

Joe Lombardo
Governor

Jhone M. Ebert
Superintendent of
Public Instruction



Southern Nevada Office
2080 E. Flamingo Rd, Ste 210
Las Vegas, Nevada 89119-0811
Phone: (702) 486-6458
Fax: (702) 486-6450

STATE OF NEVADA
DEPARTMENT OF EDUCATION
700 E. Fifth St. | Carson City, Nevada 89701-5096
Phone: (775) 687-9200 | www.doe.nv.gov | Fax: (775) 687-1116

GUIDANCE MEMORANDUM 23-06

TO: School District Superintendents
State Public Charter School Authority

FROM: Jhone M. Ebert, Superintendent of Public Instruction

DATE: August 4, 2023

SUBJECT: Guidance on AB 264 from the 2023 Legislative Sessions

A handwritten signature in black ink, appearing to read "Jhone M. Ebert".

This memorandum is to provide additional information to Nevada school districts on [Assembly Bill \(AB\) 264](#), passed during the 82nd Legislative Session (2023) and effective July 1, 2023.

AB 264 establishes the following expectations:

- A pupil in a public school will not be deprived of an award based on perfect attendance because of an approved absence for the observance of a religious holiday.
- The days on which a pupil is not in attendance for the observance of a religious holiday must be credited toward the required days of attendance if the absence was approved pursuant to applicable NRS and the pupil has completed coursework requirements.
- If a pupil will be absent from school for the observance of a religious holiday, the parent, legal guardian, or caregiver shall notify the school in writing, in accordance with the policy established by the board of trustees of the school district, at least 3 days before the pupil will be absent from school.
- A maximum of these five absences may be approved within a school year.

Coding of Absences under AB 264

The Nevada Department of Education has identified the following absence code to use for up to five absences per AB 264 in a school year:

- **REL - Pre-approved religious absence up to five full days per school year**

The Department of Education is working with Infinite Campus to implement the REL code in all editions of Infinite Campus in Nevada. For any immediate needs in coding an AB 264 absence, Nevada school districts should implement a new local code which will be mapped to the State REL code when implemented.

To comply with mandated federal and State reporting requirements, absences per AB 264 will not be reported in the Nevada School Performance Framework (NSPF) Chronic Absenteeism measure; the Report Card Average Daily Attendance; or the Report Card CTE Average Daily Attendance; but will be reported for mandated federal reporting of Chronic Absenteeism on the Report Card and for federal EdFacts reporting.

For additional information or questions, please contact Peter Zutz pzutz@doe.nv.gov