

PROPOSED REGULATION OF THE STATE BOARD OF EDUCATION

LCB FILE NO. R061-14

ADMINISTRATION OF ACHIEVEMENT AND PROFICIENCY EXAMINATIONS

Notes: LCB drafters will consider the following and make necessary edits to NRS citations among other changes to ensure these proposed edits are appropriate.

NRS 389.015 Administration and scoring; transmission of results; effect of failure to pass; certain exceptions for child transferred due to military transfer of parent; confidentiality of examinations. Repealed. (See chapter 506, Statutes of Nevada 2013, at page 3295.)

NRS 389.016 Postponement of administration of examination in mathematics and science for pupil enrolled in grade 10; revision of pupil's academic plan; annual report by school district. Repealed. (See chapter 506, Statutes of Nevada 2013, at page 3295.)

NRS 389.017 Reporting of results of examinations; reconciliation of number of pupils taking examinations. Repealed. (See chapter 506, Statutes of Nevada 2013, at page 3295.)

NRS 389.0173 Development of informational pamphlet concerning examination by Department; duties of school districts and charter schools to post pamphlet and distribute to pupils and parents. ~~Replaced in revision by NRS 389.809.~~

NRS 389.0175 Establishment of statewide program for preparation of pupils to take examination; compliance with program required of school districts and certain schools; use of additional materials and information. Repealed. (See chapter 506, Statutes of Nevada 2013, at page 3295.)

NAC 389.xxx Consideration of 2014-2015 implementation of field test on students enrolled in high school; applicable to the Class of 2017 and Class of 2018; establishing graduation requirement; establishing passing score and alternative demonstration of passing score for these two classes.

Pupils enrolled in grade 12 in the 2016-2017 school year and the 2017-2018 school year and are identified as members of the 2017 graduating cohort or 2018 graduating cohort are required to pass four end of course examinations. The first administration of the end of course examinations will commence with an operational field test in the 2014 – 2015 school year. It is recognized that some of these students may be subject to the first administration of the end of course exams in the 2014-2015 school year for a course in which the pupil completed at least one year prior. It is also recognized that the standards for which each end of course examination is built will not be available until Spring 2014. In order to fairly facilitate the transition to this graduation requirement the following apply:

- 1) *In order to satisfy the graduation requirement, students within these two cohorts must;*
 - a) *Participate in the applicable EOC examinations: and*
 - b) *Achieve the passing score for each EOC as established by the state; or*
 - c) *Demonstrate an alternative passing score by passing the course for which the EOC is aligned.*
 - i) *If a district or charter school has an established policy governing the determination of passing any course identified by the district as aligned to the EOC then such a policy must be followed in determining whether or not a student has demonstrated an alternative passing score(1(c).*
- 2) *Each district and charter school shall submit to the state the criteria used in order to establish the alternative passing score as described in 1(c) if different from the state.*
 - a) *The district or charter school shall submit this information to the state on or before July 1, 2014.*

NAC 389.048 Eligibility for pupil to take high school proficiency examinations. (NRS 385.080, 389.015)

1. Except as otherwise provided in subsection 2, to determine the eligibility of a pupil who has completed at least grade 9 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 or 2 semesters of high school.
- (b) Grade 11 if the pupil has completed at least 11 units of credit or 4 semesters of high school.
- (c) Grade 12 if the pupil has completed at least 17 units of credit or 6 semesters of high school.

2. If a pupil has an academic plan which projects that the pupil will graduate from high school before the pupil 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 the pupil has earned the 5 units of credit or completed the 2 semesters of high school required for grade 10.

3. In order to earn a standard high school diploma, the State Board of Education prescribes passage of the high school proficiency examination in Reading; Mathematics; Science; and Writing for a pupil enrolled in grade 12 in the 2013-2014 school year, the 2014-2015 school year, and the 2015-2016 school year(Graduating class of 2014, 2015, and 2016).

(Added to NAC by Bd. of Education by R072-01, eff. 11-7-2001; A by R022-09, 10-27-2009)

NAC 389.0XX Eligibility for pupil to take the End of Course Examinations

1. *In order to earn a standard high school diploma, the State Board of Education prescribes passage of each of four end of course examinations for a pupil enrolled in grade 12 in the 2016-2017 school year, the 2017-2018 school year, and the 2018-2019 school year (Graduating class of 2017, 2018, 2019).*
2. *For each of end of course examination, the Department of Education shall publish the grade and standards in spring.*
 - a. *For the 2014-2015 administration of the end of course exams, the Department will publish the grade and standards by July 1, 2014.*

3. *Each school district and charter school shall submit to the Department the course titles, corresponding course codes, and an alignment chart demonstrating that pupils enrolled in each course will receive instruction in the standards described in the end of course examination, pursuant to 2, in summer.*
 - a. *For the 2014-2015 administration of the end of course exams, the school district and charter school shall submit to the Department the information identified by October 1, 2014.*
4. *A pupil is eligible to take an end of course exam upon completion of a course at the district or charter school that was submitted pursuant to paragraph (3).*
 - a. *A pupil is eligible beginning in their 6th grade year.*

NAC 389.0XX Eligibility for pupil to take the college and career readiness assessment.

1. *Commencing with the 2014-2015 school year and each school year thereafter, pupils enrolled in grade 11 shall participate in the college and career readiness assessment.*

2. *Except as otherwise provided in subsection 2, to determine the eligibility of a pupil enrolled in grade 11 to take the college and career readiness assessment, the pupil shall be deemed in:*

(a) *Grade 11 if the pupil has completed at least 11 units of credit or 4 semesters of high school.*

3. *If a pupil has an academic plan which projects that the pupil will graduate from high school before the pupil 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 the pupil has earned the 5 units of credit or completed the 2 semesters of high school required for grade 10.*

NAC 389.051 Times for administration; special administration. (NRS 385.080, 389.015, 389.550)

1. Except as otherwise provided in subsection 2, the board of trustees of each school district and the governing body of each charter school, respectively, shall administer the examinations required by NRS 389.015, **NRS 389.805 2(b)**, **NRS 389.807** and 389.550 in each public school in that district and each charter school which has the appropriate grades at the following times:

(a) For grades 3 through 8, the criterion-referenced examinations in reading and mathematics as provided in NAC 389.061 must be administered in the spring semester on the dates specified by the Department of Education.

(b) For grades 5 and 8, the criterion-referenced examinations in writing and science must be administered in the spring semester on the dates specified by the Department of Education.

(c) **For students in the graduating cohort of 2015 or 2016, and enrolled in** grade 11, the high school proficiency examination in writing must be administered in the fall and spring semesters on the dates specified by the Department of Education.

(d) For grade 12 and for adults, the high school proficiency examination in writing must be administered in:

- (1) The spring semester;
- (2) The summer months; and
- (3) The fall semester,

□ on the respective dates specified by the Department of Education.

(e) For *students in the graduating cohort of 2014, 2015, or 2016, and enrolled in* grade 12 and for adults, the high school proficiency examination in writing may be administered, upon the direction of the Department of Education, to those pupils who have not yet passed the examination, on a date specified by the Department which must be approximately 4 weeks before the date of graduation.

(f) For *students in the graduating cohort of 2016 and enrolled in* grade 10, the high school proficiency examinations in reading, mathematics and science must be administered in the spring semester on the dates specified by the Department of Education.

(g) For *students in the graduating cohort of 2015 or 2016, and enrolled in* grade 11, the high school proficiency examinations in reading, mathematics and science must be administered in:

- (1) The spring semester; and
- (2) The fall semester,

□ on the respective dates specified by the Department of Education.

(h) For *students in the graduating cohort of 2014, 2015, or 2016, and enrolled in* grade 12 and for adults, the high school proficiency examinations in reading, mathematics and science must be administered in:

- (1) The spring semester;
- (2) The summer months; and
- (3) The fall semester,

□ on the respective dates specified by the Department of Education.

(i) For *students in the graduating cohort of 2014, 2015, or 2016, and enrolled in* grade 12 and for adults, the high school proficiency examinations in reading, mathematics and science may be administered, upon the direction of the Department of Education, to those pupils who have not yet passed one or more of those examinations, on the dates specified by the Department, which must be approximately 4 weeks before the date of graduation.

(j) For eligible students, the end of course examinations must be administered in a manner consistent with the dates specified by the Department of Education.

2. Not later than May 1 of each year, the board of trustees of a school district in which a school with a 12-month school program is located or the governing body of a charter school with a 12-month school program shall, if pupils who attend the school are not expected to be in session on one of the dates prescribed in subsection 1 for the administration of an examination, consult with the Assessment, Program Accountability and Curriculum Office of the Department of Education to establish another date for the administration of that examination. Not later than June 1 of that year, the Assessment, Program Accountability and Curriculum Office shall provide the board of trustees or the governing body of a charter school with written confirmation of the date agreed upon pursuant to this subsection.

3. The Department of Education may schedule a special administration of any examination required to be passed for graduation if:

- (a) The person taking the examination is a pupil enrolled in grade 12;
- (b) The person, through no fault on the part of the person, was not able to take the examination at its most recent administration; and
- (c) No regular administration of the examination is scheduled before the date on which the person is otherwise eligible to graduate.

(Added to NAC by Bd. of Education, eff. 3-9-88; A 9-15-89; 9-13-91; 10-8-93, eff. 9-1-94; 11-17-95; R115-97, 12-10-97; R115-97, 12-10-97, eff. 7-1-98; R019-98, 4-17-98; R019-98, 4-17-98, eff. 7-1-98; R065-99, 11-3-99; R065-99, 11-3-99, eff. 9-1-2000; R072-01, 11-7-2001; R072-01, 11-7-2001, eff. 7-1-2002; R042-05, 10-31-2005; R020-09, 10-27-2009)

NAC 389.0515 General requirements for examinations. (NRS 385.080, 389.015, 389.550)

1. An examination that is administered to assess the achievement and proficiency of pupils in this State must:

(a) If the examination is administered pursuant to NRS 389.550, measure the achievement and proficiency of pupils in the standards of content established by the Council to Establish Academic Standards for Public Schools, as adopted by the State Board of Education pursuant to NRS 389.520;

(b) If the examination is administered pursuant to NRS 389.015 in any grade, measure the achievement and proficiency of pupils in the subjects set forth in subsection 1 of NRS 389.015 and in the standards of content established by the Council to Establish Academic Standards for Public Schools, as adopted by the State Board of Education pursuant to NRS 389.520;

(b) If the examination is administered pursuant to NRS 389.805 2(b), in any grade, measure the achievement and proficiency of pupils in the subjects set forth in subsection 1 of NRS 389.018 and in the standards of content established by the Council to Establish Academic Standards for Public Schools, as adopted by the State Board of Education pursuant to NRS 389.520;

(c) Be designed so that data relating to past and future trends of the examination scores of pupils may be compiled;

(d) Measure the specific knowledge and skills or level of achievement and proficiency that it was designed to measure;

(e) Be fair to all potential examinees and, insofar as practicable, be designed to account for differences among the examinees in their gender, culture and primary language; and

(f) Be useful in determining the achievement and proficiency of a pupil relative to a particular level of achievement and proficiency.

2. The costs of such an examination must not exceed the appropriations made by the Legislature for the administration of the examination.

3. The results of such an examination must be reported in a manner that:

(a) Is clear to parents and teachers; and

(b) Avoids the use of technical terms.

4. The Department of Education shall provide a program of professional development for teachers relating to the interpretation of the results of such an examination.

(Added to NAC by Bd. of Education by R065-99, eff. 11-3-99; A by R072-01, 11-7-2001; R072-01, 11-7-2001, eff. 7-1-2002)

NAC 389.054 Confidentiality and security of testing materials. (NRS 385.080, 389.015, 389.550, 389.616)

1. The board of trustees of each school district and the governing body of each charter school shall ensure that the employees of the school district or charter school, respectively, who have access to the materials necessary to administer the examinations required by NRS 389.015 ~~and~~ 389.550 *and 389.805* are familiar with:

(a) The provisions of this section, subsection 6 of NRS 389.015 and NRS 389.600 to 389.648, inclusive; and

(b) Any instructions that are issued by the Department of Education relating to the confidentiality of those materials.

2. A person shall not make or distribute copies of the questions contained in the examinations required by NRS 389.015 ~~and~~ 389.550 *and 389.805* or the approved answers used for grading them unless that person has received written authorization to do so from the publisher of the examination and the Department of Education.

3. Before the examinations required by NRS 389.015 ~~and~~ 389.550 *and 389.805* are distributed to the schools in which the examinations will be administered, the board of trustees or the governing body shall ensure that the materials used to administer the examinations and the approved answers used for grading them are stored in such a manner that only those persons to whom the materials and answers may be disclosed pursuant to subsection 6 of NRS 389.015 have access to them.

4. The secure examination materials that are used to administer the examinations required by NRS 389.015 ~~and~~ 389.550 *and 389.805* must not be distributed to the schools in which the examinations will be administered until such time as is necessary to allow the schools adequate time to prepare to administer the examinations.

5. The principal of each school to which an examination is delivered shall ensure that:

(a) The questions contained in the examination are stored in a secure location and are not distributed until the examination is administered; and

(b) The materials used to administer the examination are stored in a secure manner before the end of the day on which the examination is administered.

6. On or before September 15 of each year, the principal of each public school and charter school, respectively, shall submit to the Department of Education a statement that the principal will ensure that the school complies with the provisions of this section, the provisions of NRS 389.600 to 389.648, inclusive, and any instructions issued by the Department relating to the confidentiality of testing materials. The statement required pursuant to this subsection must be on a form prescribed by the Department.

7. The examinations required by NRS 389.015 ~~and~~ 389.550 *and 389.805* must be administered:

(a) In a facility that is approved by the board of trustees of the school district or the governing body of the charter school; and

(b) By employees of the school district or charter school who are designated to administer the examinations by the board of trustees of the school district or the governing body of the charter school, respectively.

(Added to NAC by Bd. of Education by R115-97, eff. 12-10-97; A by R065-99, 11-3-99; R072-01, 11-7-2001)

NAC 389.056 Procedures for administration. (NRS 385.080, 389.015, 389.550) Achievement and proficiency examinations must be administered as follows:

1. For grades 5 and 8, the examination in writing must be administered pursuant to the instructions in the current edition of the manual for the administration of the proficiency examination in writing adopted by the Department of Education.

2. For grades 3 through 8, the criterion-referenced examinations must be administered pursuant to the instructions in the current edition of the manual for the administration of the criterion-referenced examinations adopted by the Department of Education.

3. For *students in the graduating cohorts of 2014, 2015, or 2016 and enrolled in* grades 10 and above, the high school proficiency examinations must be administered pursuant to the instructions in the current edition of the manual for the administration of the high school proficiency examinations adopted by the Department of Education.

4. *The end of course examinations and the college and career readiness assessment must be administered pursuant to the instructions in the current edition of the manual for the administration of end of course examinations distributed by the Department of Education.*

(Added to NAC by Bd. of Education, eff. 3-9-88; A 9-15-89; 12-11-89; 9-13-91; 10-8-93, eff. 9-1-94; 11-17-95; R115-97, 12-10-97; R019-98, 4-17-98; R072-01, 11-7-2001; R042-05, 10-31-2005; R020-09, 10-27-2009)

NAC 389.0565 Use of calculators on examinations. (NRS 385.080, 389.015, 389.550)

1. ~~{Except as otherwise provided in this section,}~~ calculators may not be used by pupils taking ~~{any examination in mathematics described in NAC 389.061, including, without limitation,}~~ the Nevada High School Proficiency Examination in Mathematics.

2. A pupil may use a calculator while taking the Nevada High School Proficiency Examination in Mathematics or the Nevada Criterion-Referenced Examination in Mathematics if the pupil is enrolled in a program of special education pursuant to NRS 388.440 to 388.520, inclusive, and the pupil's individualized education program specifies that the pupil may use a calculator for assessment purposes.

3. A pupil may use a calculator while taking ~~{a}~~ *specified* portions of the *Nevada State Assessments* ~~{High School Proficiency Examination}~~ in Mathematics ~~{for the Nevada Criterion-Referenced Examination in Mathematics}~~ if the Department of Education has specified that a calculator may be used while taking that portion of the examination.

(Added to NAC by Bd. of Education by R115-97, eff. 12-10-97; A by R019-98, 4-17-98; R065-99, 11-3-99; R065-99, 11-3-99, eff. 9-1-2000; R072-01, 11-7-2001; R042-05, 10-31-2005; R020-09, 10-27-2009)

NAC 389.057 Eligibility for reexamination. (NRS 385.080, 389.015, 389.550)

1. A pupil who fails a proficiency examination administered *to an eligible student* during grade 10 or 11 is eligible to be reexamined only at the times that the examination is administered for the grade level of the pupil pursuant to NAC 389.051.

2. If the *eligible* pupil does not pass a proficiency examination before the completion of grade 12, the pupil may be reexamined any time that the examination is administered to adults pursuant to NAC 389.051 after providing proof to the school district or, if the pupil attends a charter school, to the charter school that the pupil has completed appropriate remedial study.

3. *For students in the graduating cohort of 2019 and beyond, a pupil who fails an end of course examination is eligible to be reexamined only at the times that the examination is administered pursuant to NAC 389.051.*

(a) In order for a pupil to be eligible to be reexamined, the school district or, if the pupil attends a charter school, the charter school must provide the pupil with appropriate remedial study in accordance with NAC 389.xxx.

(b) There is no limit to the number of times a pupil may be reexamined.

a. The Department shall establish a process to recover costs associated with the fourth and each subsequent reexamination of eligible students for a given end of course examination.

4. For students in the graduating class of 2019 and beyond, if the pupil does not pass an end of course examination before the completion of grade 12, the pupil may be reexamined any time that the examination is administered to adults pursuant to NAC 389.051 after providing proof to the school district or, if the pupil attends a charter school, to the charter school that the pupil has completed appropriate remedial study.

5. For students in the graduating classes of 2017 and 2018, nothing in this section precludes these students from being reexamined in order to meet the passing score as determined by the state.

(Added to NAC by Bd. of Education, eff. 10-8-93; A by R065-99, 11-3-99; R072-01, 11-7-2001; R020-09, 10-27-2009)

NAC 389.058 Reporting of results to Department of Education. (NRS 385.080, 389.015, 389.550) A private entity that has contracted with the State Board of Education to score the examinations administered pursuant to NRS 389.015 or 389.550 shall report the results of the examinations in writing to the Department of Education.

(Added to NAC by Bd. of Education, eff. 9-15-89; A 12-11-89; 9-13-91; 10-8-93, eff. 9-1-94; R115-97, 12-10-97; R072-01, 11-7-2001; R042-05, 10-31-2005)

NAC 389.059 Restriction on reporting scores of individual pupils; reporting of aggregated scores. (NRS 385.080, 389.015, 389.017, 389.550)

1. Except as otherwise provided by a specific statute or regulation, the Department of Education shall not report the scores achieved by an individual pupil on an examination required by NRS 389.015 or 389.550 or *NRS 389.805 2(b)*, to a person or governmental agency.

2. The Department may report the aggregated scores of 10 or more pupils.

(Added to NAC by Bd. of Education, eff. 9-13-91; A by R065-99, 11-3-99; R072-01, 11-7-2001; R059-04, 8-25-2004)

NAC 389.061 Specific criterion-referenced examinations required. (NRS 385.080, 389.015, 389.550) The following criterion-referenced examinations must be used as examinations of achievement and proficiency:

1. For grade 3, the criterion-referenced examinations that must be used are the Nevada Criterion-Referenced Examinations in Mathematics and Reading prescribed by the Department of Education for each testing period. Each edition of those examinations must be based upon the standards of content and performance adopted pursuant to NRS 389.520.

2. For grade 4, the criterion-referenced examinations that must be used are the Nevada Criterion-Referenced Examinations in Mathematics and Reading prescribed by the Department of Education for each testing period. Each edition of those examinations must be based upon the standards of content and performance adopted pursuant to NRS 389.520.

3. For grade 5, the criterion-referenced examinations that must be used are:

(a) The Nevada Fifth Grade Proficiency Examination in Writing prescribed by the Department of Education for each testing period; and

(b) The Nevada Criterion-Referenced Examinations in Mathematics, Reading and Science prescribed by the Department of Education for each testing period. Each edition of those examinations must be based upon the standards of content and performance adopted pursuant to NRS 389.520.

4. For grade 6, the criterion-referenced examinations that must be used are the Nevada Criterion-Referenced Examinations in Mathematics and Reading prescribed by the Department

of Education for each testing period. Each edition of those examinations must be based upon the standards of content and performance adopted pursuant to NRS 389.520.

5. For grade 7, the criterion-referenced examinations that must be used are the Nevada Criterion-Referenced Examinations in Mathematics and Reading prescribed by the Department of Education for each testing period. Each edition of those examinations must be based upon the standards of content and performance adopted pursuant to NRS 389.520.

6. For grade 8, the criterion-referenced examinations that must be used are:

(a) The Nevada Eighth Grade Proficiency Examination in Writing prescribed by the Department of Education for each testing period; and

(b) The Nevada Criterion-Referenced Examinations in Mathematics, Reading and Science prescribed by the Department of Education for each testing period. Each edition of those examinations must be based upon the standards of content and performance adopted pursuant to NRS 389.520.

7. For *students in the graduating cohort of 2015 or 2016 and enrolled in* grade 10, the criterion-referenced examinations that must be used are:

(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 Science,

prescribed by the Department of Education for each testing period.

8. For *students in the graduating cohort of 2014, 2015, or 2016 and enrolled in* grades 11 and above, the criterion-referenced examinations that must be used are:

(a) The Nevada High School Proficiency Examination in Reading;

(b) The Nevada High School Proficiency Examination in Mathematics;

(c) The Nevada High School Proficiency Examination in Science; and

(d) The Nevada High School Proficiency Examination in Writing,

prescribed by the Department of Education for each testing period.

(Added to NAC by Bd. of Education, eff. 3-9-88; A 9-15-89; 12-11-89; 9-13-91; 10-8-93, eff. 9-1-94; R115-97, 12-10-97; R019-98, 4-17-98; R065-99, 11-3-99; R072-01, 11-7-2001; R072-01, 11-7-2001, eff. 7-1-2002; R042-05, 10-31-2005; R020-09, 10-27-2009; R037-12, 9-14-2012)

NAC 389.xxx Specific End of course examination in mathematics and English language arts, commencing 2014-2015 school year, for students in grade 12 during the 2016-2017 school year and 2017-2018 school year (or graduating cohorts).

1. The end of course examinations that must be used are:

(a) The Nevada End of Course Examination in Mathematics I;

(b) The Nevada End of Course Examination in Mathematics II;

(c) The Nevada End of Course Examination in English Language Arts I; and

(d) The Nevada End of Course Examination in English Language Arts II.

NAC 389.xxx Specific End of course examination in mathematics, English language arts, and science commencing 2014-2015 school year, for students in grade 12 during the 2018-2019 school year and thereafter.

1. The end of course examinations that must be used are:

(a) The Nevada End of Course Examination in Mathematics I;

(b) The Nevada End of Course Examination in Mathematics II;

(c) The Nevada End of Course Examination in English Language Arts I or II; and

(d) The Nevada End of Course Examination in Science

□ *prescribed by the Department of Education for each testing period.*

2. Consistent with NRS 389.805 2(b) the State Board of Education may identify additional end of course exams.

NAC 389.xxx Nevada end of course examinations in mathematics, English language arts, science, and other subjects.

1. Each edition of the Nevada End of Course Examination in Mathematics must be based upon the standards of content and performance in mathematics adopted pursuant to NRS 389.520 and identified for inclusion by the Council to Establish Academic Standards pursuant to NRS 389.520 1(c).

2. Each edition of the Nevada End of Course Examination in English Language Arts must be based upon the standards of content and performance in English language arts adopted pursuant to NRS 389.520 and identified for inclusion by the Council to Establish Academic Standards pursuant to NRS 389.520 1(c).

3. Each edition of the Nevada End of Course Examination in Science must be based upon the standards of content and performance in science adopted pursuant to NRS 389.520 and identified for inclusion by the Council to Establish Academic Standards pursuant to NRS 389.520 1(c).

4. Each edition of the Nevada End of Course Examination in other subject must be based upon the standards of content and performance in the course of study adopted pursuant to NRS 389.520 and identified for inclusion by the Council to Establish Academic Standards pursuant to NRS 389.520 1(c).

NAC 389.071 Proficiency examinations in writing: High school; fifth and eighth grades. (NRS 385.080, 389.015, 389.550) Each edition of the Nevada High School Proficiency Examination in Writing and the Nevada Fifth and Eighth Grade Proficiency Examinations in Writing must be based upon the standards of content and performance in English language arts adopted pursuant to NRS 389.520.

(Added to NAC by Bd. of Education, eff. 3-9-88; A 9-13-91; 10-8-93, eff. 9-1-94; R072-01, 11-7-2001; R042-05, 10-31-2005; R020-09, 10-27-2009)

NAC 389.076 Nevada High School Proficiency Examination in Reading. (NRS 385.080, 389.015) For *eligible students enrolled* in grades 10, 11 and 12, and for adults, each edition of the Nevada High School Proficiency Examination in Reading must be based upon the standards of content and performance in English language arts adopted pursuant to NRS 389.520.

(Added to NAC by Bd. of Education, eff. 3-9-88; A 9-15-89; R115-97, 12-10-97; R065-99, 11-3-99; R072-01, 11-7-2001; R072-01, 11-7-2001, eff. 7-1-2002; R072-01, 11-7-2001, eff. 7-1-2003; A by Bd. for Career & Tech. Educ. by R172-05, 2-23-2006; A by Bd. of Education by R020-09, 10-27-2009)

NAC 389.079 Nevada ~~{High School Proficiency}~~ Examinations in Science. (NRS 385.080, 389.015) Each edition of the Nevada High School Proficiency Examination in Science *and end of course examinations* must be based upon the standards of content and performance in science adopted pursuant to NRS 389.520.

(Added to NAC by Bd. of Education by R072-01, eff. 11-7-2001; A by R020-09, 10-27-2009)

NAC 389.081 Nevada High School Proficiency Examination in Mathematics. (NRS 385.080, 389.015) For *eligible students enrolled in* grades 10, 11 and 12, and for adults, each edition of the Nevada High School Proficiency Examination in Mathematics must be based upon the standards of content and performance in mathematics adopted pursuant to NRS 389.520.

(Added to NAC by Bd. of Education, eff. 3-9-88; A 9-15-89; R115-97, 12-10-97; R065-99, 11-3-99; R072-01, 11-7-2001; R072-01, 11-7-2001, eff. 7-1-2002; R072-01, 11-7-2001, eff. 7-1-2003; R020-09, 10-27-2009)

NAC 389.083 Maintenance of results of examinations and list of names and scores. (NRS 385.080, 389.015, 389.550)

1. A school district shall keep the results of all examinations administered pursuant to NRS 389.550 to pupils in grades 3 through 8 for 4 years after the date of the administration of the examinations.

2. The Department of Education shall keep the results of all examinations administered pursuant to NRS 389.550 to pupils in grades 3 through 8 for 4 years after the date of the administration of the examinations.

3. The Department of Education shall maintain a list of the name and scores of each pupil who takes the High School Proficiency Examinations for 10 years after the date of the administration of the Examinations. A school district shall maintain a list of the name and scores of each pupil who takes the High School Proficiency Examinations for 10 years after the date of the administration of the Examinations.

4. The Department of Education shall maintain a list of the name and scores of each pupil who takes the Nevada End of Course Examinations for 10 years after the date of the administration of the Examinations. A school district shall maintain a list of the name and scores of each pupil who takes the Nevada End of Course Examinations for 10 years after the date of the administration of the Examinations.

(Added to NAC by Bd. of Education, eff. 9-13-91; A 1-26-94, eff. 9-1-94; R072-01, 11-1-2001; R042-05, 10-31-2005; R020-09, 10-27-2009; R037-12, 9-14-2012)

KINDERGARTEN THROUGH HIGH SCHOOL

NAC 389.187 Academic, career, and personal and social development. (NRS 385.080, 385.110, 389.0185, 389.180) A course of study in academic, career, and personal and social development must include instruction designed to teach pupils in kindergarten through the completion of the 12th grade, as applicable:

1. For the area of academic development, how to implement strategies and activities which support and maximize the ability of a pupil to learn, as demonstrated by the pupil's ability to:

- (a) Improve the academic self-concept of the pupil;
- (b) Develop skills that contribute to effective learning and use those skills to improve the ability of the pupil to learn;
- (c) Achieve success in school;
- (d) Develop and implement plans which enable the pupil to achieve his or her goals; and
- (e) Understand the relationship between the education of the pupil and his or her life experiences.

2. For the area of career development, how to provide the foundation for the development of skills, attitudes and knowledge which are necessary for the pupil to make a successful transition

from school to his or her career and from career to career throughout his or her life span, as demonstrated by the pupil's ability to:

- (a) Develop an awareness of career choices and acquire information relating to those careers;
- (b) Develop and implement employability skills;
- (c) Identify the career goals of the pupil and acquire the knowledge necessary to achieve those goals; and
- (d) Apply the skills necessary to achieve the pupil's career goals.

3. For the area of personal and social development, how to develop the foundation for the personal and social development of the pupil as the pupil progresses from kindergarten through high school and into adulthood, as demonstrated by the pupil's ability to:

- (a) Acquire self-knowledge and interpersonal and personal safety skills, including, without limitation, safety skills relating to the use of electronic technology and electronic devices; and
- (b) Apply self-knowledge when making decisions, setting goals and taking the necessary actions to achieve those goals.

(Added to NAC by Bd. of Education by R010-03, eff. 10-30-2003; A by R169-12, 11-1-2012)

NAC 389.660 Provision of remedial study for pupil in grade 11 or 12. (NRS 385.080, 389.015)

1. Each school district shall provide remedial study to each *eligible* pupil in grade 11 or 12 who:

- (a) Fails any of the high school proficiency examinations two or more times; or
- (b) Is deemed deficient in credit for the pupil's grade level in:
 - (1) English, including reading, composition and writing;
 - (2) Mathematics; or
 - (3) Science.

2. A school district shall not charge such a pupil for any of the costs related to the remedial study, including, without limitation, costs relating to transporting the pupil to the remedial study, unless the deficiency in credit is a result of the pupil's:

- (a) Absence from school, other than an absence from school that has been verified as excused for medical reasons; or
- (b) Habitual truancy.

3. The remedial study described in subsection 1 may be offered:

- (a) During the regular school day;
- (b) During summer school;
- (c) During intersession school; or
- (d) As part of a program that is offered before or after the regular school day.

(Added to NAC by Bd. of Education, eff. 12-16-82; A by R115-97, 12-10-97; R091-99, 1-14-2000; R022-09, 10-27-2009)

NAC 389.661 Enrollment in remedial study required for failure of proficiency examinations two or more times; waiver by school district. (NRS 385.080, 389.015)

1. Except as otherwise provided in subsection 2, a pupil who has failed any of the high school proficiency examinations two or more times must enroll in remedial study that is provided pursuant to NAC 389.660.

2. The superintendent of a local school district may waive the requirement set forth in subsection 1 if he or she determines that extenuating circumstances exist.

(Added to NAC by Bd. of Education by R091-99, eff. 1-14-2000; A by R037-12, 9-14-2012)

NAC 389.xxxx Provision of remedial study for pupils upon failure of end of course exam.

1. Each school district shall submit a plan to the State Board of Education for review and approval, that describes the district's remediation plan to ensure pupils receive timely and appropriate support. The plan must include, but not be limited to, the following:

- (a) Remediation must commence within 6 months of notice of not achieving a passing score and precede a scheduled reexamination period;*
- (b) Remedial support for a pupil must be a minimum of 20hrs per end of course examination; and*
- (c) A school district shall not charge such a pupil for any of the costs related to the remedial study, including, without limitation, costs relating to transporting the pupil to the remedial study.*

2. The remedial study described in subsection 1 may be offered:

- (a) During the regular school day;*
- (b) During summer school;*
- (c) During intersession school; or*
- (d) As part of a program that is offered before or after the regular school day.*

3. Each charter school shall submit a plan to their sponsor that describes the schools remediation plan to ensure pupils receive timely and appropriate support. The plan must include, but not be limited to, the following:

- (a) Remediation must commence within 6 months of notice of not achieving a passing score and precede a scheduled reexamination period;*
- (b) Remedial support for a pupil must be a minimum of 20hrs per end of course examination; and*
- (c) A school district shall not charge such a pupil for any of the costs related to the remedial study, including, without limitation, costs relating to transporting the pupil to the remedial study.*

4. The remedial study described in subsection 3 may be offered:

- (a) During the regular school day;*
- (b) During summer school;*
- (c) During intersession school; or*
- (d) As part of a program that is offered before or after the regular school day*

NAC 3xx.xxxx Use of pupil's end of course examination in determination of course grade. A school district may elect to include the score from the end of course examination when determining a pupil's course grade.