

**PROPOSED REGULATION OF THE  
DEPARTMENT OF EDUCATION**

**LCB FILE NO. R095-201**

**The following document is the initial draft regulation proposed  
by the agency submitted on 06/24/2020**

**NAC 387.100** "~~School [month]~~ *Instructional day*" defined. (NRS 385.080) "~~School month~~ *Instructional day*" ~~means one of the 10 divisions of a school year~~ *is a day that is identified on the school calendar as an instructional day in which students are in attendance.*

[Dep't of Education, Pupil Accounting Reg., eff. 12-15-77] -  
(NAC A by Bd. of Education, 9-6-83; 6-23-86)

**NAC 387.163** Legend of symbols and system of recording enrollment and attendance. (NRS 385.080, 387.123)

1. Each school district *and public charter school shall utilize the standard list of codes and symbols published by the Department for enrollment, reenrollment, transfer, withdrawal and attendance. Districts and charter schools may develop a list of local attendance codes to be used for capturing more detailed information about an absence, but those local codes must map to the State attendance codes published in the Standard List of Codes and Symbols for the purpose of State reporting.* ~~may submit to the Superintendent of Public Instruction for approval a:~~

~~(a) Legend of symbols to be used throughout the district to record daily attendance, including attendance for partial days, and to record the status of each pupil, including without limitation, the enrollment, reenrollment, transfer and withdrawal of each pupil, if applicable.~~

~~(b) System of recording attendance, enrollment, reenrollment and withdrawal.~~

~~A school district may obtain approval for more than one legend of symbols and more than one system of recording.~~

2. *Each school district and public charter school must use the statewide student information system prescribed by the Superintendent of Public Instruction as per NRS 385A.810 as the system of recording enrollment and attendance.* ~~A~~ The system of recording must include the internal controls established for the system, including, without limitation, the name and title of each

person who is authorized to make entries into the system.

~~3.—A change in the symbols or system of recording used by a school district must be submitted to the Superintendent of Public Instruction for approval. A school district shall not use or authorize the use of a revised legend of symbols or system of recording until the Superintendent of Public Instruction has approved the revision.~~

(Added to NAC by Bd. of Education, eff. 6-23-86; A by R033-99, 11-3-99)

**NAC 387.171 Master register of enrollment and attendance:  
Required information; maintenance on computerized system.  
([NRS 385.080](#), [387.123](#), [388.874](#))**  
school district *or charter school* shall maintain a master  
register of enrollment and attendance containing the following  
information for each pupil:

Each

1. The name of the pupil.
2. The date of birth of the pupil.
3. The school in which the pupil is enrolled.
4. The grade or ungraded category of educational service to which the pupil is admitted.
5. The dates, if applicable, of enrollment and reenrollment.
6. The date of withdrawal, if applicable, and the reason for the withdrawal, as described in NAC 387.215.
7. The pupil's record of daily attendance.
8. The gender of the pupil.
9. If the pupil is enrolled in a program of distance education, the information required by subsection 3 of NAC 387.193.
10. The ethnic group or race to which the pupil belongs, according to the following designations:
  - (a) American Indian/Alaskan Native;
  - (b) Asian ~~or Pacific Islander~~;
  - (c) Black *or African American*;
  - (d) *Hispanic/Latino*; ~~or~~
  - (e) White
  - (f) *Native Hawaiian or Pacific Islander*; *or*
  - (g) *Two or more races*
11. *The State Unique Identifier of the pupil.*

The master register of enrollment and attendance ~~may will~~ be maintained on ~~an electronic database or other computerized~~ *the student information system as prescribed by the Superintendent of Public Instruction under NRS 385A.810* ~~if the school district obtains the approval of the Superintendent of Public Instruction.~~

(Added to NAC by Bd. of Education, eff. 6-23-86; A 5-19-88;  
R033-99, 11-3-99; R007-02, 4- 5-2002; R016-11, 10-26-2011)

**NAC 387.175 Maintenance of records of enrollment and attendance.** ([NRS 385.080, 387.123](#))

1. Each master register of enrollment and attendance and any supporting documents must be maintained and be available for inspection by the Department at any time during the school year and for 5 years after the last day of the school year. A printout *or digital record* of the master register at the end of each ~~school~~ *month reporting portion* satisfies the requirements of this subsection if the ~~printout~~ *record* is maintained for 5 years after that last day of the school year.

2. Each class record book must be maintained and be available for inspection by the Department at any time during the school year and for 2 years after the last day of that school year. A printout *or digital record* of the class record book at the end of each school month satisfies the requirements of this subsection if the ~~printout~~ *record* is maintained for 2 years after the last day of the school year.

3. At the close of each school year, each officer who is responsible for maintaining the school's master register of enrollment and attendance shall sign a statement testifying to the accuracy and truthfulness of the reports of attendance and enrollment which are recorded in the master register. Such a statement must be included in the master register of enrollment and attendance. If a different officer becomes responsible for maintaining the master register during a school year, the officer who vacated the position shall attest to the accuracy and truthfulness for the period of the school year during which he or she was responsible for the master register and the officer that replaces him or her shall attest to the accuracy and truthfulness for the period of the school year during which he or she was responsible for the master register.

[Dep't of Education, Pupil Accounting Reg., eff. 12-15-77] -  
(  
NAC A by Bd. of Education, 9-6-83· 6-23-86· R033-99, 11-3-99)

**NAC 387.185 Recording attendance.** ([NRS 385.080, 387.123](#))

1. Except as otherwise provided in [NAC 387.193](#), a pupil may be counted as in attendance only if the pupil is actually at school or engaged in an *instructional* activity which is:

- (a) Sponsored by the school;
- (b) Part of the program of the school; **and**
- (c) Personally supervised by a member of the staff of the school: **-; and**

*(d) At an approved location*

2. Except as otherwise provided in NAC 387.193, 387.286, 387.291 and 387.306:

~~(a)~~ A full day of attendance must be recorded for a pupil if he or she is in attendance for ~~at least two-thirds~~ *more than 50%* of the required number of minutes in the daily session for the pupil's grade or department ~~or, if applicable, if he or she is in attendance for at least two-thirds of the required number of class periods per day, as determined by the school district; and~~

~~(b)~~ A Half day of attendance must be recorded for a pupil if he or she is in attendance for at least one-third of the required number of minutes in the daily session for the pupil's grade or department ~~or, if applicable, if he or she is in attendance for at least one-third of the required number of class periods per day, as determined by the school district.~~

(Added to NAC by Bd. of Education, eff. 6-23-86; A by R033-99, 11-3-99; R007-02, 4-5-2002)

**NAC 387.200 Enrollment in one school; transfer or withdrawal; effective date of withdrawal.** (NRS 385.080, [387.123](#))

1. Except as otherwise provided in subsection 8 of [NAC 387.193](#), a pupil must not be entered as an enrolled pupil in the master register of enrollment and attendance of more than one public school on the same day.

2. A pupil remains enrolled in the public school until the pupil is transferred from the school or his or her name is withdrawn from its master register. A pupil is not withdrawn from school if he or she is:

(a) Truant from school and documentation of the truancy is maintained by the school district;  
or

(b) Absent from school for a period of less than ~~1 school month~~ **20 consecutive instructional days**,  
with an expected date of return **within the 20 instructional day period**.

3. If a pupil:

(a) Enrolls in another school, the effective date of withdrawal is the ~~day immediately after the~~ last day that the pupil attended class.

(b) Enrolls in another school in the same school district within 10 consecutive ~~school~~ **instructional** days after a change of residence of the pupil, the effective date of withdrawal is the date immediately preceding the date on which the pupil enrolled in the other school.

(c) Does not enroll in another school **and the parent or legal guardian had notified the school district of the withdrawal**, the effective date of withdrawal is the date that ~~the parent or legal guardian of the pupil notifies the school district of the withdrawal~~ **pupil last attended class**.

(d) Is placed in a detention home or alternative program in another school district, the effective date of withdrawal is the last day that the pupil attended class or the day on which the pupil is placed in control of the personnel for the detention home or



alternative program, including days for processing and proceedings for placement, whichever is earlier.

(e) Does not attend school for 10 consecutive ~~school~~ *instructional* days and the whereabouts of the pupil are unknown, the effective date of withdrawal is the ~~day immediately after the~~ 10th consecutive ~~school~~ *instructional* day that the pupil failed to attend school.

(f) *Has not attended school for 20 consecutive instructional days. The effective date of withdrawal is the 20<sup>th</sup> consecutive instructional day that the pupil failed to attend school.*

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[Dep't of Education, Pupil Accounting Reg., eff. 12-15-77]- (NAC A by Bd. of Education, 9-6-83; 6-23-86; R033-99, 11-3-99; R007-02, 4-5-2002; R031-02, 5-29-2002; R134-07, 6-17-2008; R016-11, 10-26-2011)

**NAC 387.215 Reason for withdrawal of pupil. (NRS 385.080, 387.123)** The reason listed in the master register of enrollment and attendance for the withdrawal of a pupil must be stated as one of the following:

1. For a pupil who will receive educational services in the same school district *or charter school*, withdrawal of the pupil to:
  - (a) Enroll in the same school or a program within the same school, including, without limitation, another grade level or track within the same school;

*(1) Student completed school year. Withdrawal date is the last date of the school calendar.*
  - (b) Enroll in another school, ~~other than a charter school~~, within the same school district *or under the same charter*;
  - (c) Enroll in a charter school that is sponsored by the board of trustees of the school district; *or*
  - ~~(d) Receive educational services from the school district if the pupil is not assigned to a particular school within the school district.~~
  - (e) *Enroll in an educational program for adults or other program which offers a diploma.*
2. For a pupil who will receive educational services from a source other than the school district *or charter school*, withdrawal of the pupil to transfer and:
  - (a) ~~Enroll in a public school, other than a charter school, in another school district in this State, including, without limitation, enrollment in a detention home or alternative program that is not located within the school district~~ *Enroll in a public school in a different district or a university*

*school;*

- (b) Enroll in a private school in this State;
- (c) Receive instruction as a homeschooled child (*ages 7-18 subject to compulsory attendance*) pursuant to [NRS 392.070](#);
- (d) Enroll in a school in another state;
- (e) Enroll in a school in another country;
- (f) Enroll in a *state sponsored public* charter school; ~~that is not sponsored by the board of trustees of the school district.~~

(g) *Enroll in an educational program for adults or other program which offers a diploma; or*

(h) *Enroll in a district-sponsored charter school.*

3. For a pupil who is not known to be receiving educational services, withdrawal of the pupil from the system of K-12 public education:

(a) By the pupil or the parent or guardian of the pupil, ~~including, as applicable, for any of the following reasons:~~

~~(1) The pupil is credit deficient;~~

~~(2) Pregnancy;~~

~~(3) Marriage;~~

~~(4) Employment;~~

~~(5) The pupil's physical or mental condition prevents or renders inadvisable the pupil's attendance at school or the pupil's application to study, certified pursuant to [NRS 392.050](#), including, without limitation, a long term medical condition or admission to a program of substance abuse treatment or a rehabilitative setting;~~

~~(6) Authorization by the juvenile division of the district court pursuant to [NRS 392.090](#);~~

~~(7) Self supported or parental support in accordance with NRS 392.100;~~

~~(8) Apprenticeship in accordance with NRS 392.110; or~~

~~(9) (7) Any other reason not specified in subparagraphs (1) to (8) (6), inclusive.~~

(b) Because the pupil's age exceeds the maximum age at which the pupil is entitled to a public education in this State.

(c) Due to:

(1) Permanent expulsion;

(2) Disciplinary or other eligibility reasons; or

(3) Incarceration.

(d) To enroll in an educational program for adults or other educational program which does not offer a diploma, including, without limitation:

(1) ~~A program of general educational development; or~~ ***A program that offers a High School Equivalency Exam; or***

- (2) A program of vocational or technical education for adults.
- (e) As a result of the unknown enrollment status of the pupil due to the absence of the pupil:
  - (1) For 10 consecutive school days if the whereabouts of the pupil are unknown or the reason for the pupil's absence cannot be determined;
  - (2) For ~~1 month~~ **20 consecutive instructional days** ~~when an expected date of return is not known;~~
- or
- (3) For unexplained absence, as set forth in subsection 2 of NAC 387.220.
- (4) ***Runaway, whereabouts unknown.***
- (5) ***Did not return next school year, reason unknown.***
- (f) When attendance is ~~excused~~ ***no longer required*** pursuant to NRS 392.060 for completion of the 12 grades of elementary and high school courses.
- ~~(g) When attendance is excused pursuant to NRS 392.080 because the pupil's residence is located at such a distance from the nearest public school as to render attendance unsafe or impractical.~~
- (h) The pupil's physical or mental condition prevents or renders inadvisable the pupil's attendance at school or the pupil's application to study, certified pursuant to NRS 392.050, including, without limitation, a long-term medical condition or admission to a program of substance abuse treatment or a rehabilitative setting.***

4. For a pupil who exits the system of public education, withdrawal of the pupil:

- a. Due to the death of the pupil;
- b. When the pupil is less than 7 years of age and was enrolled in public school; or
- ~~e. After reenrolling, if the pupil was previously withdrawn for a reason set forth in paragraph (d) of subsection 3.~~
- d. Upon completion of a course/program/activity. ~~(Homeschool, Charter, Adult, or Private schools only)~~***

(Added to NAC by Bd. of Education, eff. 6-23-86; A 5-19-88; R033-99, 11-3-99; R019-09, 10-27-2009)

**NAC 387.283 Pupil placed in detention home or alternative program.** (NRS 385.080, 387.123, 388.570)

1. Each school district *and charter school* shall submit to the Superintendent of Public Instruction *or designee*, in advance, a written proposal of its procedures to be used for the reporting of enrollment and attendance with respect to a pupil placed in a detention home or alternative program in the district.

2. The procedures must describe in detail:

(a) The method by which the school district *or charter school* determines whether the pupil is reported as enrolled in and attending a regular school or a program of instruction in a detention home or alternative program;

(b) The means by which the district *or charter school* ensures that a pupil in a detention home or alternative program is not included in the count of enrollment and attendance of both a regular school and a program of instruction in a detention home or alternative program;

(c) How the school district *or charter school* will account for a pupil who is receiving instruction in a detention home or alternative program located within the district *or charter school*, but who is a resident of another school district; and

(d) How the school district *or charter school* will account for a pupil who is a resident of the school district and for whom the school district *or charter school* is providing for the pupil to receive instruction in a detention home or alternative program located in another school district.

3. The Superintendent of Public Instruction *or designee* may approve or reject the submitted procedures. If the Superintendent *or designee* rejects the procedures, the Superintendent *or designee* shall prescribe the method of reporting for that school district *or charter school* for that school year. The approval of the Superintendent of Public Instruction *or designee* is effective until the school district *or charter school* revises the procedures.

4. Each school district *and charter school* shall submit to the Department, in the manner prescribed by the Department, a monthly report of enrollment and attendance for all pupils enrolled in a program of instruction in a detention home or alternative program.

(Added to NAC by Bd. of Education, eff. 9-6-83; A 6-23-86; R033-99, 11-3-99)

**NAC 387.306 Pupil in program which combines work and study.** (NRS 385.080, 387.123)

1. Any pupil who participates in a program supervised by the school district which combines work and study shall be deemed to be in full attendance for a day if the combined number of minutes during which he or she is in attendance at school and work equals more than ~~two-thirds~~ **50%** of the number of minutes required for the daily session of his or her grade or category.

2. A pupil in grade 12 who attends **50% or less** ~~than two-thirds~~ of a 330-minute daily session and who is not participating in a supervised program which combines work and study is not in full attendance for the day even though he or she is attending a sufficient number of classes to graduate.

3. A pupil participating in a supervised program which combines work and study must be reported as enrolled on the monthly reports submitted to the Department.

(Added to NAC by Bd. of Education, eff. 9-6-83; A 6-23-86; R033-99, 11-3-99)