

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

LCB File No. R194-01

§§1, 2 and 4 effective April 1, 2002

§3 effective July 1, 2002

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

AUTHORITY: §§1-4, NRS 385.080 and 385.448.

Section 1. NAC 385.408 is hereby amended to read as follows:

385.408 The minimum passing scores are a standard score of ~~40~~ *410* on each of the five tests and an average standard score of ~~45~~ *450* on the five tests.

Sec. 2. NAC 389.694 is hereby amended to read as follows:

389.694 1. Except as otherwise provided in this subsection, a person who is 17 years of age or older and who seeks an adult standard diploma may waive units of credit for English, mathematics, science and social studies by taking tests of his general educational development in these subjects. A person who seeks an adult standard diploma and who is enrolled in an alternative program for the education of pupils at risk of dropping out of high school established by a school district pursuant to NRS 388.537 may not waive any units of credit pursuant to this section.

2. The maximum number of credits which may be waived in the areas of English, mathematics and science must be based on the number of credits previously earned which meet the minimum requirements for course content outlined in NAC 389.450 to 389.511, inclusive, and the credits waived upon the completion of the General Educational Development Test.

FIRST
PARALLEL
SECTION

3. Credits in elective courses may be waived only in the area of social studies. The maximum number of credits which may be waived in the area of social studies must be based on the General Educational Development Test.

4. The following table sets forth the scores which a person must achieve on the tests to waive credits in required and elective courses and the corresponding number of units which may be waived:

Subject	Designation of Test	Maximum Number of Units	
		For Score of [45.0 to 49.9] 450 to 499.9	For Score of [50.0 or higher] 500 or higher
English	I and IV (average)	2	4
Mathematics	V	1	2
Science	III	1	2
Social Studies	II	1	2

SECOND
PARALLEL
SECTION

Sec. 3. NAC 389.694 is hereby amended to read as follows:

389.694 1. Except as otherwise provided in this subsection, a person who is 17 years of age or older and who seeks an adult standard diploma may waive units of credit for English, mathematics, science and social studies by taking tests of his general educational development in these subjects. A person who seeks an adult standard diploma and who is enrolled in an alternative program for the education of pupils at risk of dropping out of high school established by a school district pursuant to NRS 388.537 may not waive any units of credit pursuant to this section.

2. The maximum number of credits which may be waived in the areas of English, mathematics and science must be based on the number of credits previously earned which meet the minimum requirements for course content outlined in NAC 389.450 to 389.511, inclusive, and the credits waived upon the completion of the General Educational Development Test.

3. Credits in elective courses may be waived only in the area of social studies. The maximum number of credits which may be waived in the area of social studies must be based on the General Educational Development Test.

4. The following table sets forth the scores which a person must achieve on the tests to waive credits in required and elective courses and the corresponding number of units which may be waived:

Subject	Designation of Test	Maximum Number of Units	
		For Score of 450 to 499.9	For Score of 500 or higher
English	I and IV (average)	2	4
Mathematics	V	1	2 3
Science	III	1	2
Social Studies	II	1	2

Sec. 4. 1. This section and sections 1 and 2 of this regulation become effective upon filing with the secretary of state.

2. Section 3 of this regulation becomes effective on July 1, 2002.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R194-01**

The State Board of Education adopted regulations assigned LCB File No. R194-01 which pertain to tests of general education development (chapters 385 and 389 of the Nevada Administrative Code) on January 26, 2002.

Notice date: 12/18/2001
Hearing date: 1/26/2002

Date of adoption by agency: 1/26/2002
Filing date: 4/1/2002

INFORMATIONAL STATEMENT

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED
BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066
NAC 385 & 389, Tests of General Education Development (GED) (LCB File R194-01)**

The following statement is submitted for adopted amendments to Nevada Administrative Code 385 & 389:

1. A description of how public comment was solicited, a summary of public response, and explanation how other interested persons may obtain a copy of the summary.

The Notice of Workshop to Solicit Comments on proposed revisions to NAC 385 & 389, Tests of General Education Development (GED) (LCB File R194-01) was sent to approximately one-hundred fifty individuals and educational organizations. A workshop was conducted on January 26, 2002, to provide the opportunity for comments by affected parties and the public. There were comments from the public.

The Notice of Intent to Act Upon a Regulation for public hearing for Board adoption of revisions to NAC 385 & 389, Tests of General Education Development (GED), was sent to approximately one-hundred fifty individuals and educational organizations. One public hearing was conducted on January 26, 2002, to provide the opportunity for comments by affected parties and the public. There were no comments from the public. The Board adopted the permanent language on January 26, 2002, without revision.

2. The Number of Persons Who:

a) Attended Each Hearing:	Workshop: <u>8</u>	Hearing: <u>9</u>
b) Testified at Each Hearing:	Workshop: <u>1</u>	Hearing: <u>0</u>
and,		
c) Submitted Written Statements:	Workshop: <u>0</u>	Hearing: <u>0</u>

No written comments were submitted.

3. A description of how comment was solicited from affected businesses, a summary of the response and an explanation how other interested parties may obtain a copy of the summary.

Comment was solicited through the Workshop notice of December 18, 2001. Comments were made by members of the public at the January 26, 2002, Workshop were made by Dotty Merrill, Interim Senior Director, Public Policy, Accountability and Assessment, Washoe County School district, who expressed appreciation to the Department of Education for giving the opportunity to provide input.

Comment was solicited through the public hearing notice of December 18, 2001. No comments were made by members of the public at the January 26, 2002, public hearing.

A copy of the summary and/or minutes of the public hearing may be obtained by calling LaDonna Byrd, Board Secretary, at the Department of Education (775) 687-9225, or by writing to the Department of Education at 700 East Fifth Street, Carson City, Nevada 89701-5096.

4. If the regulation was adopted with or without change to any part of the proposed regulation, a summary of the reasons for adopting.

The permanent regulation language was adopted by the State Board of Education at the public hearing held January 26, 2002, without revision.

5. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:

With the revisions, there is no economic effect on the business which is regulated. There is no estimated economic effect on the public, either adversely or beneficially, nor immediate or long term.

6. The estimated cost to the agency for enforcement of the adopted regulation.

There is no additional cost to the agency for enforcement of this regulation.

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

No other state or government agency regulations will be overlapped or duplicated by the above noted regulations. There is no duplication or overlap of federal regulations.

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

There are none.

- 9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

This regulation does not provide or involve a new fee.