

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

LCB File No. R037-09

June 23, 2009

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

AUTHORITY: §§1-3, NRS 385.080 and 389.805.

A REGULATION relating to education; prescribing alternative criteria for the receipt of a standard high school diploma for certain pupils who fail to pass the science portion of the high school proficiency examination; revising provisions relating to the alternative criteria for the receipt of a standard high school diploma for certain pupils who fail to pass the writing portion of the high school proficiency examination; and providing other matters properly relating thereto.

Section 1. Chapter 389 of NAC is hereby amended by adding thereto a new section to read as follows:

1. A pupil who is currently enrolled in the 12th grade and who satisfies the requirements of paragraph (b) of subsection 1 of NRS 389.805 may demonstrate proficiency in science by submitting to the Department of Education a portfolio of work prepared by the pupil.

2. The portfolio of work submitted pursuant to subsection 1 must:

(a) Demonstrate proficiency in the academic standards for science, including, without limitation, proficiency in life science, earth science, physical science and environmental science.

(b) Include:

(1) One completed design for a scientific experiment;

(2) One sample of work which requires the analysis and interpretation of a data set; and

(3) One other sample of work which demonstrates the pupil's knowledge of and ability to use and apply basic and integrated skills relating to the scientific process, including, without limitation:

(I) A science project or laboratory report based on data generated by the pupil;

(II) A completed project for a science fair, which is consolidated into a single document that accurately reflects the project; or

(III) Any other sample of work which demonstrates the pupil's knowledge, ability and skills relating to the scientific process.

3. The Department of Education shall prescribe the dates by which the portfolio of work must be submitted to ensure that a pupil is granted the opportunity to satisfy the requirements of this section before graduation from high school. A pupil shall submit the completed portfolio of work and the certification required by subsection 4 to the appropriate testing department of the school district on or before the dates specified by the Department of Education. The testing department shall forward each completed packet to the Department of Education for scoring.

4. A teacher or other licensed personnel at the school in which the pupil is enrolled and the principal of that school shall certify that the portfolio of work submitted by the pupil is the pupil's own work.

5. Submissions that do not meet the requirements of this section will be classified as "Insufficient" and will not be scored.

6. The Department of Education shall, in collaboration with licensed educational personnel, develop guidelines for evaluating portfolios of work submitted by pupils pursuant to

this section. The guidelines must require a pupil to meet or exceed the academic standards for science.

Sec. 2. NAC 389.655 is hereby amended to read as follows:

389.655 1. Except as otherwise provided in ~~subsection 9,~~ *subsections 2 and 3*, a pupil must not be given a standard high school diploma until the pupil has, after entering grade 11, passed:

(a) The Nevada High School Proficiency Examination in Reading;

(b) The Nevada High School Proficiency Examination in Mathematics; ~~and~~

(c) The Nevada High School Proficiency Examination in Writing ~~for the Eleventh Grade and Above.~~

~~For pupils who graduate from high school before the 2004-2005 school year, the Nevada High School Proficiency Examination in Science must be used solely to gather information and data concerning the examination and must not be used as a condition for receipt of a high school diploma.]; and~~

(d) Commencing with the graduating class of the 2009-2010 school year, the Nevada High School Proficiency Examination in Science.

2. ~~After entering grade 10, if a pupil passes one of the high school proficiency examinations, the pupil is not required to take that examination again to graduate.~~

~~3. For pupils who enroll in grade 11 in the 1997-1998 school year, passing scores on the high school proficiency examinations are as follows:~~

~~(a) In reading, 70 percent of the questions on the examination answered correctly.~~

~~(b) In mathematics, 61 percent of the questions on the examination answered correctly.~~

~~(c) In writing, 7.~~

~~—4.— For pupils who enroll in grade 11 in the 1998-1999 school year, the 1999-2000 school year or the 2000-2001 school year, passing scores on the high school proficiency examinations are as follows:~~

~~—(a) In reading, a scaled score of 71.~~

~~—(b) In mathematics, a scaled score of 64.~~

~~—(c) In writing, 7.~~

~~—5.— On or before January 1, 2002, the State Board of Education will set the passing scores on the high school proficiency examinations for pupils who enroll in grade 11 in the 2001-2002 school year or thereafter. In making its determination of the appropriate passing scores, the State Board of Education will consider the scores received by pupils in the October 2001 administration of the examinations. The Department of Education shall provide notice to each school district and charter school of the passing scores that are set at least until such time as the scores are codified in regulation.~~

~~—6.— A passing score that is in effect at the time that a pupil enrolls in grade 11 will remain in effect for 1 year after the pupil's anticipated completion of grade 12.~~

~~—7.— For pupils who enroll in an adult high school program after July 1, 2000, but before July 1, 2003, passing scores on the high school proficiency examinations are as follows:~~

~~—(a) In reading, a scaled score of 71.~~

~~—(b) In mathematics, a scaled score of 64.~~

~~—(c) In writing, 7.~~

~~—8.— For pupils who enroll in an adult high school program after July 1, 2003, passing scores on the high school proficiency examinations are the scores that are set by the State Board of Education pursuant to subsection 5.~~

~~—9.]~~ A pupil who fails to pass the Nevada High School Proficiency Examination in Writing ~~[for the Eleventh Grade and Above]~~ must receive a standard high school diploma if ~~[he:]~~ *the*

pupil:

- (a) Satisfies the requirements of paragraph (b) of subsection 1 of NRS 389.805;
- (b) Satisfies the requirements of NAC 389.657; and
- (c) Has not previously failed to satisfy the requirements of NAC 389.657.

3. A pupil who fails to pass the Nevada High School Proficiency Examination in Science must receive a standard high school diploma if the pupil:

- (a) Satisfies the requirements of paragraph (b) of subsection 1 of NRS 389.805;*
- (b) Satisfies the requirements of section 1 of this regulation; and*
- (c) Has not previously failed to satisfy the requirements of section 1 of this regulation.*

Sec. 3. NAC 389.657 is hereby amended to read as follows:

389.657 1. A pupil who is currently enrolled in the 12th grade and who satisfies the requirements of paragraph (b) of subsection 1 of NRS 389.805 may demonstrate proficiency in writing by submitting to the Department of Education three separate writing samples.

2. The writing samples submitted pursuant to subsection 1 must:

(a) Demonstrate an understanding of the writing process and the application of writing skills, including, without limitation, organization, voice, conventions, development of ideas and style, as prescribed in the academic standards for English language arts in the area of writing.

(b) Include:

- (1) One narrative or descriptive essay;
- (2) One expository or persuasive essay; and

(3) One other writing sample which demonstrates proficiency, including, without limitation:

(I) A research paper;

(II) A technical writing; or

(III) A single selection from a senior project or a portfolio of the pupil's work.

↪ At least one of the writing samples submitted pursuant to this subsection must be written in a monitored setting.

3. The Department of Education shall prescribe the dates by which the writing samples must be submitted to ensure that a pupil is granted the opportunity to satisfy the requirements of this section before graduation from high school. A pupil shall submit the writing samples *and the certification required by subsection 4 to the appropriate testing department of the school district* on or before the dates specified by the Department ~~of~~ *Education. The testing department shall forward each packet to the Department of Education for scoring.*

4. A teacher at the school in which the pupil is enrolled and the principal of that school shall certify that the writing samples submitted by the pupil are the pupil's own work.

5. Submissions that do not meet the requirements of this section will be classified as "Insufficient" and will not be scored.

6. The Department of Education shall, in collaboration with licensed educational personnel, develop guidelines for evaluating writing samples submitted by pupils pursuant to this section. The guidelines must require a pupil to meet or exceed the academic standards for English language arts in the area of writing.