

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

LCB File No. R155-13

March 19, 2014

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

AUTHORITY: §§1-9, NRS 385.080 and 385.448.

A REGULATION relating to education; revising provisions governing high school equivalency assessments; selecting certain tests to be used for high school equivalency assessments; prescribing the minimum passing score for each high school equivalency assessment; revising criteria for admission to an adult high school program; and providing other matters properly relating thereto.

Section 1. NAC 385.402 is hereby amended to read as follows:

385.402 ~~{Tests of general educational development}~~ *The high school equivalency assessments selected by the State Board pursuant to NRS 385.448* enable persons who have not graduated from high school to demonstrate that they have achieved an educational level which is an acceptable substitute for completing a high school education.

Sec. 2. NAC 385.404 is hereby amended to read as follows:

385.404 1. Any person who:

(a) Is 17 years of age or older;

(b) Has not graduated from a high school in the United States which is accredited by a regional association; and

(c) Is not currently enrolled in a high school,

↪ is eligible to take ~~{the tests}~~ *an assessment* to determine the person's ~~{general educational development}~~ *high school equivalency* if he or she otherwise complies with the provisions of

NRS 385.448. No minimum period of residence in this State is required of an applicant before he or she takes ~~the tests.~~ *an assessment.*

2. The board of trustees of a school district may, upon request and for good cause shown, grant permission to take ~~the tests of general educational development~~ *a high school equivalency assessment* to a person who resides in the school district and who is at least 16 years of age but less than 17 years of age if the person satisfies the requirements of subsection ~~2~~ **3** of NRS 385.448.

3. A school district shall adhere to the ~~policy~~ *policies* of the ~~general educational development testing service~~ *high school equivalency assessment service* that the ~~tests of general educational development~~ *high school equivalency assessment* must not be used as part of a high school program or used as a high school exit examination.

4. A school district shall not allow a person who passes ~~the tests of general educational development~~ *a high school equivalency assessment* to waive the units of credit required for a standard high school diploma.

5. A person who is at least 18 years of age and who passes ~~the tests of general educational development~~ *a high school equivalency assessment* may, in accordance with NAC 389.694, waive the units of credit required for an adult standard diploma.

6. A person who is at least 17 years of age but less than 18 years of age and who is enrolled in an alternative program for the education of pupils at risk of dropping out of school established by a school district pursuant to NRS 388.537 may, in accordance with NAC 389.694, waive the units of credit required for an adult standard diploma.

Sec. 3. NAC 385.406 is hereby amended to read as follows:

385.406 1. An applicant to take ~~{the tests}~~ *a high school equivalency assessment* must provide valid identification. An acceptable kind of identification is a document containing the applicant's photograph, such as a current driver's license.

2. Before an applicant is admitted to take ~~{the tests,}~~ *an assessment*, the ~~{chief examiner}~~ *proctor* who will conduct ~~{them}~~ *the assessment* shall compare the signature on the document which the applicant presents as identification with the signature on his or her application to take the ~~{tests.}~~ *assessment*.

Sec. 4. NAC 385.408 is hereby amended to read as follows:

385.408 1. *Pursuant to NRS 385.448, the State Board hereby selects the following as high school equivalency assessments:*

(a) The General Educational Development Test;

(b) The HiSET Exam; and

(c) The Test Assessing Secondary Completion.

2. The minimum passing ~~{scores are}~~ *score:*

(a) For the General Educational Development Test is a standard score of 150 on each of the four subtests.

(b) For the HiSET Exam is a standard score of ~~{410}~~ 8 on each of the five ~~{tests}~~ subtests and an average standard score of ~~{450}~~ 10 on the five ~~{tests.}~~ subtests.

(c) For the Test Assessing Secondary Completion is a standard score of 500 on each of the five subtests.

Sec. 5. NAC 385.410 is hereby amended to read as follows:

385.410 1. An applicant who takes ~~{the tests of general educational development}~~ *a high school equivalency assessment* for the first time must complete the entire battery of ~~{five tests}~~

subtests before the applicant may be retested on any of the ~~individual tests. The applicant must complete his or her initial testing in no more than two sessions held within a period of 6 weeks. If the applicant fails to complete the tests within the 6-week period, the results of his or her initial testing become invalid.~~ *subtests*.

2. An applicant who completes his or her initial ~~testing within the 6-week period~~ *assessment* but fails to achieve the minimum scores may be retested on the entire battery of ~~tests~~ *subtests* or on the individual ~~test or tests~~ *subtest or subtests* which the applicant failed. If an applicant to be retested was initially tested with an edition in the English language, a different form of the edition must be used for the retest.

3. An applicant may be retested any number of times, although the availability of alternative forms of the ~~test assessment~~ *assessment* may limit the number of possible retests in any 12-month period.

~~4.— An applicant whose scores on the tests qualify him or her to receive a Nevada High School Equivalency Certificate may not be retested.~~

Sec. 6. NAC 385.420 is hereby amended to read as follows:

385.420 A ~~general educational development~~ test site that has been approved by the Department ~~shall issue a certificate of educational equivalence (Nevada High School Equivalency Certificate) to each person who has passed the tests of general educational development.~~ *to administer the high school equivalency assessments may administer such assessments.* A certificate *of educational equivalence* will be issued without charge to any person who passes the ~~tests.~~ *an assessment in a manner determined by the Department.*

Sec. 7. NAC 387.190 is hereby amended to read as follows:

387.190 1. A person who:

(a) Is at least 18 years of age or who meets the requirements for participation in a program of education for incarcerated persons established pursuant to NAC 388.676;

(b) Has not received his or her high school diploma; and

(c) Is not currently enrolled in a high school,

↳ may be enrolled as a pupil in an adult high school program designed to enable him or her to obtain a diploma.

2. A person who is ~~17~~ *at least 16* years of age but less than 18 years of age and who participates in an alternative program for the education of pupils at risk of dropping out of school pursuant to NRS 388.537 may enroll in an adult high school program with the approval of the board of trustees of the school district in which the pupil is enrolled ~~17~~ *only for the purpose of preparing to take a high school equivalency assessment.*

3. Before commencing an adult high school program, a school district must apply to the Department for permission to conduct the program. The application must be made on a form provided by the Department and include the:

(a) Name of the course to be taught; and

(b) Proposed beginning and ending dates for each class.

4. The Superintendent of Public Instruction shall review each application to operate an adult high school program submitted to the Department and approve or deny the application. If the application is denied by the Superintendent, the school district may appeal the decision of the Superintendent to the State Board of Education. The State Board may approve or deny the application for an adult high school program upon appeal.

5. An application that has been approved by the Superintendent of Public Instruction or the State Board of Education pursuant to subsection 4 remains in effect for 5 years after the date of

approval. The board of trustees of a school district shall update its plan to operate an adult high school program at least once annually if a substantive change is made to the plan.

6. A class that is part of an approved program may begin or end at any time during the school year.

7. A school district that offers an adult high school program shall offer a sufficient number of required and elective courses for a pupil enrolled in the program to obtain the credits necessary to receive an adult standard diploma. Such required and elective courses must include the content identified in the school district's approved curriculum.

Sec. 8. NAC 389.694 is hereby amended to read as follows:

389.694 1. Except as otherwise provided in this section, a person who is 18 years of age or older and who seeks an adult standard diploma may waive units of credit for ~~English,~~ *language arts*, mathematics, science and social studies by taking ~~tests of his or her general educational development~~ *a high school equivalency assessment* in those subjects. A person who seeks an adult standard diploma *who is at least 17 years of age but less than 18 years of age* and who is enrolled in an alternative program for the education of pupils at risk of dropping out of school established by a school district pursuant to NRS 388.537 may ~~not~~ waive ~~any~~ units of credit pursuant to this section.

2. The maximum number of credits which may be waived in the areas of ~~English,~~ *language arts*, mathematics and science must be based on the number of credits previously earned which meet the minimum requirements for course content outlined in NAC 389.450 to 389.511, inclusive, and the credits waived upon the completion of ~~the General Educational Development Test.~~ *a high school equivalency assessment selected pursuant to NRS 385.448.*

3. Credits in elective courses may be waived only in the area of social studies. The maximum number of credits which may be waived in the area of social studies must be based on ~~the General Educational Development Test.~~ *a high school equivalency assessment selected pursuant to NRS 385.448.*

4. The following ~~table sets~~ *tables set* forth the scores which a person must achieve on ~~the tests~~ *a high school equivalency assessment* to waive credits in required and elective courses and the corresponding number of units which may be waived:

General Educational Development Test (2002 Series)

| Subject | Designation of Test | Maximum Number of Units | |
|----------------|------------------------|------------------------------|-------------------------------|
| | | For Score of 450 to 499.9 | For Score of 500 or higher |
| English | I and IV (average) | 2 | 4 |
| Mathematics | V | 1 | 3 |
| Science | III | 1 | 2 |
| Social Studies | II | 1 | 2 |

General Educational Development Test (2014 Series)

| <i>Subject</i> | <i>Designation of Test</i> | <i>Maximum Number of Units</i> | |
|----------------------|--------------------------------|------------------------------------|---------------------------------------|
| | | <i>For Score of 150 to 162</i> | <i>For Score of 163 or higher</i> |
| <i>Language Arts</i> | <i>I</i> | <i>2</i> | <i>4</i> |

| <i>Subject</i> | <i>Designation of Test</i> | <i>Maximum Number of Units</i> | |
|-----------------------|----------------------------|--------------------------------|-----------------------------------|
| | | <i>For Score of 150 to 162</i> | <i>For Score of 163 or higher</i> |
| <i>Mathematics</i> | <i>II</i> | <i>1</i> | <i>3</i> |
| <i>Science</i> | <i>III</i> | <i>1</i> | <i>2</i> |
| <i>Social Studies</i> | <i>IV</i> | <i>1</i> | <i>2</i> |

HiSET Exam (2014 Series)

| <i>Subject</i> | <i>Designation of Test</i> | <i>Maximum Number of Units</i> | |
|-----------------------|----------------------------|--------------------------------|----------------------------------|
| | | <i>For Score of 10 or 11</i> | <i>For Score of 12 or higher</i> |
| <i>Language Arts</i> | <i>I and V (average)</i> | <i>2</i> | <i>4</i> |
| <i>Mathematics</i> | <i>II</i> | <i>1</i> | <i>3</i> |
| <i>Science</i> | <i>III</i> | <i>1</i> | <i>2</i> |
| <i>Social Studies</i> | <i>IV</i> | <i>1</i> | <i>2</i> |

Test Assessing Secondary Completion (2014 Series)

| <i>Subject</i> | <i>Designation of Test</i> | <i>Maximum Number of Units</i> | |
|----------------|----------------------------|--------------------------------|-----------------------------------|
| | | <i>For Score of 500 to 529</i> | <i>For Score of 530 or higher</i> |

| <i>Subject</i> | <i>Designation of Test</i> | <i>Maximum Number of Units</i> | |
|-----------------------|----------------------------|--------------------------------|-----------------------------------|
| | | <i>For Score of 500 to 529</i> | <i>For Score of 530 or higher</i> |
| <i>Language Arts</i> | <i>I and V (average)</i> | <i>2</i> | <i>4</i> |
| <i>Mathematics</i> | <i>II</i> | <i>1</i> | <i>3</i> |
| <i>Science</i> | <i>III</i> | <i>1</i> | <i>2</i> |
| <i>Social Studies</i> | <i>IV</i> | <i>1</i> | <i>2</i> |

Sec. 9. NAC 389.695 is hereby amended to read as follows:

389.695 The board of trustees of a school district may allow a person who is *at least* 16 years of age *but less than 18 years of age* who has withdrawn from high school so that he or she may take ~~[the tests of general educational development]~~ *a high school equivalency assessment* to attend an adult high school program only for the purpose of test preparation.