

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

LCB File No. R019-09

June 10, 2009

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

AUTHORITY: §1, NRS 385.080; §2, NRS 385.080 and 387.123.

A REGULATION relating to pupils; revising provisions governing the recordation of the withdrawal of pupils from public schools; and providing other matters properly relating thereto.

Section 1. NAC 387.048 is hereby amended to read as follows:

387.048 “Dropout” means any pupil who withdrew during the previous school year for any reason specified in ~~[subsections 4 to 7, inclusive, or]~~ subsection ~~[11]~~ 3 of NAC 387.215.

Sec. 2. NAC 387.215 is hereby amended to read as follows:

387.215 The reason listed in the master register of enrollment and attendance for the withdrawal of a pupil must be stated as one of the following:

1. ~~[Withdrawal]~~ *For a pupil who will receive educational services in the same school district, withdrawal* of the pupil to ~~[enroll in another:~~
 - ~~—(a) Grade level within the]~~ :
 - (a) *Enroll in the* same school ~~];~~
 - ~~(b) Track within the same school; or~~
 - ~~—(c) School]~~ *or a program within the same school, including, without limitation, another grade level or track within the same school;*

(b) *Enroll in another school, other than a charter school,* within the same school district ~~[-]~~ ;

(c) *Enroll in a charter school that is sponsored by the board of trustees of the school district; or*

(d) *Receive educational services from the school district if the pupil is not assigned to a particular school within the school district.*

2. ~~[-Withdrawal]~~ *For a pupil who will receive educational services from a source other than the school district, withdrawal of the pupil to ~~[-enroll in another]~~ transfer and:*

(a) *Enroll in a public school , other than a charter school, in another school district in* this State, including, without limitation, enrollment in a detention home or alternative program that is not located within the school district ~~[-]~~

~~—3.— Withdrawal of the pupil to enroll] ;~~

(b) *Enroll* in a school in another state ~~[-]~~

~~—4.— Withdrawal of the pupil at the request of the school.~~

~~—5.— Withdrawal] ;~~

(c) *Enroll in a school in another country;*

(d) *Enroll in a charter school that is not sponsored by the board of trustees of the school district;*

(e) *Enroll in a private school in this State; or*

(f) *Receive instruction as a homeschooled child pursuant to NRS 392.070.*

3. *For a pupil who is not known to be receiving educational services, withdrawal of the pupil ~~[-by]~~ from the system of K-12 public education:*

(a) *By* the pupil or the parent or guardian of the pupil, *as applicable*, for any of the following reasons:

~~[(a)]~~ (1) The pupil is ~~[receiving a failing grade in at least two of the subjects in which he is enrolled;~~

~~—(b)]~~ *credit deficient;*

(2) Pregnancy;

~~[(e)]~~ (3) Marriage;

~~[(d)]~~ (4) Employment;

~~[(e)]~~ (5) The pupil's physical or mental condition ~~[or attitude,]~~ *prevents or renders inadvisable his attendance at school or his application to study*, certified pursuant to NRS 392.050 ~~;~~

~~—(f) ;]~~ *including, without limitation, a long-term medical condition or admission to a program of substance abuse treatment or a rehabilitative setting;*

(6) Authorization by the juvenile division of the district court pursuant to NRS 392.090;

~~[(g)]~~ (7) Self-supported or parental support in accordance with NRS 392.100;

~~[(h)]~~ (8) Apprenticeship in accordance with NRS 392.110; or

~~[(i)]~~ (9) Any other reason not specified in ~~[paragraphs (a) to (h),]~~ *subparagraphs (1) to (8)*,

inclusive.

~~[(6.—Absence)]~~

(b) *Because the pupil's age exceeds the maximum age at which the pupil is entitled to a public education in this State.*

(c) *Due to:*

(1) *Permanent expulsion;*

(2) *Disciplinary or other eligibility reasons; or*

(3) *Incarceration.*

(d) *To enroll in an educational program for adults or other educational program which does not offer a diploma, including, without limitation:*

(1) *A program of general educational development; or*

(2) *A program of vocational or technical education for adults.*

(e) *As a result of the unknown enrollment status of the pupil due to the absence of the pupil ~~for~~:*

(1) *For 10 consecutive school days if the whereabouts of the pupil are unknown ~~f~~*

~~7. Incarceration.~~

~~8. Withdrawal] or the reason for his absence cannot be determined;~~

(2) *For 1 month when an expected date of return is not known; or*

(3) *For unexplained absence, as set forth in subsection 2 of NAC 387.220.*

(f) *When attendance is excused pursuant to NRS 392.060 ~~[, 392.070 or]~~ for completion of the 12 grades of elementary and high school courses.*

(g) *When attendance is excused pursuant to 392.080 ~~f~~*

~~9. Death.~~

~~10. Any other reason for withdrawal.~~

~~11. Withdrawal for unexplained absence, as set forth in subsection 2 of NAC 387.220.]~~

because the pupil's residence is located at such a distance from the nearest public school as to render attendance unsafe or impractical.

4. *For a pupil who exits the system of public education, withdrawal of the pupil:*

(a) *Due to the death of the pupil;*

(b) When the pupil is less than 7 years of age and was enrolled in public school; or

(c) After reenrolling, if the pupil was previously withdrawn for a reason set forth in paragraph (d) of subsection 3.