

**PROPOSED REGULATION OF THE  
SUPERINTENDENT OF PUBLIC INSTRUCTION**

**LCB FILE NO. R071-24I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 04/02/2024**

*NAC Chapter 385.XXX*

*The Nevada Department of Education will prescribe a policy concerning the treatment of injuries to the head that affect the ability of a pupil to learn and otherwise engage with his or her coursework at school, including, without limitation, a concussion to the brain. The policy will*

- Require a school to authorize a pupil who has sustained or is suspected of sustaining an injury to the head to receive reasonable accommodations that are based on peer reviewed evidence until the pupil is mentally and physically ready to return to full participation in his or her coursework;*
- Be reviewed every five years and updated, as necessary, to reflect current best practices in the prevention and treatment of injuries to the head.*

*NAC Chapter 385.XXX*

*The Nevada Department of Education will prescribe a policy concerning the treatment of head injuries that affect the ability of a pupil to learn and otherwise engage with their coursework at school, including, without limitation, a concussion to the brain. The policy shall;*

- ~~*• Requires the Nevada Department of Education (NDE) in collaboration with the Nevada Interscholastic Activities Association (NIAA), the Chief Medical Officer and other subject matter experts to create a model protocol for pupils who have sustained or are suspected of having sustained a head injury, to return to learn, regardless of the location where the pupil sustained the injury, that includes without limitation:*~~
  - Ensure that each school district, the governing body of each charter school and the governing body of each university school for profoundly gifted pupils, as applicable, will ~~have a protocol that will have a policy that~~ prescribes how, when, and under what conditions for pupils, who have sustained or are suspected of having sustained a head injury, shall be permitted and shall be expected to return to learn, regardless of the location where the pupil sustained the injury, or is suspected of sustaining the injury, that includes without limitation include the following:*
    - Each public school, charter school, and university school for profoundly gifted pupils, as applicable, will have posted on their maintained Internet website the policy*
    - Ensure that Each public school, charter school, and university school for profoundly gifted pupils, as applicable, will notify the pupil's parent or legal guardian of the sustained or suspected head injury if the injury occurs during school hours;*
      - The parent or legal guardian of the pupil will be provided with a printed or electronic copy of the policy;*
  - ~~*• Identify appropriate accommodations that support return to learn*~~

*for pupils:*

- ~~Ensure that~~ Each public school, charter school, and university school for profoundly gifted pupils, as applicable, will have a system in place to notify the school nurse, or designee, if a student has sustained or is suspected of having sustained a head injury;
  - The parent or legal guardian of the pupil must notify the school if their pupil has sustained or is suspected of having sustained a head injury if the injury occurred outside of school;
- If a pupil who has sustained or is suspected of having sustained a head injury is experiencing the following symptoms, the school will follow their emergency management protocols to assist the pupil in being evaluated by an emergency healthcare provider as soon as reasonably possible;
  - neck pain or tenderness
  - seizure or convulsion
  - double vision
  - loss of consciousness
  - weakness or tingling/burning in more than one arm or in the legs
  - deteriorating conscious state
  - vomiting
  - severe or increasing headache
  - increasingly restless, agitated, or combative demeanor
  - visible deformity of the skull
  - other concerning symptoms
- Each public school, charter school, and university school for profoundly gifted pupils, as applicable, will publish and disseminate guidance in cases where a pupil has sustained or is suspected of having sustained a head injury while participating in an activity or event while school is in session ~~or outside of school~~;
  - If the event occurs at school, the pupil must be immediately removed from the activity or event;
    - ~~Schools may require a healthcare provider to authorize a pupil to return to school.~~ If the pupil returns to school after being sent home after sustaining or suspected of sustaining a head injury, a screening tool will be utilized to evaluate if the student needs further assessment by a licensed healthcare provider.
    - Schools may require a healthcare provider to authorize a pupil to return to school.
- Each public school, charter school, and university school for profoundly gifted pupils, as applicable, will identify a progression pathway for students to return to learning after sustaining a head

*injury that may involve accommodations to a pupil's course work. This pathway must be completed prior to the pupil returning to interscholastic activities, physical education class or physical activities. The return to learn pathway is applicable to pupils who sustained a head injury both during school hours and outside of school time.* Each public school, charter school, and university school for profoundly gifted pupils, as applicable, will publish and disseminate guidance in cases where a pupil has sustained or is suspected of having sustained a head injury while participating in an interscholastic activity or event, the pupil must be immediately removed from the activity or event;

- The pupil may return to the activity or event once if the parent or legal guardian of the pupil provides a signed statement from a healthcare provider, acting within their scope of practice, medically clearing the pupil for participation in the activity or event and attending school per the NIAA protocol.
- Each employee of a public school, charter school, or university school for profoundly gifted pupils, as applicable, who supports the academics or health of a pupil who has sustained or is suspected of having sustained a head injury shall ~~must~~ annually complete a training on the prevention and treatment of head injuries, which must include a review of the educational information compiled pursuant to subsection 3 of NRS 385B.080. school district, a charter school, or a university school for profoundly gifted pupils, as applicable, shall maintain a record of the training required and will be able to provide such a record upon request.
- Shall be reviewed every five years and updated, as necessary, to reflect current best practices in the prevention and treatment of head injuries.