

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

LCB FILE NO. R064-201

**The following document is the initial draft regulation proposed
by the agency submitted on 06/05/2020**

REQUESTED AMENDMENT TO NAC 388.XXX

(REGULATION R ___-19)

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

Section 1. Chapter 388 of NAC is here by amended by adding thereto the provisions set forth as Section 2 of this regulation.

Section 2. 1. *In identifying the social and environmental factors that affect the educational experience of pupils required pursuant to NRS 388.900, the board of trustees of each school district and the governing body of each charter school shall identify factors in the community served by the school or district, including but not limited to:*

(a) factors related to the availability of consistent and affordable housing, including average monthly costs for rent, rates of transience, rates or other measurements pertaining to homelessness, and the percentage of pupils served by the school or district who are experiencing homelessness as defined in 42 U.S.C. 11301;

(b) factors related to the availability of consistent and affordable food, including the number of grocery stores, the number of food banks or other emergency services established to address food insecurity, and the percentage of pupils served by the school or district who qualify for free or reduced price lunch;

(c) factors related to poverty and employment, including average household income, the average number of hours worked per week by pupils, parents, and guardians, the unique characteristics and needs of the community based on prevalent industry sectors, and any measurements regarding poverty in the community;

(d) factors related to affordable transportation, including the availability of public transportation, the percentage of pupils that are transported to and from school by

district or chartered sponsored transportation services, and the average distance and time spent traveling to and from school;

(e) factors related to the access of predictable and affordable health care, including the rates of community members who are uninsured, underinsured, or insured by federal or state healthcare programs, and the rates per capita of physical and mental health providers in the community;

(f) factors related to crime and violence, including rates of arrests and the percentage of the community that is currently incarcerated and formerly incarcerated;

(g) factors related to the prevalence of trauma, including measurements of adverse childhood experiences within the community, and other behaviors and risks associated with increased rates of trauma and other poor health outcomes, including physical and mental health; and

(h) any other factors unique to the needs and characteristics of the community which may affect the educational experience of pupils.

2. The board of trustees of each school district and the governing body of each charter school shall submit an annual report to the Department by a date determined by the Department. The Department shall provide an annual summary report of the information provided to the Department pursuant to this section to the State Board of Education.

(a) In submitting the description required pursuant to NRS 388.900, the board of trustees of each school district and the governing body of each charter school shall provide to the Department information regarding the sources consulted in identifying the factors required in subsection 1, including but not limited to copies of manuscripts or other reports, citations of reports or findings, and links to internet websites from which such

information was obtained.

3. To facilitate compliance with the provisions of NRS 388.900, the Department will, at least annually, provide to the board of trustees of each school district and the governing body of each charter school a list of resources that reflect nationally accepted measurements of the factors identified in subsection 1. Such information shall be posted on the Internet website maintained by the Department.

4. The Department, the board of trustees of each school district and the governing body of each charter school shall consider the factors identified in subsection 1 in making the decisions required pursuant to NRS 388.900. In making such decisions the Department, the board of trustees of each school district and the governing body of each charter school shall also consider any factors in the community served by the school or district that act to mitigate or protect against harm from the factors identified in subsection 1.