each year and whenever there is a change in the staff of the private school, submit a report to the Department identifying:

(1) Each employee with a teacher's or administrator's license issued by the Department, his assignment and the identifying number on his license;

(2) Each employee without a teacher's or administrator's license from another state or territory or the United States;

(3) Each employee with a bachelor's degree from an accredited school with three years of experience; and

(4) Each employee with a master's degree from an accredited school with one year of experience, if any.

6. Notify the Department in writing of the conviction of an officer or member of the staff of the private school of any crime or felony involving moral turpitude which could affect relationships with pupils.

7. Shall not knowingly employ any person who has been convicted of a crime involving moral turpitude with a minor unless otherwise permitted by the Board.