

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

LCB File No. R096-24

June 5, 2024

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

AUTHORITY: § 1, NRS 385.080; § 2, NRS 388A.110, 388A.411 and 388A.417; § 3, NRS 388A.110; § 4, NRS 385.080, 385.114 and 389.171.

A REGULATION relating to education; revising provisions relating to the number for identification assigned to a pupil enrolled in a public school; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing regulations require a school district to assign to each pupil enrolled in a public school in the school district an identification number which: (1) identifies the records of a pupil for use by the Department of Education for the duration that he or she is enrolled in the public school system in Nevada; and (2) must be the social security number of a pupil if the number is provided by a parent or guardian of the pupil. Existing regulations further require a school district to assign a pupil only one identification number, except where a parent or legal guardian objects to the continued use of the social security number of a pupil as the pupil’s identification number and requests the school district assign an alternate number to identify the records of the pupil. (NAC 385.015). **Section 1** of this regulation: (1) removes the use of a pupil’s social security number as an identification number for the records of a pupil; (2) requires a school district to assign to each pupil enrolled in the school district an identification number to identify the records of the pupil for use by the school district; and (3) requires the Department of Education assign to each pupil enrolled in a public school in Nevada an identification number to identify the records of the pupil for the duration of the pupil’s enrollment in the public school system in Nevada for use by the Department of Education. **Sections 2-4** of this regulation make conforming changes to specify that references to identification numbers mean the identification numbers assigned by the Department of Education in **section 1** of this regulation.

Section 1. NAC 385.015 is hereby amended to read as follows:

385.015 1. A school district shall assign to each pupil enrolled in a public school in the district a number which identifies the records of the pupil for use by the ~~{Department of Education. If a parent or legal guardian of a pupil elects to provide the social security number of the pupil, the identification number assigned to a pupil must be the pupil's social security number. If a parent or legal guardian of a pupil elects not to provide the pupil's social security number, the}~~ school district . ~~{shall assign to the pupil an alternate number which uniquely identifies the records of the pupil.}~~

2. ~~{Except as otherwise provided in this subsection, a}~~ *The Department of Education shall assign to each* pupil ~~{must be assigned only one}~~ *enrolled in a public school an* identification number which identifies the pupil's records for the duration of his or her enrollment in the public school system in Nevada for use by the Department of Education. ~~{If a pupil's identification number is his or her social security number, a parent or legal guardian of the pupil may object to the continued use of the pupil's social security number and request that the school district assign an alternate number which uniquely identifies the records of the pupil.}~~

3. The provisions of this section do not ~~{~~:

- ~~—(a) Require a parent or legal guardian of a pupil to provide the social security number of the pupil.~~
- ~~—(b) Prohibit}~~ *prohibit* a school district from establishing or maintaining a separate system for identifying pupils for use by the school district.

Sec. 2. NAC 388A.545 is hereby amended to read as follows:

388A.545 Not later than 30 days before the first apportionment is made pursuant to NRS 387.124 to a charter school in its first year of operation, the governing body of the charter school shall submit to the sponsor of the charter school:

1. In a format prescribed by the sponsor, the enrollment form for each pupil enrolled in the charter school, which must include, without limitation:

- (a) The full name of the pupil;
- (b) The address of the pupil and the county in which the pupil resides;
- (c) The telephone number of the residence of the pupil;
- (d) The date of birth of the pupil;
- (e) The unique student identification number of the pupil ~~is~~ *assigned pursuant to subsection 2 of NAC 385.015*, if available; and
- (f) The grade level in which the pupil is enrolling; and

2. The name and signature of the parent or legal guardian of each pupil enrolled in the charter school.

Sec. 3. NAC 388A.567 is hereby amended to read as follows:

388A.567 1. Each charter school shall maintain accurate records relating to enrollment, including, without limitation, records of applications for admission, its lottery process and its waiting list, if applicable.

2. The sponsor of a charter school may require the charter school to submit to the sponsor an annual report that contains the total enrollment of the charter school and the projected number of pupils selected for admission to the charter school, indicated by grade level and school district of residence for the subsequent academic year.

3. The sponsor of a charter school may require the charter school to submit to the sponsor a list of pupils who entered a lottery for admission to the charter school but were not selected for admission. The list must include, without limitation, each pupil's:

- (a) Full name;
- (b) Address;
- (c) Telephone number;
- (d) Date of birth;
- (e) School district of residence;
- (f) Grade level; and
- (g) Unique *student* identification number ~~+, if any, +~~ *assigned pursuant to subsection 2 of NAC 385.015.*

4. The Department will assign a unique identification number to each charter school and a unique campus identification number to each campus operated by a charter school. Each charter school shall ensure that the records maintained pursuant to subsection 1 include the appropriate unique identification number and unique campus identification number.

Sec. 4. NAC 389.670 is hereby amended to read as follows:

389.670 1. The board of trustees of each school district shall prescribe an application for pupils to apply for credit for a specific course of study without having attended the regularly scheduled classes in the course pursuant to NRS 389.171. The application must include, without limitation, the:

- (a) First and last name of the pupil;

(b) Identifying information for the pupil, including, without limitation, the date of birth, ~~individual~~ *student* identification number ~~+~~ *assigned pursuant to subsection 2 of NAC 380.015*, ethnicity and gender of the pupil;

(c) Grade level of the pupil;

(d) Home telephone number of the pupil;

(e) Name and identification number of the school in which the pupil is enrolled;

(f) Signature of the school counselor at the school in which the pupil is enrolled; and

(g) Name and number of the course of study for which the application is submitted.

2. The board of trustees of each school district shall prescribe the specific courses of study for which a pupil may be granted credit without having attended the regularly scheduled classes in the course pursuant to NRS 389.171, including, without limitation, Algebra I, Algebra II, geometry, trigonometry, computer literacy, English I, English II, English III, English IV, principles of science, life science, physical science, health, history of the United States, world history, government of the United States, sociology and world languages. The board of trustees of each school district shall make available to school counselors, pupils and parents of pupils a list of the courses of study prescribed pursuant to this subsection.

3. The board of trustees of each school district shall:

(a) For the purposes of paragraph (a) of subsection 1 of NRS 389.171, establish a committee of teachers and administrators to select an appropriate examination for each course of study prescribed pursuant to subsection 2. The examination must be based on the standards of content and performance prescribed for that course and the curriculum for that course adopted by the school district.

(b) For the purposes of paragraph (b) of subsection 1 of NRS 389.171, review and approve the examination developed by the principal and the pupil's teacher who provides instruction in the course for which credit is being sought.

(c) For the purposes of paragraph (c) of subsection 1 of NRS 389.171, review and approve the examination which the principal determines to be as rigorous or more rigorous than the examination selected pursuant to paragraph (a).

(d) Prescribe a minimum score of not less than 70 which a pupil must achieve on an examination approved pursuant to paragraph (a), (b) or (c) of subsection 1 of NRS 389.171 to receive credit without having attended the regularly scheduled classes in the course. The minimum score must be established using objective criteria to ensure that a pupil demonstrates his or her proficiency to meet the objectives of the course.

4. If a pupil who is deficient in a particular area or areas of a course of study wishes to receive credit for the course of study pursuant to paragraph (b) of subsection 1 of NRS 389.171, the pupil must submit the application prescribed by the board of trustees of the school district pursuant to subsection 1:

(a) Except as otherwise provided in paragraph (b), before the beginning of the school year immediately succeeding the school year in which the pupil was enrolled in the course.

(b) Within 1 school year after the end of the course if the application includes evidence of the pupil's completion during that year of not less than 20 hours of remedial study in the area or areas of the course in which the pupil is deficient.

5. A pupil who withdraws from a school during the school year and does not reenroll in the school from which he or she withdrew or who does not enroll in another school in this State

before the end of the current semester or trimester, as applicable, is not eligible to receive credit for a course of study pursuant to NRS 389.171.

6. The State Board of Education may review:

- (a) Any examination for which a pupil may receive credit for a course of study without having attended the regularly scheduled classes in the course pursuant to NRS 389.171; and
- (b) The minimum score required on any such examination.