

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

LCB File No. R041-10

Effective June 30, 2010

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

AUTHORITY: §§1-5, NRS 385.080.

A REGULATION relating to education; prescribing the standards for college readiness; and providing other matters properly relating thereto.

Section 1. Chapter 389 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Sec. 2. *“College readiness” means the demonstrated proficiency of a pupil who graduates from high school in this State to participate and succeed in an academic program which results in the completion of a degree from a postsecondary educational institution.*

Sec. 3. *A pupil enrolled in a 4-year course work program in a high school in this State completes the standards for college readiness if the pupil:*

1. Successfully completes the courses required for an advanced diploma pursuant to NAC 389.663; and

2. Successfully completes at least 2 years of course work in one foreign language or demonstrates proficiency to speak at least two languages.

Sec. 4. *The successful completion by a pupil of the standards for college readiness set forth in section 3 of this regulation is a strong indication:*

1. That the pupil is ready to participate successfully as a freshman who is enrolled in a postsecondary educational institution as a full-time student.

2. That the pupil has:

(a) Attained high academic achievement in the subject areas required for an advanced diploma pursuant to NAC 389.663;

(b) Cognitive skills, including, without limitation, logical reasoning skills and linguistic expression skills, that are developed through achievement in the subject areas required for an advanced diploma pursuant to NAC 389.663;

(c) Ancillary academic skills relating to study habits and self-direction;

(d) An awareness of the expectations for behavior in an academic environment; and

(e) Adequate test scores based upon the benchmark test scores established by the Board of Regents of the University of Nevada that should enable a pupil to avoid being placed in remedial classes as a postsecondary student.

Sec. 5. *The standards for college readiness set forth in section 3 of this regulation must be construed as prescribing the minimum level of academic attainment for the purposes of college readiness and must not be construed as:*

1. Recommending that a pupil enroll in the minimum courses of study to demonstrate college readiness as set forth in section 3 of this regulation; or

2. Prescribing the standards for admission to an institution within the Nevada System of Higher Education or any other postsecondary educational institution.

NEVADA DEPARTMENT OF EDUCATION
NEVADA STATE BOARD OF EDUCATION
NEVADA STATE BOARD FOR CAREER AND TECHNICAL EDUCATION
LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED
BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066
LCB File No. R041-10

New Regulation for College Readiness Standards; Definition and Criteria Prescribing the Standards for College

INFORMATIONAL STATEMENT

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

Notice of Workshop to Solicit Comments on Proposed Regulations was sent to approximately 200 individuals and educational organizations. A workshop was held on March 19, 2010. There was no public comment.

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of the new regulation amendments to R041-10; New Regulation for College Readiness Standards; Definition and Criteria Prescribing the Standards for College. A public hearing was conducted on May 14, 2010 to provide the opportunity for comments by affected parties and the public. There was no public comment. The State Board of Education adopted the proposed new regulation.

2. The Number of Persons Who:

- a) Attended Each Hearing: First Workshop: 12; First Hearing: 8; Second Hearing: N/A
- b) Testified at Each Hearing: First Workshop: 0; First Hearing: 0; Second Hearing: N/A
- c) Submitted Written Statements: First Workshop: 0; First Hearing: 0; Second Hearing: N/A

A copy of any written comments may be obtained by contacting Karen Johansen, Administrative Assistant, Nevada Department of Education, 775-687-9225, or by writing to the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

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

Comments were solicited through the workshop notice of February 24, 2010; and a public hearing notice of April 9, 2010. At the March 19, 2010 Workshop to Solicit Comments, there was no public comment to the proposed new regulation. At the May 14, 2010 public hearing there was no public comment to the proposed new regulation language.

Summary of Comments:

Workshop comments:

There were no public comments at the workshop.

Public Hearing comments:

There were no public hearing comments.

A copy of the summary and/or minutes of the public hearing may be obtained by contacting Karen Johansen, Administrative Assistant, Nevada Department of Education, 775-687-9225, or by writing to the Nevada 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 Nevada State Board of Education adopted the proposed new regulation language at the public hearing held May 14, 2010. The reason for adopting the new regulation is to define “college readiness” and should be regarded as a minimum level of attainment for the purposes of college readiness and for a high school graduate to participate and succeed in an academic program leading to completion of a 2-year or 4-year college degree program.

5. The estimated economic effect of the adopted regulation on the business that 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 public or the business it regulates.

There is no cost to the Department of education to adopt these regulations. There is no federal law affecting the proposed regulations. There is no duplication or overlap of state or local governmental agencies. The proposed regulations do not establish a new fee nor increase an existing fee of the regulating agency.

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 governmental 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 governmental agency regulations will be overlapped or duplicated by the above noted regulation. 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 for a new fee or increase an existing fee.