

Joe Lombardo
Governor

Jhone M. Ebert
Superintendent of
Public Instruction



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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, November 2, 2023**, via [Livestream Link](#) 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:

**2:05 P.M Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 385.XXX—
POLICY CONCERNING THE TREATMENT OF INJURIES TO THE HEAD THAT AFFECT
THE ABILITY OF A PUPIL TO LEARN.**

A copy of all materials relating to the proposal may be obtained at the workshop, on the [Meeting Materials page](#), by contacting the Nevada Department of Education, via email at NVBoardEd@doe.nv.gov, by telephone at 775-443-5519, or in person at the **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada**. Persons wishing to comment upon the proposed action of the Department of Education may provide in-person testimony, submit written comment to the Department via email at NVBoardEd@doe.nv.gov or submit their comments, data, views, or arguments in written form to the **Nevada Department of Education Offices, 700 East Fifth Street, Board Room, Carson City and 2080 East Flamingo Road, Room 114, Las Vegas, Nevada**. 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, November 1, 2023**.

This notice has been sent to all persons on the agencies mailing list for administrative regulations and the Department 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>, 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.

NAC Chapter 385.XXX

The Nevada Department of Education will prescribe a policy concerning the treatment of injuries to the head that affect the ability of a pupil to learn and otherwise engage with his or her coursework at school, including, without limitation, a concussion to the brain. The policy will

- Require a school to authorize a pupil who has sustained or is suspected of sustaining an injury to the head to receive reasonable accommodations that are based on peer reviewed evidence until the pupil is mentally and physically ready to return to full participation in his or her coursework;*
- Be reviewed every five years and updated, as necessary, to reflect current best practices in the prevention and treatment of injuries to the head.*

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SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608

DATE: October 11, 2023

RE: Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 385.XXX.

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 a policy concerning the treatment of injuries to head 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,

Jhone M. Ebert
Superintendent of Public Instruction