

**ADOPTED REGULATION OF THE
STATE BOARD OF EDUCATION**

LCB File No. R033-99

Effective November 3, 1999

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

AUTHORITY: §§1-4, 6-31 and 33-42, NRS 385.080 and 387.123; §§5 and 32, NRS 385.080, 387.123 and 388.570.

Section 1. Chapter 387 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this regulation.

Sec. 2. *“Department” means the department of education.*

Sec. 3. *“Individualized education program” has the meaning ascribed to it in 20 U.S.C. § 1414(d)(1)(A).*

Sec. 4. *A charter school shall comply with the applicable provisions of this chapter.*

Sec. 5. 1. *A school district that provides instruction to children who are detained in detention homes or alternative programs pursuant to NRS 388.550, 388.560 and 388.570 shall maintain, for the children who receive the instruction, a class record book in accordance with NAC 387.165 and a master register. A school district shall obtain the written approval of the superintendent of public instruction pursuant to NAC 387.163 to use a separate legend of symbols and system of recording attendance for children who are detained in the detention homes or alternative programs than the legend of symbols and system of recording that is used throughout the school district.*

2. Except as otherwise provided in this subsection, if a child is detained in a detention home or alternative program, the school district of the child’s residence shall be deemed the

school district responsible for providing educational services to the child and is the only school district that may include the child in the count of pupils for purposes of apportionment. A school district other than the district of the child's residence may include the child in the count of pupils for purposes of apportionment of that school district if the school district has:

(a) Entered into a written agreement with the school district of the child's residence to provide educational services to the child; or

(b) Obtained the written approval of the superintendent of public instruction to provide educational services to the child.

Sec. 6. 1. *To ensure a uniform system of accounting, each school district shall use the Nevada Financial Accounting Handbook for Local Education Agencies.*

2. Each school district shall provide to the department financial reports that attribute expenditures to each school or cost center within the school district in a format prescribed by the department.

3. As used in this section, "cost center" means an account to which costs are recorded for services that benefit the school district as a whole and are not directly attributable to a particular school.

Sec. 7. NAC 387.010 is hereby amended to read as follows:

387.010 As used in NAC 387.010 to 387.355, inclusive, *and sections 2 to 6, inclusive, of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 387.012 to 387.117, inclusive, *and sections 2 and 3 of this regulation* have the meanings ascribed to them in those sections.

Sec. 8. NAC 387.012 is hereby amended to read as follows:

387.012 “Alternative program” means a program operated by a school district in accordance with NRS 388.537 for the education of pupils at risk of dropping out of high school ~~[-] or~~ *another program of alternative education that has been approved by the superintendent of public instruction.*

Sec. 9. NAC 387.030 is hereby amended to read as follows:

387.030 “Class record book” means the document *or electronic database* maintained by a teacher in which the names of pupils admitted to his class are entered.

Sec. 10. NAC 387.045 is hereby amended to read as follows:

387.045 “Date of enrollment” means the first day a pupil is enrolled and ~~[in attendance at]~~ *scheduled to attend* a particular school. ~~[on a school day in session.]~~

Sec. 11. NAC 387.048 is hereby amended to read as follows:

387.048 “Dropout” means any pupil who ~~[-]~~ ~~1. Withdrew]~~ *withdrew* during the previous school year for any reason specified in subsections 4 to 7, inclusive, *or subsection 11* of NAC 387.215.

~~[2. Has been withdrawn for unexplained absence, as described in NAC 387.220.]~~

Sec. 12. NAC 387.050 is hereby amended to read as follows:

387.050 “Enrolled pupil” means a pupil who has been admitted to a public school to attend a schedule of classes and ~~[whose name appears on the master register of enrollment and attendance.]~~ *who has been in attendance in a classroom for at least 1 day.*

Sec. 13. NAC 387.065 is hereby amended to read as follows:

387.065 “Reenrollment” means the enrollment of a pupil in a public school in this state *in accordance with an approved legend of symbols and system of recording* after ~~[being]~~ *the pupil*

has previously *been* enrolled in ~~{another public school in this state}~~ *the same school* during the current school year.

Sec. 14. NAC 387.113 is hereby amended to read as follows:

387.113 “Unweighted count of enrollment” means the number of pupils enrolled in and ~~{scheduled to attend}~~ *attending* programs of instruction of a school district at a specified ~~{time}~~ *date* during the school year.

Sec. 15. NAC 387.115 is hereby amended to read as follows:

387.115 “Weighted count of enrollment” means the unweighted count of enrollment except that the number of pupils in kindergarten *and pupils who are 3, 4 and 5 years of age who are not enrolled in kindergarten but are receiving special educational services pursuant to NRS 388.490*, must be stated as six-tenths of the unweighted count of enrollment . ~~{in kindergarten.}~~

Sec. 16. NAC 387.117 is hereby amended to read as follows:

387.117 “Withdrawal” means the removal of a pupil ~~{by his parent or guardian or the school he is attending}~~ from the instructional program of ~~{that}~~ *a* school before the completion of the program so that the pupil is no longer considered enrolled at that school.

Sec. 17. NAC 387.120 is hereby amended to read as follows:

387.120 1. Before August 15 of each year, each school district shall submit a copy of its school calendar for the approaching school year to the department . ~~{of education.}~~ If one calendar does not apply to all its schools, the district shall submit as many calendars as are necessary for application to all its schools.

2. A school calendar must contain at least 180 school days in session. This period must be divided into 10 school months which contain not more than 20 potential school days per month.

3. In addition to the required number of school days in session, at least 3 days must be specifically designated by the school district as contingent days to be used as school days in session if:

(a) ~~[In the judgment of the superintendent of public instruction, a substantial majority]~~ *At least 75 percent* of the schools in the district are rendered inaccessible or unusable by inclement weather, uncontrollable circumstances or an accident; or

(b) The governor declares a legal holiday not anticipated in the original school calendar.

FLUSH If a substantial majority of the schools within a school district are closed because of any of these conditions, all of the contingent days must be used before the school district applies for an emergency closing.

4. Any day for an organized teachers' conference for professional development convened by the board of trustees of a school district may be included in the number of school days in session required in subsection 2 with the prior approval of the superintendent of public instruction. A day for an organized teachers' conference may also be declared by the superintendent of public instruction. Not more than 5 days for teachers' conferences may be convened by a school district in any school year.

Sec. 18. NAC 387.131 is hereby amended to read as follows:

387.131 1. A school day in session must consist of the following minimum daily periods for each grade, including recess and time between activities, but not including the time allowed for lunch:

Grade	Period
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Kindergarten	120 minutes
1 and 2	240 minutes
3 through 6	300 minutes
7 through 12	330 minutes

2. The minimum daily period for a program of special education is identical to the period for a regular grade unless an exception is permitted by a pupil's ~~individual program of education.~~ *individualized education program.*

3. The minimum daily period for an alternative program or a program of instruction in a detention home is identical to the period for a regular grade unless the school district ~~exercises~~ :

(a) *Exercises* its option ~~under subsection 3~~ *pursuant to subsection 4* of NAC 387.140 ~~;~~ ;

or

(b) *Obtains the written approval of the superintendent of public instruction for a program that demonstrates progress or completion by pupils in a curriculum that is equivalent to the regular school curriculum.*

4. A day on which school is dismissed for pupils to attend, or to be transported to, extracurricular activities may not be counted as a school day in session unless every pupil for whom school is dismissed is directly participating in the activity in a manner other than as a spectator.

5. *Upon approval of the superintendent of public instruction, any day on which pupils in kindergarten are assessed for instructional purposes may be counted as a school day in session.*

Sec. 19. NAC 387.140 is hereby amended to read as follows:

387.140 1. The superintendent of public instruction may permit a school district to conduct short school days in session on a continuing basis for up to 1 school year when facilities or conditions so require. To obtain ~~his permission,~~ *the permission of the superintendent of public instruction*, a school district must submit an application in advance, describing the circumstances which necessitate short school days in session as well as its plans to alleviate those circumstances. The application must include an estimation of the time needed to restore regular school days in session.

2. The board of trustees of a school district may schedule an occasional short school day in session. The superintendent of the school district may also schedule an occasional short day in session if that authority has been delegated to ~~him~~ *the superintendent* in writing by the board of trustees of the district.

3. ~~A~~ *The board of trustees of a school district may submit to the department a district-wide policy for the approval of short school days in session. The policy must:*

(a) Include a process for determining approval of a short school day in session that is requested by a school within the school district;

(b) Include a process for recording a short school day in session; and

(c) Be applied consistently throughout the school district.

FLUSH *Upon review, the department may make revisions to the policy. If a policy has been approved by the department for a school district, the school district may approve a short school day in session for a school in accordance with the policy.*

4. *Upon the written approval of the superintendent of public instruction, a school district may schedule short school days in session on a continuing basis for pupils **who are receiving instruction** in an alternative program or receiving instruction in a detention home.*

Sec. 20. NAC 387.163 is hereby amended to read as follows:

387.163 **1.** Each school district shall submit to the superintendent of public instruction for ~~his~~ approval a ~~legend~~:

(a) *Legend* of symbols to be used ~~in all class record books~~ throughout the district to record daily attendance, including attendance for partial days, and ~~information on each pupil's~~ *to record the status of each pupil, including, without limitation, the* enrollment, reenrollment, *transfer* and withdrawal ~~of~~ *of each pupil*, if applicable.

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

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

2. *A 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. Any change in the symbols *or system of recording* used by ~~the~~ *a school* district must be submitted to the superintendent of public instruction for ~~his~~ 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.*

Sec. 21. NAC 387.165 is hereby amended to read as follows:

387.165 The class record book *is the original and official document or record that establishes proof of reported information for a pupil. The class record book* must contain the following information for each pupil:

1. The name of the pupil.
2. The grade ~~{or}~~ *and any applicable* special category to which the pupil is assigned.
3. The pupil's record of daily attendance.
4. The grade earned by the pupil for each period of grading and the final grade earned for the class.
5. The dates of enrollment, reenrollment and withdrawal of the pupil from ~~{that}~~ *the school or* class, if applicable.

Sec. 22. NAC 387.171 is hereby amended to read as follows:

387.171 Each school or school district shall maintain a master register of enrollment and attendance containing the following information for each pupil:

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 date of transfer, if applicable.}~~
- 8.} The pupil's record of daily attendance.

~~9.—The credit the pupil has earned or an indication of whether the pupil was promoted to the next grade.~~

~~—10.—The sex]~~

8. *The gender* of the pupil.

~~[11.]~~ 9. The ethnic group or race to which the pupil belongs, according to the following designations:

- (a) ~~[Native American or Alaskan;]~~ *American Indian/Alaskan Native;*
- (b) Asian or Pacific Islander;
- (c) ~~[Negro;]~~ *Black;*
- (d) Hispanic; or
- (e) ~~[Caucasian.]~~ *White.*

FLUSH *The master register of enrollment and attendance may be maintained on an electronic database or other computerized system if the school district obtains the approval of the superintendent of public instruction.*

Sec. 23. NAC 387.175 is hereby amended to read as follows:

387.175 1. Each master register of enrollment and attendance *and any supporting documents* must be maintained and be available for inspection by the department ~~[of education]~~ at any time during the school year and for 5 years after the last day of the school year. *A printout of the master register at the end of each school month satisfies the requirements of this subsection if the printout is maintained for 5 years after the last day of the school year.*

2. Each class record book must be maintained and be available for inspection by the department ~~[of education]~~ at any time during the school year and for 2 years after the last day of that school year. *A printout of the class record book at the end of each school month satisfies*

the requirements of this subsection if the printout is maintained for 2 years after the last day of the school year.

3. At the close of each school year, ~~the~~ *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. ~~A copy of the~~ *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 was responsible for the master register and the officer that replaces him shall attest to the accuracy and truthfulness for the period of the school year during which he was responsible for the master register.*

Sec. 24. NAC 387.185 is hereby amended to read as follows:

387.185 1. A pupil may be counted as in attendance only if he is actually at school or engaged in an 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.

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

(a) A full day of attendance must be recorded for a pupil if he is in attendance for at least two-thirds of the required number of minutes in the daily session for his grade or department ~~;~~ *or, if applicable, if he 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 is in attendance for at least one-third of the required number of minutes in the daily session for his grade or department ~~[]~~ *or, if applicable, if he is in attendance for at least one-third of the required number of class periods per day, as determined by the school district.*

Sec. 25. NAC 387.190 is hereby amended to read as follows:

387.190 1. A person who has not received his high school diploma and has withdrawn from high school may be enrolled as a part-time pupil ~~[under a]~~ *in an adult high school diploma program designed to enable him to obtain a diploma.*

2. Before commencing a class within such a program, a school district must apply to the department ~~[of education]~~ for permission to conduct the class. The application must be made on a form provided by the department and include the name of the course to be taught, the proposed beginning and ending dates for the class and the hours of instruction scheduled for the class. A class may begin or end at any time during the school year, but the entire schedule of the class, reflecting all the days and hours of instruction, must be entered on the application.

3. ~~[The class must provide a minimum of 120 hours of instruction and training for each course offered for one credit. A course offered for less than one credit may provide less than 120 hours of instruction and training.]~~ *A school district that offers an adult high school diploma program shall offer a sufficient number of required and elective courses for a pupil enrolled in the program to obtain the credits necessary to receive an adult standard diploma. Such required and elective courses must include the content identified in the school district's approved curriculum.*

Sec. 26. NAC 387.195 is hereby amended to read as follows:

387.195 1. Any pupil who is placed for independent study by a school district, pursuant to a plan described in NAC 388.520, shall be deemed to be in full attendance for a day if the combined number of minutes during which he is:

(a) Attending school; and

(b) Completing the hours specified in his contract for independent study,

FLUSH equals more than two-thirds of the number of minutes required for the daily session of his grade or category.

2. A pupil placed for independent study must be reported as enrolled on the monthly reports submitted to the department . ~~[of education.]~~

Sec. 27. NAC 387.200 is hereby amended to read as follows:

387.200 1. 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 he is transferred from the school or his name is withdrawn from its master register. *A pupil is not withdrawn from school if he is:*

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

(b) Absent from school with an expected date of return.

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) Does not enroll in another school, the effective date of withdrawal is the date that the parent or legal guardian of the pupil notifies the school district of the withdrawal.

(c) 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.

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

Sec. 28. NAC 387.215 is hereby amended to read as follows:

387.215 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. ~~Transfer~~ *Withdrawal* of the pupil to *enroll in* another ~~school~~ :

(a) Grade level within the ~~county~~.

~~2. Transfer~~ *same school*;

(b) Track within the same school; or

(c) School within the same school district.

2. *Withdrawal* of the pupil to *enroll in* another school in this state ~~;~~

~~3. Transfer~~, *including, without limitation, enrollment in a detention home or alternative program that is not located within the school district.*

3. *Withdrawal* of the pupil to *enroll in* a school in another state.

4. Withdrawal of the pupil at the request of the school.

5. Withdrawal of the pupil by the pupil ~~[, or his]~~ *or the* parent or guardian *of the pupil* for

any of the following reasons:

- (a) The pupil is receiving a failing grade in at least two of the subjects in which he is enrolled;
 - (b) Pregnancy;
 - (c) Marriage;
 - (d) Employment;
 - (e) The pupil's physical or mental condition or attitude, certified pursuant to NRS 392.050;
 - (f) Authorization by the juvenile division of the district court pursuant to NRS 392.090;
 - (g) Self-supported or parental support in accordance with NRS 392.100;
 - (h) Apprenticeship in accordance with NRS 392.110; or
 - (i) Any other reason not specified in paragraphs (a) to (h), inclusive.
6. Absence of the pupil for 10 consecutive school days if the whereabouts of the pupil are unknown.
7. Incarceration.
8. Withdrawal pursuant to NRS 392.060, 392.070 or 392.080.
9. Death.
10. Any other reason for withdrawal.

11. Withdrawal for unexplained absence, as set forth in subsection 2 of NAC 387.220.

Sec. 29. NAC 387.220 is hereby amended to read as follows:

387.220 1. A record of withdrawal for the purpose of calculating basic support must be entered on the master register of enrollment and attendance ***with an effective date of withdrawal prescribed in paragraph (d) of subsection 3 of NAC 387.200*** for a pupil who is absent for at least 10 consecutive school days if his whereabouts or the reason for his absence cannot be determined.

2. A withdrawal for an unexplained absence must be recorded for any pupil who was enrolled in grades ~~[8]~~ 7 to 12, inclusive, in the school district at the end of the previous school year but did not complete an instructional program, transfer, withdraw or reenroll and did not return to school by December 1 of the current school year. ~~[A pupil who completed grade 8 in the previous year and did not transfer, withdraw, reenroll or return to school must be recorded as a withdrawal for unexplained absence.]~~ The school district shall post and maintain the record maintained pursuant to this section separately from records of withdrawals of pupils counted for the purposes of apportionment for the current school year.

Sec. 30. NAC 387.280 is hereby amended to read as follows:

387.280 1. Information about enrollment and attendance which is recorded in the master register of enrollment and attendance must be accumulated at the end of each month for each grade within each school and submitted, in the manner prescribed by the superintendent of public instruction, to the department ~~[of education]~~ within 10 days after the last day of each school month. All reports from a school district must be submitted together and sorted so that all reports from similar kinds of schools are together. *Before submission of the reports, each school district shall review the reports to ensure the accuracy and completeness of the reports.*

2. If a school district operates under more than one school calendar, the district shall submit, in addition to the reports required in subsection 1, the weighted and unweighted count of enrollment on the last day of the first school month of the school year for that district.

3. A pupil must be in attendance at least 1 day of the school month to be counted as enrolled at a school.

Sec. 31. NAC 387.281 is hereby amended to read as follows:

387.281 Each school district shall report to the department ~~[of education]~~ on December 1 of each year, in the manner prescribed by the superintendent of public instruction, the number of pupils in that district in grades ~~[8]~~ 7 to 12, inclusive, who are dropouts. No pupil may be counted more than once.

Sec. 32. NAC 387.283 is hereby amended to read as follows:

387.283 1. Each school district shall submit to the superintendent of public instruction, 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 ~~[-]~~

~~—(a) Describe]~~ *describe* in detail ~~[the]~~ :

(a) *The* method by which the school district 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) ~~[Reflect in detail the]~~ *The* means by which the district 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 ~~[-; and]~~ *or alternative program;*

(c) ~~[Describe in detail how]~~ *How* the school district ~~[proposes to]~~ *will* account for a pupil who is receiving instruction in a detention home *or alternative program* located within the district, but who is a resident of another school district ~~[-]~~ ; *and*

(d) *How the school district will account for a pupil who is a resident of the school district and for whom the school district 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 may approve or reject the submitted procedures. If ~~he~~ *the superintendent* rejects the procedures, ~~he~~ *the superintendent* shall prescribe the method of reporting for that school district for that school year. The approval of the superintendent of public instruction is effective until the school district revises the procedures.

4. Each school district shall submit to the department, ~~of education,~~ 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~~ *or alternative program*.

Sec. 33. NAC 387.286 is hereby amended to read as follows:

387.286 1. A pupil who has an illness or a disability which dictates that the requirement of compulsory attendance be fulfilled by individual instruction at home or in a medical facility under the supervision of a ~~certificated~~ *licensed* teacher employed by the school district shall be deemed enrolled within that district if he is scheduled to receive at least 5 hours of instruction per week directly from the supervising teacher in the form of individual tutoring. The tutoring may be conducted by means of electronic telecommunication.

2. Each hour of teaching devoted to the individual instruction of the pupil is equivalent to a full day of attendance. More than 1 day of attendance may be accumulated during a single instructional session of more than 1 hour, but the number of days of attendance reported for the pupil for that school year may not exceed the number of school days in session during that school year.

3. A pupil with a disability receiving instruction pursuant to this section must receive the type and duration of instruction specified in the pupil's ~~individual program of education~~ *individualized education program* and all reporting of enrollment and attendance must be based upon the requirements of that program.

4. The pupil may be reported monthly as enrolled and in attendance at the school he would normally attend or a separate monthly report may be submitted, marked “Individual Tutoring at Home or in a Medical Facility.”

Sec. 34. NAC 387.291 is hereby amended to read as follows:

387.291 1. A pupil who has an illness or disability which dictates that the requirement of compulsory attendance be fulfilled by instruction as part of a group in a medical facility under the supervision of a ~~certificated~~ *licensed* teacher employed by the school district shall be deemed enrolled within that district if he is scheduled to receive at least 15 hours of instruction per week directly from the supervising teacher. *If a pupil does not attend or participate in the instruction for more than 10 consecutive school days, the school district shall report the pupil as a withdrawal pursuant to NAC 387.215. The pupil may reenroll after such a withdrawal if he is able and willing to participate in the instruction.*

2. Each 3 hours of teaching devoted to instruction of pupils under this program is the equivalent of a full day of attendance. More than 1 day of attendance may be accumulated during a single instructional session of more than 3 hours, but the number of days of attendance reported for the pupil for that school year may not exceed the number of school days in session during that school year.

3. A pupil with a disability receiving instruction pursuant to this section must receive the type and duration of instruction specified in the pupil’s ~~individual program of education~~ *individualized education program* and all reporting of enrollment and attendance must be based upon the requirement of that program.

4. The pupil may be reported monthly as enrolled and in attendance at the school he would normally attend or a separate monthly report may be submitted, marked “Instruction of Groups in a Medical Facility.”

Sec. 35. NAC 387.293 is hereby amended to read as follows:

387.293 1. A pupil who participates in a program of instruction through correspondence under the supervision of a ~~certificated~~ *licensed* teacher employed by the school district and who does not attend classes on a regular basis at a school because of extreme distance from the school shall be deemed to be enrolled if arrangements are made for the teacher to communicate directly with the pupil , *including, without limitation, by electronic means*, at least once a week for instructional purposes.

2. For reporting attendance, the school district may consider the pupil to be in full attendance only during periods in which the teacher actually is in communication with him.

3. The pupil must be reported monthly as enrolled and in attendance in the school he would attend if he were not receiving instruction through correspondence ~~and~~ *or a separate monthly report may be submitted, marked “Instruction of Pupils Through Correspondence.”*

Sec. 36. NAC 387.296 is hereby amended to read as follows:

387.296 A pupil with a disability must be reported to the department ~~of education~~ within the appropriate grade, except that an ungraded pupil must be listed separately in the master register of enrollment and attendance and reported in the ungraded category.

Sec. 37. NAC 387.306 is hereby amended to read as follows:

387.306 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 is in attendance at school and work equals more than two-thirds of the number of minutes required for the daily session of his grade or category.

2. A pupil in grade 12 who attends 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 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 . ~~[of education.]~~

Sec. 38. NAC 387.310 is hereby amended to read as follows:

387.310 1. If a pupil enrolled in a school in this state is a resident of another state, the school or school district in which he is enrolled shall:

(a) Make a note of his residence next to his name on the master register of enrollment and attendance; and

(b) Submit a supplementary report of enrollment and attendance, marked "Out-of-state Pupils" at the end of the first school month.

2. For calculating the basic support for each school district, the enrollment of out-of-state pupils will be deducted from the weighted count of enrollment for the first school month. **A**

school district shall maintain a list of out-of-state pupils who are enrolled in the school district but not included in the weighted count of enrollment.

3. A school district shall maintain records for:

(a) Pupils who do not reside in this state but attend school within this state pursuant to a contract or written agreement;

(b) Foreign exchange pupils who participate in a program of education pursuant to a reciprocal agreement entered into by the school district; and

(c) Foreign pupils who are not included in paragraph (b) and who are in this country with visas.

4. Foreign exchange pupils who participate in a program of education pursuant to a reciprocal agreement entered into by a school district may be included in the school district's count of pupils for purposes of apportionment.

Sec. 39. NAC 387.320 is hereby amended to read as follows:

387.320 1. If a pupil is a resident of this state but attends school in another state ~~[under]~~ *or country pursuant to* an agreement to pay tuition approved by the department, ~~[of education,]~~ the school district in which the pupil resides shall submit a supplementary report of enrollment and attendance, marked "Resident Pupils Attending School Out-of-state."

2. The report must be submitted at the end of the first school month.

3. For calculating the basic support for each school district, the enrollment of these pupils will be added to the weighted count of enrollment for the first school month.

Sec. 40. NAC 387.330 is hereby amended to read as follows:

387.330 1. ~~[If a pupil is enrolled in a class within a program designed for part time pupils to obtain a diploma, the master register of enrollment and attendance must:~~

~~—(a) Show the schedule of the class for the entire term, which is divided into sections of time which are each approximately one-tenth of the entire schedule. Each section of time must be referred to as a school month of the term and must be further divided into school days as daily sessions are scheduled; and~~

~~—(b) Indicate the number of pupils enrolled, the total average daily attendance and the average daily attendance for which basic support cannot be claimed pursuant to subsections 5 and 6.~~

~~—2.] An adult high school diploma program must be operated in accordance with the standards prescribed in NAC 387.190 and any additional standards prescribed by the department. A school district that offers a program for pupils to obtain an adult high school diploma shall maintain a register of enrolled pupils and a list of classes that are offered. The list of classes must include the beginning and ending dates of each class, the time that each class meets and the total enrollment of pupils in each class.~~

2. Enrollment and attendance *for each class* must be recorded in the class record book in the manner prescribed in NAC 387.165.

3. ~~[Separate reports]~~ *Reports* of enrollment and attendance in ~~[such a]~~ *each* class must be submitted ~~[at the end of each class]~~ to the department ~~[of education]~~ on a form prescribed *by the department* for that purpose.

~~[4.—For calculating the basic support for each school district, the average daily attendance for each class will be determined by selecting the 3 highest school months of average daily attendance of the period of 10 school months. The total of the average daily attendance for the 3 highest school months is then divided by three to arrive at an adjusted average daily attendance for each class. The adjusted averages of daily attendance for all classes are then totaled and divided by four to arrive at the average daily attendance for the calculation of basic support.~~

~~—5.—A school district shall not claim basic support under this section for any pupil in an amount which exceeds during any fiscal year the basic support guarantee per pupil for that district for that fiscal year.~~

~~—6.—A school district shall not include in the regular count of enrollment for that school year any pupil enrolled in a part-time program.~~

~~—7.— Any school district which cancels or otherwise ceases instruction for any reason in any class under this program shall immediately report to the department of education the cancellation and the enrollment and attendance for the instruction actually given. The department shall prorate the basic support based on the period of the actual operation of the class.]~~ *The reports must be submitted on or before:*

(a) December 31 for each class that commences on or after July 1 and is completed on or before December 31 of the same year.

(b) June 30 for each class that commences on or after July 1 and is completed on or before June 30 of the immediately succeeding year.

4. The department shall determine the amount of money apportioned to a school district that operates a program for pupils to obtain a high school diploma based upon the unduplicated count of pupils enrolled in the program. Pupils who are reported to the department as enrolled in a regular school program and who subsequently enroll in an adult high school diploma program during the same school year must not be included in the count of pupils for purposes of apportionment to the school district for the program.

Sec. 41. NAC 387.345 is hereby amended to read as follows:

387.345 1. The count of pupils for calculating the basic support for each school district for any school year is the weighted count of enrollment of pupils in the school district on the last day of the first school month of ~~[that]~~ *the school year [-]*, *including, without limitation, the count of pupils who reside in the county and are enrolled in any charter school on the last day of the first school month of the school district for the school year.* The last day of the first school month for that district is the last day of the first school month of the school calendar in which the greatest number of pupils attend.

2. If a school district operates any of its schools under a school calendar which does not provide for enrollment and attendance of pupils on the last day of the first school month as prescribed in subsection 1, the school district may, upon the written approval of the superintendent of public instruction, include in the count of enrollment as prescribed in subsection 1, the count of pupils attending under such a calendar on the school day of that calendar which is within 5 school days of the school day closest to the count day prescribed in subsection 1.

3. On a form prescribed by the superintendent of public instruction, the superintendent of schools of each school district shall certify to the department ~~[of education]~~ by November 1 of each school year the weighted count of enrollment as of the day prescribed in subsection 1.

Sec. 42. NAC 387.108 is hereby repealed.

TEXT OF REPEALED SECTION

387.108 “Transfer” defined. “Transfer” means the transmittal of the official records of a pupil from the school in which he was previously enrolled to the school in which he is currently enrolled and which he is attending.