

**PROPOSED REGULATION OF THE**

**DEPARTMENT OF EDUCATION**

**LCB FILE NO. R089-18I**

**The following document is the initial draft regulation proposed**

**by the agency submitted on 04/30/2018**

# PROPOSED REGULATION OF THE STATE BOARD OF EDUCATION

April 23, 2018

EXPLANATION – Matter in *italics* is new.

**AUTHORITY:** Assembly Bill 64, 79<sup>th</sup> Session of the Nevada Legislature (2017)

**A REGULATION** relating to education; establishing the criteria for a pupil with a significant cognitive disability to earn an alternative diploma; and providing other matters properly relating thereto.

**Digest:**

Existing law provides that a pupil who has a significant cognitive disability may earn an alternative diploma (Assembly Bill 64 in the 79<sup>th</sup> Session of the Nevada Legislature (2017)). **Sections 1, 2 and 3** of this regulation prescribe the requirements for a pupil with a significant cognitive disability to earn an alternative diploma. **Section 4** provides conforming regulations.

**Section 1.** Chapter 389 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 3, inclusive, of this regulation.

*Section 2. “Alternative diploma” defined. “Alternative diploma” means a diploma which evidences the graduation from high school of a pupil with a significant cognitive disability after the pupil has met the requirements in Sec. 3.*

*Section 3.*

*1. The board of trustees of the school district or the governing board of the charter school may award an alternative diploma to a person who:*

*(a) Has a significant cognitive disability;*

*(b) Has participated in an alternate assessment prescribed by the State*

*Board; and*

*(c) Has earned the units of credit required in subsection 2.*

*2. Except as otherwise provided in subsection 3,*

*(a) the units of credit which a pupil in the graduating class of 2019, 2020 or 2021 must have earned to be qualified to receive an alternative diploma are a total of 15 units for required courses and a total of 7 ½ units for elective courses for a total of at least 22 1/2 units of credit. The person must have earned his or her units for the required courses in accordance with the following table:*

<i>Required Course</i>	<i>Minimum Number of Units</i>
<i>Social studies</i>	<i>2</i>
<i>Arts and humanities, Junior Reserve Officers' Training Corps (Level III or Level IV) or career and technical education</i>	<i>1</i>
<i>English Language Arts</i>	<i>4</i>
<i>Health education</i>	<i>1/2</i>
<i>Mathematics</i>	<i>3</i>
<i>Physical education</i>	<i>2</i>
<i>Use of computers</i>	<i>1/2</i>
<i>Science</i>	<i>2</i>
<i>TOTAL</i>	<i>15</i>

*(b) the units of credit which a pupil in the graduating class of 2022 or any graduating class thereafter must have earned to be qualified to receive an alternative diploma are a total of 17 units for required courses and a total of 6 units for elective courses for a total of at least 23 units of credit. The person must have earned the required courses in accordance with the following table:*

<i>Required Course</i>	<i>Minimum Number of Units</i>
<i>Social studies</i>	<i>2</i>
<i>Arts and humanities, Junior Reserve Officers' Training Corps (Level III or Level IV) or career and technical education</i>	<i>1</i>
<i>College and career ready flex credit as described in subsection 2(d)</i>	<i>2</i>

<i>English Language Arts</i>	<i>4</i>
<i>Health education</i>	<i>1/2</i>
<i>Mathematics</i>	<i>3</i>
<i>Physical education</i>	<i>2</i>
<i>Use of computers</i>	<i>1/2</i>
<i>Science</i>	<i>2</i>
<i>TOTAL</i>	<i>17</i>

*(c) Academic content for the required courses in English Language Arts, Mathematics, and Science in paragraphs (a) and (b) must align with content standards established by the Nevada Department of Education in the Nevada Academic Content Standards Connectors.*

*(d) The course of study in college and career ready flex credit required by subsection 2(b) must include a:*

*(1) Level II or Level III course of study in a program area prescribed pursuant to NAC 389.803;*

*(2) Fourth year of mathematics;*

*(3) Third year of social studies; or*

*(4) Third year of science.*

*(e) Except as provided in subsection (c), academic content for the required courses in paragraphs (a) and (b) must be based on grade-level content standards as adapted to meet appropriate learning targets for students with significant cognitive disabilities.*

*3. If a pupil satisfactorily completes a course of study in the use of computers during the sixth, seventh or eighth grade, the pupil is not required to take the course of*

*study in the use of computers and must only earn a minimum of:*

*(a) If the pupil is required to meet the requirements of subsection 2(a), 14 ½ units of credit for required courses pursuant to subsection 2(a).*

*(b) If the pupil is required to meet the requirements of subsection 2(b), 16 ½ units of credit for required courses pursuant to subsection 2b).*

*(c) The course of study in the use of computers described in this subsection must be for at least one semester or trimester, or the equivalent, and must not be taught as part of another course of study.*

**Section 4.** NAC 389.696 is hereby amended to read as follows:

1. The board of trustees of each school district shall have an individualized educational program prepared for each pupil with a disability who is enrolled in a public high school in the district. The program must include:

- (a) A statement of the pupil's present levels of educational performance;
- (b) A statement of annual goals, including short-term instructional objectives;
- (c) A statement of the specific special education and related services to be provided to the pupil and the extent to which he or she will be able to participate in regular educational programs;
- (d) The projected dates for initiation of services and the anticipated duration of the services;
- (e) Appropriate objective criteria, procedures for evaluation and schedules for determining, at least on an annual basis, whether the short-term instructional objectives are being achieved;

(f) A schedule of meetings with the pupil and his or her parents or a record of attempts to schedule such meetings if such meetings are appropriate for a review of the pupil's progress; and

(g) If appropriate, the special requirements or adjusted standards which the pupil must meet for graduation from high school.

2. A pupil with a disability, whether in a public or private high school, in the Nevada Youth Training Center or in the Caliente Youth Center, is entitled to graduate from high school with:

(a) A standard diploma if the pupil fulfills all the requirements for a standard diploma except for any appropriate accommodations which are outlined in his or her individualized program of education.

(b) An adjusted diploma if the pupil fulfills all the requirements which are outlined in his or her individualized program of education.

*(c) An alternative diploma if the pupil fulfills all the requirements for an alternative diploma.*