

**Joe Lombardo**  
*Governor*

**Dr. Victor Wakefield**  
*Superintendent of Public  
Instruction*



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

**700 E. Fifth Street | Carson City, Nevada 89701-5096**  
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### **Notice of Workshop to Solicit Comments on Proposed Regulation**

The Nevada Department of Education is proposing new and/or amended regulatory language within the Nevada Administrative Code (NAC). A workshop has been scheduled for **Tuesday, January 27, 2026**, available to stream online via [YouTube](#) or attend at the following locations: Nevada Department of Education Offices, 700 E. Fifth Street, Board Room, Carson City and 2080 E. 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:

**1:35 PM Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 388.XXX**  
defining newcomers, short-term English learners, and long-term English learners.

A copy of all materials relating to the proposal may be obtained at the workshop, on the [NDE website](#), or by contacting the Nevada Department of Education via email at [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov). Persons wishing to comment upon the proposed action of the Department may provide in-person testimony or submit written comment via email at [NVBoardEd@doe.nv.gov](mailto:NVBoardEd@doe.nv.gov). Comments may be submitted via email leading up to and for the duration of the workshop.

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 to members of the public upon request.

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

**DATE:** January 27, 2026

**RE:** Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 388.XXX

The proposed regulation regarding the definition of newcomers, short-term, and long-term English learners is not likely to impose a direct or significant economic burden upon a small business, or directly restrict the formation, operation or expansion of a small business. A concerted effort was made to determine any economic burden. All relevant materials were reviewed, and the Department considered its history of implementing similar regulations; the proposed changes are within the scope of the Department's activities and present no significant cost of enforcement. 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, Victor Wakefield, 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 is accurate.

Dr. Victor Wakefield  
Superintendent of Public Instruction  
Nevada Department of Education

## **Newcomer**

Newcomers are English learners who arrived in the U.S. within 12 months of first enrolling in a U.S. school and have been enrolled in U.S. schools for two school years or less. Kindergartners and first graders who arrived in the U.S. within 12 months of first enrolling in a U.S. school and who qualify as English learners are considered newcomers.

For accountability purposes, all students who fit the definition above should be counted as newcomers. For programming purposes, students' WIDA Screener, WIDA Kindergarten Screener, WIDA Alternate Screener, or academic assessment scores can be taken into consideration. For example, a student scoring 3 or higher on the screener may not need the intensive supports of a newcomer program.

## **Short-term English learner**

Short-term English learners are students who qualified as an English learner within the past six years, who have not yet exited English learner status, and who do not fit the description of a Newcomer.

## **Long-term English learner**

Long-term English learners are students who qualified as an English learner six or more years ago and have not yet exited English learner status.

**DRAFT**