

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

LCB File No. R084-18

May 9, 2018

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

AUTHORITY: §1, NRS 385.080, 387.123 and 388.090.

A REGULATION relating to education; revising the manner in which the number of school days in session in a school year are determined; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the board of trustees of each school district to schedule and provide a minimum of 180 days of free school in the school district. (NRS 388.090) Existing regulations require each school district to submit to the Department of Education a copy of its school calendar, which must contain at least 180 school days in session, for the approaching school year before May 1 of each year. Existing regulations also allow a school calendar to include not more than 5 days for organized teachers’ conferences for professional development convened by the board of trustees of a school district as school days in session. (NAC 387.120) This regulation also allows an organized teachers’ conference for professional development convened by a school to be included as part of a school calendar as a school day in session. In addition, this regulation allows a school or a board of trustees of a school district to determine the number of days by counting the number of minutes if such conferences are held only for a portion of a day.

Section 1. NAC 387.120 is hereby amended to read as follows:

387.120 1. Before May 1 of each year, each school district shall submit a copy of its school calendar for the approaching school year to the Department. If one calendar does not apply to all its schools, the district shall submit as many calendars as are necessary for application to all its schools. If a charter school submits a school calendar pursuant to this subsection, the charter school shall, upon the request of the sponsor of the charter school or a

school district in which a pupil enrolled in the charter school resides, provide a copy of the school calendar to the requester.

2. Except as otherwise provided in subsection 5 and except for a school calendar that accompanies an alternative schedule approved pursuant to NAC 387.125, a school calendar must contain at least 180 school days in session. This period must be divided into 10 school months which contain not more than 20 potential school days per month. The first day of the first school month is the first day of attendance by pupils.

3. In addition to the required number of school days in session, at least 3 days must be specifically designated by the school district as contingent days to be used as school days in session if:

(a) At least 75 percent of the schools in the district are rendered inaccessible or unusable by inclement weather, uncontrollable circumstances or an accident; or

(b) The Governor declares a legal holiday not anticipated in the original school calendar.

↳ If a substantial majority of the schools within a school district are closed because of any of these conditions, all of the contingent days must be used before the school district applies for an emergency closing.

4. Any day for an organized teachers' conference for professional development convened by the board of trustees of a school district *or a school* may be included in the number of school days in session required in subsection 2 with the prior approval of the Superintendent of Public Instruction. A day for an organized teachers' conference may also be declared by the Superintendent of Public Instruction. Not more than 5 days for teachers' conferences, *or an equivalent number of minutes if teachers' conferences are held only for a portion of a day*, may be convened by a *school or* school district in any school year.

5. A school calendar for an adult high school program, an alternative program, a program of distance education or a program of instruction in a detention home must contain at least 180 school days in session unless the school district or governing body of the charter school, as applicable, obtains the written approval of the Superintendent of Public Instruction for a program that demonstrates progress or completion by pupils in a curriculum which is equivalent to the regular school curriculum. The approval of an adult high school program pursuant to NAC 387.190, an alternative program pursuant to NRS 388.537 or a program of distance education pursuant to NAC 388.830 shall be deemed written approval by the Superintendent pursuant to this subsection if the approved program demonstrates progress or completion by pupils in a curriculum that is equivalent to the regular school curriculum. For purposes of this subsection, demonstrated competency in curriculum that meets the state standards may be considered equivalent to the regular school curriculum.