

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

LCB File No. R019-02

Effective May 29, 2002

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

AUTHORITY: §1, NRS 385.080 and 394.221.

Section 1. NAC 394.040 is hereby amended to read as follows:

394.040 1. The applicant shall:

(a) Assure that the size of the private school is such that each pupil enrolled in:

(1) An academic program is provided with not less than 30 square feet of usable instructional space;

(2) A kindergarten is provided with not less than 35 square feet of usable instructional space; and

(3) A vocational course or other program which, by its description, concentrates on a nonacademic activity is provided with not less than 50 square feet of usable instructional space.

(b) Describe the facilities and equipment available for physical education and recreation and how the measurable objectives of a course in physical education will be met.

(c) List the materials in the library and describe the other facilities and services available for instruction, research and study.

(d) Describe the available audiovisual and instructional equipment, such as ~~audiovisual equipment,~~ charts and maps, blackboards, tagboards, machines and models. All instructional material provided should be consistent with the measurable objectives for each grade and course.

(e) List textbooks and supplementary materials to be used for each course. Instructional material must be consistent with the measurable objectives for each grade and course and must be made available in sufficient amounts to accommodate the number of students projected for enrollment. Basic textbooks and appropriate supplementary materials must be made available to all pupils.

(f) Indicate the ratio of pupils to instructors. A minimum of one full-time instructor is required for every 35 pupils or fraction thereof if the private school enrolls more than 35 pupils. If the private school enrolls less than 30 pupils, the ratio of pupils to instructors must be 15 to 1 when more than three grades are offered. In any event, the ratio of pupils to instructors must not exceed 35 to 1 if the private school has a single grade.

2. A full-time administrator must be employed for each private school which enrolls 150 or more pupils or employs six or more full-time instructors.

3. A private school which enrolls less than 150 pupils and employs less than six full-time instructors shall designate a person to serve as a liaison with the department. The liaison must :

(a) Hold a teacher's license issued by the department;

(b) Hold an administrator's license issued by the department ~~and shall:~~ or by another state or territory of the United States;

(c) Hold a bachelor's degree from an institution accredited by a regional accrediting association and have at least 5 years of verified experience in educational administration; or

(d) Hold a master's degree from an institution accredited by a regional accrediting association and have at least 3 years of verified experience in educational administration.

4. A liaison designated pursuant to subsection 3 shall:

(a) Ensure that the private school is operated pursuant to all applicable laws and regulations.

- (b) Develop curricular materials.
- (c) Provide training to employees of the private school.
- (d) Supervise and evaluate the staff of the private school.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R019-02**

The State Board of Education adopted regulations assigned LCB File No. R019-02 which pertain to qualifications for private school liaisons (chapter 394 of the Nevada Administrative Code) on April 13, 2002.

Notice date:	Workshop 1/31/2002 Hearing 3/7/2002	Date of adoption by agency:	4/13/2002
Workshop date:	3/2/2002	Filing date:	5/29/2002
Hearing date:	4/13/2002		

INFORMATIONAL STATEMENT

The following statement is submitted for adopted amendments to Nevada Administrative Code 394:

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 394, Private Schools, Qualifications for Private School Liaison was sent to approximately one-hundred fifty individuals and educational organizations. A workshop was conducted on March 2, 2002, to provide the opportunity for comments by affected parties and the public. There were no comments from the public.

The Notice of Intent to Act Upon a Regulation for the public hearing for Board adoption of regulation language was sent to approximately one-hundred fifty individuals and educational organizations. One public hearing was conducted on April 13, 2002, to provide the opportunity for comments by affected parties and the public. There were public comments.

2. The number of persons who:

(a) Attended Each Hearing:	Workshop: 5	Hearing: 2
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(b) Testified at Each Hearing:	Workshop: 0	Hearing: 0
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and,

(c) Submitted Written Statements:	Workshop: 0	Hearing: 0
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A copy of any written comments 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, 700 East Fifth Street, Carson City, Nevada 89701-5096.

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

Comment was solicited through the workshop notice of January 31, 2002, and public hearing notice of March 7, 2002. There were no comments from the public at the workshop or at the 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 regulation language (LCB File R019-02) was adopted by the Nevada State Board of Education at the public hearing held April 13, 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:

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.