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STATE OF NEVADA BOARD OF EDUCATION

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July 7, 2022

Notice of Intent to Act Upon a Regulation

Notice of Hearing for the Adoption of Regulations of the Nevada State Board of Education as proposed in LCB File #R064-22

The Nevada State Board of Education will hold a public hearing at **4:00 P.M.** on **Thursday, July 7, 2022** 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 hearing is to receive comments from all interested persons regarding the amendment of regulations pertaining to Chapter 388G of the Nevada Administrative Code (NAC), pursuant to Nevada Revised Statute (NRS) 388G.590.

The following information is provided pursuant to the requirements of Nevada Revised Statute (NRS) 233B.0603:

- 1. The need and the purpose of the proposed regulations and/or amendments:** In accordance with NRS 388G.590 and 388G.610, the Nevada State Board of Education is instructed to adopt regulations:
 - *“...as it deems necessary and appropriate to carry out the provisions of NRS 388G.500 to 388G.810, inclusive.”*
- 2. Description of the proposed regulation, or the subjects and issues involved:** The proposed regulation interprets the term “other staff who work under the direct supervision of the principal” for the purpose of provisions relating to the organization of large school districts; and providing other matters properly relating thereto.
- 3.** The revised text of the proposed regulation is attached to this notice.
- 4. Estimated economic effect of the regulation on the business which it is to regulate and on the public:** There is no economic effect of the regulation on the business that it regulates and no impact on the public.
- 5. Methods used by the agency in determining the impact on a small business:** Small business are not impacted by this regulation.
- 6. The estimated cost to the agency for enforcement of the proposed regulation:** no costs.
- 7. Description and citation of duplicative or overlapping regulations of other state or local governmental agencies:** There is no duplication or overlap of regulations of state or local government agencies.
- 8. Is the regulation required by federal law?** This regulation is not required pursuant to federal law.

- 9. Does the regulation include provisions more stringent than a federal regulation regarding the same activity?** There is no federal law affecting or overlapping the proposed regulations.
- 10. Does the proposed regulation establish a new fee or increase an existing fee?** The proposed regulations do not establish a new fee nor increase an existing fee of the regulating agency.

A copy of all materials relating to the proposed regulation may be obtained at the hearing, on the [Nevada Department of Education webpage](#), by contacting the State Board of Education, Nevada Department of Education, via email at 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 State Board of Education may provide in-person testimony, submit written comment to the State Board of Education via email at NVBoardED@doe.nv.gov or submit their comments, data, views, or arguments in written form to the State Board of Education, 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 hearing, and those submitted via mail must be received by the Department on or before July 6, 2022. A record of all submitted comments will be retained, and the State Board of Education will proceed to consider any public comment received.

This notice and the text of the proposed regulation has been sent to all persons on the agencies mailing list for administrative regulations and the State Board of Education, 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>, available in the State of Nevada Register of Administrative Regulations pursuant to NRS 233B.0653, and physically posted 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.

Notice required by NRS 233B.064: Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

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

LCB File No. R064-22

May 23, 2022

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

AUTHORITY: § 1, NRS 388G.590 and 388G.610.

A REGULATION relating to education; interpreting the term “other staff who work under the direct supervision of the principal” for the purpose of provisions relating to the organization of large school districts; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the State Board of Education to adopt regulations relating to the formation of local school precincts. (NRS 388G.590) Existing law authorizes each local school precinct to select for the local school precinct the: (1) teachers; (2) administrators other than the principal; and (3) other staff who work under the direct supervision of the principal. (NRS 388G.600, 388G.610) This regulation outlines who the State Board interprets as other staff who work under the direct supervision of the principal.

Section 1. Chapter 388G of NAC is hereby amended by adding thereto a new section to read as follows:

The State Board interprets “other staff who work under the direct supervision of the principal,” as used in NRS 388G.610, to mean any employee who is:

- 1. Assigned to the local school precinct;*
- 2. Evaluated by the principal or a designee of the principal; and*
- 3. Not a member of central services.*