

Steve Sisolak  
Governor

Jhone M. Ebert  
Superintendent of  
Public Instruction



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

**STATE OF NEVADA**  
**NEVADA DEPARTMENT OF EDUCATION**

700 E. Fifth Street | Carson City, Nevada 89701-5096  
Phone: (775) 687-9200 | [www.doe.nv.gov](http://www.doe.nv.gov) | Fax: (775) 687-9101

**Notice of Workshop to Solicit Comments on Proposed Regulation**

The Nevada Department of Education is proposing regulation language pertaining to the Nevada Administrative Code (NAC). The Workshop has been scheduled for **Thursday, June 23, 2022**, via [livestream](#) and at the following locations: **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada**. The purpose of the Workshop is to solicit comments from interested persons on the following general topics to be addressed in a proposed regulation:

**1:15 P.M. Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 387.065 – “Reenrollment” defined; NAC Chapter 387.115 – “Weighted count of enrollment” defined; NAC Chapter 387.XXX – Which pertains to the definition of Chronic absenteeism; NAC Chapter 387.163 – Legend of symbols and system of recording enrollment and attendance; NAC Chapter 387.171 – Master register of enrollment and attendance: Required information; maintenance on computerized system; NAC Chapter 387.175 – Maintenance of records of enrollment and attendance; NAC Chapter 387.185 – Recording attendance; NAC Chapter 387.195 – Pupil placed for independent study; NAC Chapter 387.200 – Enrollment in one school only; transfer of pupil or withdrawal of name of pupil; effective date of withdrawal; NAC Chapter 387.215 – Reason for withdrawal of pupil; NAC Chapter 387.283 – Pupil placed in detention home or alternative program; 387.293 – Pupil instructed through correspondence by licensed teacher; NAC Chapter 387.306 – Pupil in program which combines work and study; NAC Chapter 388.289 – Confidentiality of records; NAC Chapter 389.670 – Credit granted for performance on examination in lieu of course attendance: Board of trustees required to prescribe application and eligible courses of study; effect of pupil’s withdrawal from school; authority of State Board to review examination and minimum score required; NAC Chapter 390.510 – Attendance at adult high school program for test preparation.**

A copy of all materials relating to the proposal may be obtained at the workshop, on the Nevada Department of Education Regulation Workshops and Public Hearings [Meeting Materials](#) page, by contacting Dylan Fuson, Board Secretary, Nevada Department of Education, via email at [NVBoardED@doe.nv.gov](mailto:NVBoardED@doe.nv.gov), by telephone at 775-687-9224, or in person at the Nevada Department of Education, 700 E. Fifth Street, Carson City, Nevada, 89701. Persons wishing to comment upon the proposed action of the Nevada Department of Education may provide in-person testimony, submit written comment to the Nevada Department of Education via email at [NVBoardED@doe.nv.gov](mailto:NVBoardED@doe.nv.gov), or submit their comments, data, views, or arguments in written form to the Nevada Department of Education, 700 E. Fifth Street, Carson City, Nevada, 89701. Comments may be submitted via email leading up to and for the duration of the workshop, and those submitted via mail must be received by the Department on or before Wednesday, June 22, 2022.

This notice has been sent to all persons on the agencies mailing list for administrative regulations and posted on the Nevada Department of Education’s website at <https://doe.nv.gov>, Nevada’s Public Notice site at <https://notice.nv.gov>, the Nevada State Legislature’s webpage at <https://leg.state.nv.us>, and physically at the Nevada Department of Education Offices and with Nevada State Library and Archives. Copies of this notice will also be emailed and/or mailed to members of the public upon request.

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**SMALL BUSINESS IMPACT STATEMENT**  
**PURSUANT TO NRS 233B.0608**

**DATE:** June 6, 2022

**RE:** Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 387.065 – “Reenrollment” defined; NAC Chapter 387.115 – “Weighted count of enrollment” defined; NAC Chapter 387.XXX – Which pertains to the definition of Chronic absenteeism; NAC Chapter 387.163 – Legend of symbols and system of recording enrollment and attendance; NAC Chapter 387.171 – Master register of enrollment and attendance: Required information; maintenance on computerized system; NAC Chapter 387.175 – Maintenance of records of enrollment and attendance; NAC Chapter 387.185 – Recording attendance; NAC Chapter 387.195 – Pupil placed for independent study; NAC Chapter 387.200 – Enrollment in one school only; transfer of pupil or withdrawal of name of pupil; effective date of withdrawal; NAC Chapter 387.215 – Reason for withdrawal of pupil; NAC Chapter 387.283 – Pupil placed in detention home or alternative program; 387.293 – Pupil instructed through correspondence by licensed teacher; NAC Chapter 387.306 – Pupil in program which combines work and study; NAC Chapter 388.289 – Confidentiality of records; NAC Chapter 389.670 – Credit granted for performance on examination in lieu of course attendance: Board of trustees required to prescribe application and eligible courses of study; effect of pupil’s withdrawal from school; authority of State Board to review examination and minimum score required; NAC Chapter 390.510 – Attendance at adult high school program for test preparation.

I, Jhone M. Ebert, being the duly appointed Superintendent of Public Instruction of the Nevada Department of Education, do hereby certify, to the best of my knowledge or belief:

1. The proposed regulation regarding attendance and enrollment is not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business.
2. A concerted effort was made to determine any economic burden.
3. All relevant materials were reviewed, and the Department considered its history with implementing similar regulations; the proposed changes are within the scope of the Department’s activities and present no significant cost of enforcement.
4. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or adverse economic impact can be assessed.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,

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

Jhone M. Ebert  
Superintendent of Public Instruction

The following NRS and NAC are submitted for your consideration for the purposes of recent update of chronic absenteeism, practices that are no longer followed, and to remove confusion over language used such as enrollment versus attendance. Only SB249 was added to this document, no other bills from the 2021 session were included

**NAC 387.065 “Reenrollment” defined.** ([NRS 385.080](#)) “Reenrollment” means the enrollment of a pupil in a public school in this State ~~[in accordance with an approved legend of symbols and system of recording]~~ after the pupil has previously been enrolled in the same school during the current school year.  
(Added to NAC by Bd. of Education, eff. 6-23-86; A by R033-99, 11-3-99)

**NAC 387.115 “Weighted count of enrollment” defined.** ([NRS 385.080](#)) “Weighted count of enrollment” means the unweighted count of enrollment except that the number of pupils in *half-day* kindergarten and pupils who are 3, 4 and 5 years of age who are not enrolled in kindergarten but are receiving special educational services pursuant to [NRS 388.435](#) must be stated as six-tenths of the unweighted count of enrollment.  
(Added to NAC by Bd. of Education, eff. 6-23-86; A by R033-99, 11-3-99)

*NAC 387.XXX “Chronic Absenteeism” defined. “Chronic Absenteeism” means the count of absences for each individual pupil equaling 10% or more of the school days enrolled for a pupil who is not physically on school grounds and is not participating in instruction or instruction-related activities at an approved off-grounds location. The pupil’s absence counts toward the pupil’s chronic absenteeism if the pupil is not in attendance for 50% or more of each individual pupil’s instructional minutes in the pupil’s schedule for each school day regardless if the absence is approved or unapproved. The definition of “chronic absenteeism” is aligned with the federal definition for federal reporting purposes.*

**NAC 387.163 Legend of symbols and system of recording enrollment and attendance.** ([NRS 385.080, 387.123](#))

1. Each school district *and public charter school shall utilize the standard list of codes and symbols published by the Department for enrollment, reenrollment, transfer, withdrawal and attendance. Districts and charter schools may develop a list of local attendance codes to be used for capturing more detailed information about an absence, but those local codes must map to the State attendance codes published in the Standard List of Codes and Symbols for the purpose of State reporting.* ~~[shall submit to the Superintendent of Public Instruction for approval a:~~

~~—(a) Legend of symbols to be used throughout the district to record daily attendance, including attendance for partial days, and to record the status of each pupil, including, without limitation, the enrollment, reenrollment, transfer and withdrawal of each pupil, if applicable.~~

~~—(b) System of recording attendance, enrollment, reenrollment and withdrawal.~~

~~A school district may obtain approval for more than one legend of symbols and more than one system of recording.]~~

2. *Each school district and public charter school must use the statewide student information system prescribed by the Superintendent of Public Instruction as per NRS 385A.810 as the system of recording enrollment and attendance. [A] The system of recording must include the internal controls established for the system, including, without limitation, the name and title of each person who is authorized to make entries into the system.*

~~—[3.—Any change in the symbols or system of recording used by a school district must be submitted to the Superintendent of Public Instruction for approval. A school district shall not use or authorize the use~~

~~of a revised legend of symbols or system of recording until the Superintendent of Public Instruction has approved the revision.]~~

(Added to NAC by Bd. of Education, eff. 6-23-86; A by R033-99, 11-3-99)

**NAC 387.171 Master register of enrollment and attendance: Required information; maintenance on computerized system.** ([NRS 385.080](#), [387.123](#), [388.874](#)) Each school or school district *or charter school* shall maintain a master register of enrollment and attendance containing the following information for each pupil:

1. The name of the pupil.
2. The date of birth of the pupil.
3. The school in which the pupil is enrolled.
4. The grade or ungraded category of educational service to which the pupil is admitted.
5. The dates, if applicable, of enrollment and reenrollment.
6. The date of withdrawal, if applicable, and the reason for the withdrawal, as described in [NAC 387.215](#).
7. The pupil's record of daily attendance.
8. The gender of the pupil.

**9. If the pupil is enrolled in a program of distance education, the information required by subsection 3 of [NAC 387.193](#).**

~~9.]~~ **10.** The ethnic group or race to which the pupil belongs, according to the following designations:

- (a) American Indian/Alaskan Native;
- (b) Asian ~~{or Pacific Islander}~~;
- (c) Black *or African American*;
- (d) Hispanic/*Latino*; ~~{or}~~
- (e) White;
- (f) *Native Hawaiian or Pacific Islander; or*
- (g) *Two or more races*

**11. The State Unique Identifier of the pupil.**

The master register of enrollment and attendance *will* be maintained ~~{on an electronic database or other computerized system}~~ *on the student information system as prescribed by the Superintendent of Public Instruction under [NRS 385A.810](#). ~~{if the school district obtains the approval of the Superintendent of Public Instruction.}~~*

(Added to NAC by Bd. of Education, eff. 6-23-86; A 5-19-88; R033-99, 11-3-99; R007-02, 4-5-2002; R016-11, 10-26-2011; R065-16, 11-2-2016)

**NAC 387.175 Maintenance of records of enrollment and attendance.** ([NRS 385.080](#), [387.123](#))

1. Each master register of enrollment and attendance and any supporting documents must be maintained and be available for inspection by the Department at any time during the school year and for 5 years after the last day of the school year. A printout *or digital record* of the master register at the end of each ~~{school month}~~ *reporting period* satisfies the requirements of this subsection if the ~~{printout}~~ *record* is maintained for 5 years after the last day of the school year.

2. Each class record book must be maintained and be available for inspection by the Department at any time during the school year and for 2 years after the last day of that school year. A printout *or digital record* of the class record book at the end of each school month satisfies the requirements of this subsection if the ~~{printout}~~ *record* is maintained for 2 years after the last day of the school year.

3. At the close of each school year, each officer who is responsible for maintaining the school's master register of enrollment and attendance shall sign a statement testifying to the accuracy and truthfulness of the reports of attendance and enrollment which are recorded in the master register. Such a statement

must be included in the master register of enrollment and attendance. If a different officer becomes responsible for maintaining the master register during a school year, ~~he or she~~ **the officer** who vacated the position shall attest to the accuracy and truthfulness for the period of the school year during which the officer was responsible for the master register and the officer that replaces him or her shall attest to the accuracy and truthfulness for the period of the school year during which the officer was responsible for the master register.

[Dep't of Education, Pupil Accounting Reg., eff. 12-15-77] — (NAC A by Bd. of Education, 9-6-83; 6-23-86; R033-99, 11-3-99)

**NAC 387.185 Recording attendance.** ([NRS 385.080](#), [387.123](#))

1. Except as otherwise provided in [NAC 387.193](#), a pupil may be counted as in attendance only if the pupil is actually at school or engaged in an **education related** activity which is:

- (a) Sponsored by the school;
- (b) Part of the program of the school;
- (c) Personally supervised by a member of the staff of the school; and
- (d) At an approved location.**

2. Except as otherwise provided in [NAC 387.193](#), [387.286](#), [387.291](#) and [387.306](#):

(a) A full day of attendance must be recorded for a pupil if ~~he or she~~ **the pupil** is in attendance **as described in section 1** for **50% or more** ~~[of the required number of minutes in the daily session for the pupil's grade or department]~~ **of each individual pupil's instructional minutes in the pupil's schedule for each school day.**

~~[or, if applicable, if he or she is in attendance for at least two-thirds of the required number of class periods per day, as determined by the school district; and~~

~~—(b) A half day of attendance must be recorded for a pupil if he or she is in attendance for at least one-third of the required number of minutes in the daily session for the pupil's grade or department or, if applicable, if he or she is in attendance for at least one-third of the required number of class periods per day, as determined by the school district.]~~

(Added to NAC by Bd. of Education, eff. 6-23-86; A by R033-99, 11-3-99; R007-02, 4-5-2002)

**NAC 387.195 Pupil placed for independent study.** ([NRS 385.080](#), [387.123](#), [389.155](#))

1. Except as otherwise provided in subsection 2, any pupil who is placed for independent study by a school district pursuant to a plan approved in accordance with [NAC 389.720](#) shall be deemed to be in full attendance for a day if the combined number of minutes during which the pupil is:

- (a) Attending school; and
- (b) Completing the hours specified in his or her contract for independent study,

↪ equals ~~more than two-thirds~~ **half or more** of the number of minutes required for the daily session of ~~his or her~~ **the pupil's** grade or category.

2. A pupil enrolled in independent study who is in kindergarten or in any grade from grades 1 to 8, inclusive, shall be deemed enrolled full-time if the pupil is enrolled in:

- (a) The minimum daily period required pursuant to [NAC 387.131](#); or
- (b) A curriculum that is equivalent to the regular school curriculum, if an exception to the minimum daily period has been approved pursuant to subsection 3 of [NAC 387.131](#).

3. A pupil enrolled in independent study who is in any grade from grades 9 to 12, inclusive, shall be deemed enrolled full-time if:

(a) The pupil is enrolled in the number of courses required for full-time pupils pursuant to subsection 3 of [NAC 387.345](#); or

(b) A written plan for enrollment has been prepared for the pupil which demonstrates that the pupil will complete during the school year the number of courses required for full-time pupils.



4. A pupil who is enrolled in independent study shall maintain a study log, which may be used to verify the pupil's attendance.

5. A pupil placed for independent study must be reported as enrolled on the monthly reports submitted to the Department.

(Added to NAC by Bd. of Education, eff. 11-14-94; A by R033-99, 11-3-99; R134-07, 6-17-2008; R065-16, 11-2-2016)

**NAC 387.200 Enrollment in one school; transfer or withdrawal; effective date of withdrawal.** (NRS 385.080, 387.123)

1. Except as otherwise provided in subsection 8 of NAC 387.193, a pupil must not be entered as an enrolled pupil in the master register of enrollment and attendance of more than one public school on the same day.

2. A pupil remains enrolled in the public school until the pupil is transferred from the school or his or her name is withdrawn from its master register. A pupil is not withdrawn from school if the pupil is:

(a) Truant from school and documentation of the truancy is maintained by the school district;  
or

(b) Absent from school for a period of less than ~~[1 school month]~~ **20 consecutive instructional days**, with an expected date of return **within the 20 instructional day period**.

3. If a pupil:

(a) Enrolls in another school, the effective date of withdrawal is the ~~[day immediately after the]~~ last day that the pupil attended class.

(b) Enrolls in another school in the same school district within 10 consecutive ~~school~~ **instructional** days after a change of residence of the pupil, the effective date of withdrawal is the date immediately preceding the date on which the pupil enrolled in the other school.

(c) Does not enroll in another school **and the parent or legal guardian had notified the school district of the withdrawal**, the effective date of withdrawal is the date that the ~~[parent or legal guardian of the pupil notifies the school district of the withdrawal]~~ **pupil last attended class**.

(d) Is placed in a detention home or alternative program in another school district, the effective date of withdrawal is the last day that the pupil attended class or the day on which the pupil is placed in control of the personnel for the detention home or alternative program, including days for processing and proceedings for placement, whichever is earlier.

(e) Does not attend school for 10 consecutive ~~[school]~~ **instructional** days and the whereabouts of the pupil are unknown, the effective date of withdrawal is the ~~[day immediately after the]~~ 10th consecutive ~~[school]~~ **instructional** day that the pupil failed to attend school.

(f) **Has not attended school for 20 consecutive instructional days. The effective date of withdrawal is the 20<sup>th</sup> consecutive instructional day that the pupil failed to attend school.**

Dep't of Education, Pupil Accounting Reg., eff. 12-15-77]- (NAC A by Bd. of Education, 9-6-83; 6-23-86; R033-99, 11-3-99; R007-02, 4-5-2002; R031-02, 5-29-2002; R134-07, 6-17-2008; R016-1 1, 10-26-2011)

**NAC 387.215 Reason for withdrawal of pupil.** ([NRS 385.080](#), [387.123](#)) The reason listed in the master register of enrollment and attendance for the withdrawal of a pupil must be stated as one of the following:

1. For a pupil who will receive educational services in the same school district *or charter school*, withdrawal of the pupil to:

(a) Enroll in the same school or a program within the same school, including, without limitation, another grade level or track within the same school;

*(1) Student completed school year. Withdrawal date is the last day of the school calendar.*

(b) Enroll in another school, ~~[other than a charter school,]~~ within the same school district *or under the same charter*;

(c) Enroll in a charter school that is sponsored by the board of trustees of the school district; or  
~~—[(d) Receive educational services from the school district if the pupil is not assigned to a particular school within the school district.]~~

*(e) Enroll in an educational program for adults or other program which offers a diploma.*

2. For a pupil who will receive educational services from a source other than the school district *or charter school*, withdrawal of the pupil to transfer and:

(a) Enroll in a public school ~~[, other than a charter school, in another school]~~ *in a different* district *or a university school* in this State ~~[, including, without limitation, enrollment in a detention home or alternative program that is not located within the school district];~~

(b) Enroll in a private school in this State;

(c) Receive instruction as a homeschooled child (*ages 7-18 subject to compulsory attendance*) pursuant to [NRS 392.070](#);

(d) Enroll in a school in another state;

(e) Enroll in a school in another country; or

(f) Enroll in a *state sponsored public* charter school ~~[that is not sponsored by the board of trustees of the school district].~~

*(g) Enroll in an educational program for adults or other program which offers a diploma; or*

*(h) Enroll in a district-sponsored charter school.*

3. For a pupil who is not known to be receiving educational services, withdrawal of the pupil from the system of K-12 public education:

(a) By the pupil or the parent or guardian of the pupil. ~~f, as applicable, for any of the following reasons:~~

~~—(1) The pupil is credit deficient;~~

~~—(2) Pregnancy;~~

~~—(3) Marriage;~~

~~—(4) Employment;~~

~~—(5) The pupil's physical or mental condition prevents or renders inadvisable the pupil's attendance at school or the pupil's application to study, certified pursuant to [NRS 392.050](#), including, without limitation, a long-term medical condition or admission to a program of substance abuse treatment or a rehabilitative setting;~~

~~—(6) Authorization by the juvenile division of the district court pursuant to [NRS 392.090](#);~~

~~—(7) Self-supported or parental support in accordance with [NRS 392.100](#);~~

~~—(8) Apprenticeship in accordance with [NRS 392.110](#); or~~

~~—(9) Any other reason not specified in subparagraphs (1) to (8), inclusive.]~~

(b) Because the pupil's age exceeds the maximum age at which the pupil is entitled to a public education in this State.

(c) Due to:

- (1) Permanent expulsion;
- (2) Disciplinary or other eligibility reasons; or
- (3) Incarceration.

(d) To enroll in an educational program for adults or other educational program which does not offer a diploma, including, without limitation:

(1) A program ~~[of general educational development]~~ **that offers a High School Equivalency Exam** ;

or

(2) A program of vocational or technical education for adults.

(e) As a result of the unknown enrollment status of the pupil due to the absence of the pupil:

(1) For 10 consecutive school days if the whereabouts of the pupil are unknown or the reason for the pupil's absence cannot be determined;

(2) For ~~[1 month]~~ **20 consecutive instructional days** ~~[when an expected date of return is not known]~~ ; or

(3) For unexplained absence, as set forth in subsection 2 of [NAC 387.220](#) [.]; or

**(4) Runaway, whereabouts unknown; or**

**(5) Did not return next school year, reason unknown.**

(f) When attendance is ~~[excused]~~ **no longer required** pursuant to [NRS 392.060](#) for completion of the 12 grades of elementary and high school courses.

~~—[(g) When attendance is excused pursuant to NRS 392.080 because the pupil's residence is located at such a distance from the nearest public school as to render attendance unsafe or impractical.]~~

**(h) The pupil's physical or mental condition prevents or renders inadvisable the pupil's attendance at school or the pupil's application to study, certified pursuant to [NRS 392.050](#), including, without limitation, a long-term medical condition or admission to a program of substance abuse treatment or a rehabilitative setting.**

4. For a pupil who exits the system of public education, withdrawal of the pupil:

(a) Due to the death of the pupil;

(b) When the pupil is less than 7 years of age and was enrolled in public school; or

~~—[(c) After reenrolling, if the pupil was previously withdrawn for a reason set forth in paragraph (d) of subsection 3.]~~

**(d) Upon completion of a course/program/activitiy**

(Added to NAC by Bd. of Education, eff. 6-23-86; A 5-19-88; R033-99, 11-3-99; R019-09, 10-27-2009)

**NAC 387.283 Pupil placed in detention home or alternative program. ([NRS 385.080](#), [387.123](#), [388.570](#))**

1. Each school district **and charter school** shall submit to the Superintendent of Public Instruction **or designee** , in advance, a written proposal of its procedures to be used for the reporting of enrollment and attendance with respect to a pupil placed in a detention home or alternative program in the district.

2. The procedures must describe in detail:

(a) The method by which the school district **or charter school** determines whether the pupil is reported as enrolled in and attending a regular school or a program of instruction in a detention home or alternative program;



(b) The means by which the district *or charter school* ensures that a pupil in a detention home or alternative program is not included in the count of enrollment and attendance of both a regular school and a program of instruction in a detention home or alternative program;

(c) How the school district *or charter school* will account for a pupil who is receiving instruction in a detention home or alternative program located within the district *or charter school*, but who is a resident of another school district; and

(d) How the school district *or charter school* will account for a pupil who is a resident of the school district and for whom the school district *or charter school* is providing for the pupil to receive instruction in a detention home or alternative program located in another school district.

3. The Superintendent of Public Instruction *or designee* may approve or reject the submitted procedures. If the Superintendent *or designee* rejects the procedures, the Superintendent *or designee* shall prescribe the method of reporting for that school district *or charter school* for that school year. The approval of the Superintendent of Public Instruction *or designee* is effective until the school district *or charter school* revises the procedures.

4. ~~[Each school district *and charter school* shall submit to the Department, in the manner prescribed by the Department, a monthly report of enrollment and attendance for all pupils enrolled in a program of instruction in a detention home or alternative program.]~~

(Added to NAC by Bd. of Education, eff. 9-6-83; A 6-23-86; R033-99, 11-3-99)

**NAC 387.293 Pupil instructed through correspondence by licensed teacher. ([NRS 385.080](#), [387.123](#))**

1. A pupil who participates in a program of instruction through correspondence under the supervision of a licensed teacher employed by the school district and who does not attend classes on a regular basis at a school because of extreme distance from the school shall be deemed to be enrolled if arrangements are made for the teacher to communicate directly with the pupil, including, without limitation, by electronic means, at least once each week for instructional purposes.

2. For reporting attendance, the school district may consider the pupil to be in full attendance if the teacher and the pupil meet or otherwise communicate with each other at least once each week for instructional purposes.

~~[3. The pupil must be reported monthly as enrolled and in attendance in the school the pupil would attend if he or she were not receiving instruction through correspondence, or a separate monthly report may be submitted, marked "Instruction of Pupils Through Correspondence."]~~

(Added to NAC by Bd. of Education, eff. 9-6-83; A 6-23-86; R033-99, 11-3-99; R134-07, 6-17-2008)

**NAC 387.306 Pupil in program which combines work and study. ([NRS 385.080](#), [387.123](#))**

1. Any pupil who participates in a program supervised by the school district which combines work and study shall be deemed to be in full attendance for a day if the combined number of minutes during which the pupil is in attendance at school and work equals more than ~~[two-thirds]~~ 50% of the number of minutes required for the daily session of his or her grade or category.

2. A pupil in grade 12 who attends **50% or less** [~~than two-thirds~~] of a 330-minute daily session and who is not participating in a supervised program which combines work and study is not in full attendance for the day even though the pupil is attending a sufficient number of classes to graduate.

~~3. [A pupil participating in a supervised program which combines work and study must be reported as enrolled on the monthly reports submitted to the Department.]~~

(Added to NAC by Bd. of Education, eff. 9-6-83; A 6-23-86; R033-99, 11-3-99)

**NAC 388.289 Confidentiality of records. (NRS 385.080, 388.419, 388.5267)**

1. Each public agency shall, pursuant to the provisions of 34 C.F.R. §§ 300.610 to 300.627, inclusive:

(a) Protect the confidentiality of personally identifiable information at its collection, storage, disclosure and destruction;

(b) Appoint one official to assume responsibility for ensuring the confidentiality of any personally identifiable information;

(c) Train or instruct all persons collecting or using personally identifiable information regarding these policies and procedures; and

(d) Maintain a current listing for public inspection of the positions of those employees within the school district who may have access to personally identifiable information.

2. Each public agency shall:

(a) Inform the parents when the personally identifiable information is no longer needed to provide educational services to the pupil;

(b) Maintain a permanent record of the pupil's name, **last known** address, telephone number, grade **level**, [~~attendance~~]-**enrollment**, [~~classes the pupil attended~~] **courses the pupil completed**, grades [~~he or she~~]**the pupil** earned, and the year [~~he or she~~]-**the pupil** completed **the courses**; and

(c) Upon the request of the parent of a pupil, destroy any personally identifiable information, except the information listed in paragraph (b), which is no longer necessary to provide educational services.

3. A public agency shall not disclose personally identifiable information except as authorized by law.

4. A public agency may include student teachers and related service interns among those persons who have a legitimate educational interest in accessing educational records pursuant to policies developed in accordance with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and the related regulations.

(Added to NAC by Bd. of Education, eff. 2-7-83; A 7-14-88; 11-23-93; R085-99, 2-16-2000; R058-07, 10-31-2007)

**NAC 389.670 Credit granted for performance on examination in lieu of course attendance: Board of trustees required to prescribe application and eligible courses of study; effect of pupil's withdrawal from school; authority of State Board to review examination and minimum score required. (NRS 385.080, 385.110, 389.171)**

1. The board of trustees of each school district shall prescribe an application for pupils to apply for credit for a specific course of study without having attended the regularly scheduled classes in the course pursuant to [NRS 389.171](#). The application must include, without limitation, the:

(a) First and last name of the pupil;

(b) Identifying information for the pupil, including, without limitation, the date of birth, individual identification number, ethnicity and gender of the pupil;

(c) Grade level of the pupil;

(d) Home telephone number of the pupil;

(e) Name and identification number of the school in which the pupil is enrolled;

- (f) Signature of the school counselor at the school in which the pupil is enrolled; and
- (g) Name and number of the course of study for which the application is submitted.

2. The board of trustees of each school district shall prescribe the specific courses of study for which a pupil may be granted credit without having attended the regularly scheduled classes in the course pursuant to [NRS 389.171](#), including, without limitation, Algebra I, Algebra II, geometry, trigonometry, computer literacy, English I, English II, English III, English IV, principles of science, life science, physical science, health, history of the United States, world history, government of the United States, sociology and world languages. The board of trustees of each school district shall make available to school counselors, pupils and parents of pupils a list of the courses of study prescribed pursuant to this subsection.

3. The board of trustees of each school district shall:

(a) For the purposes of paragraph (a) of subsection 1 of [NRS 389.171](#), establish a committee of teachers and administrators to select an appropriate examination for each course of study prescribed pursuant to subsection 2. The examination must be based on the standards of content and performance prescribed for that course and the curriculum for that course adopted by the school district.

(b) For the purposes of paragraph (b) of subsection 1 of [NRS 389.171](#), review and approve the examination developed by the principal and the pupil's teacher who provides instruction in the course for which credit is being sought.

(c) For the purposes of paragraph (c) of subsection 1 of [NRS 389.171](#), review and approve the examination which the principal determines to be as rigorous or more rigorous than the examination selected pursuant to paragraph (a).

(d) Prescribe a minimum score of not less than 70 which a pupil must achieve on an examination approved pursuant to paragraph (a), (b) or (c) of subsection 1 of [NRS 389.171](#) to receive credit without having attended the regularly scheduled classes in the course. The minimum score must be established using objective criteria to ensure that a pupil demonstrates his or her proficiency to meet the objectives of the course.

4. If a pupil who is deficient in a particular area or areas of a course of study wishes to receive credit for the course of study pursuant to paragraph (b) of subsection 1 of [NRS 389.171](#), the pupil must submit the application prescribed by the board of trustees of the school district pursuant to subsection 1:

(a) Except as otherwise provided in paragraph (b), before the beginning of the school year immediately succeeding the school year in which the pupil was enrolled in the course.

(b) Within 1 school year after the end of the course if the application includes evidence of the pupil's completion during that year of not less than 20 hours of remedial study in the area or areas of the course in which the pupil is deficient.

5. A pupil who withdraws from a school during the school year and does not reenroll in the school from which ~~he or she~~ *the pupil* withdrew or who does not enroll in another school in this State before the end of the current semester or trimester, as applicable, is not eligible to receive credit for a course of study pursuant to [NRS 389.171](#).

6. The State Board of Education may review:

(a) Any examination for which a pupil may receive credit for a course of study without having attended the regularly scheduled classes in the course pursuant to [NRS 389.171](#); and

(b) The minimum score required on any such examination.

(Added to NAC by Bd. of Education, eff. 12-16-82; A by R134-07, 6-17-2008; R024-09, 10-27-2009; R041-11, 12-30-2011; R063-14, 10-24-2014)

**NAC 390.510 Attendance at adult high school program for test preparation. ([NRS 385.080](#), [390.055](#))**

The board of trustees of a school district may allow a person who is at least 16 years of age but less than

18 years of age who has withdrawn from high school so that ~~he or she~~ *the pupil* may take a high school equivalency assessment to attend an adult high school program only for the purpose of test preparation.

(Added to NAC by Bd. of Education by R029-01, eff. 11-1-2001; A by R134-07, 6-17-2008; R155-13, 6-23-2014) — (Substituted in revision for NAC 389.695)