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STATE OF NEVADA
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August 9, 2024

Notice of Intent to Act Upon a Regulation

Notice of Hearing for the Adoption of Regulations of the Nevada Department of Education as proposed in LCB File #R093-24.

The DEPARTMENT OF EDUCATION will hold a public hearing **at 1:00 PM** on Friday, August 9th, 2024 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 hearing is to receive comments from all interested persons regarding the amendment of regulations pertaining to NAC 388D.270 of the Nevada Administrative Code (NAC), pursuant to NRS 385.080, NRS 385.110, NRS 388.360 regarding approval and limitations and prerequisites of career and technical education courses.

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

1. The need for and the purpose of the proposed regulation or amendment:

- To extend the deadline for the Department of Education to submit an annual report containing certain data related to the Nevada Educational Choice Scholarship Program

2. If the proposed regulation is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation prepared by the Legislative Counsel pursuant to NRS 233B.063.

3. Description of the proposed regulation, or the subjects and issues involved: 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. Method used by the agency in determining the impact on a small business: Small business is not impacted by this regulation.

6. 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 governmental 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 regulation.
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 [Event - August 9, 2024 Nevada Department of Education Regulation Hearing | Nevada Department of Education \(nv.gov\)](#) 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 may provide in-person testimony, submit written comment to 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, **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 Thursday, August 8th. A record of all submitted comments will be retained, and the Department or Board 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 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>, 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.

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 Commission on Professional Standards, 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.

**PROPOSED REGULATION OF THE
DEPARTMENT OF EDUCATION**

LCB File No. R093-24

June 17, 2024

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

AUTHORITY: § 1, NRS 388D.270.

A REGULATION relating to education; extending the deadline for the Department of Education to submit an annual report containing certain data relating to the Nevada Educational Choice Scholarship Program; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law establishes the Nevada Educational Choice Scholarship Program which requires certain scholarship organizations to accept donations, gifts and grants of money from taxpayers and other persons and to provide grants on behalf of certain pupils to attend certain schools in this State, including, without limitation, private schools. (NRS 388D.250-388D.280) Existing law authorizes the Department of Education to adopt regulations necessary to carry out the provisions relating to the Program. (NRS 388D.270) Existing law requires such scholarship organizations to report certain information to the Department on or before January 31 of each year relating to donations, gifts and grants of money received by the scholarship organization and grants made by the scholarship organization during the immediately preceding calendar year. (NRS 388D.280) Amongst other requirements, existing regulations require the Department to submit an annual report to the Governor, the State Board of Education and the Director of the Legislative Counsel Bureau not later than March 30 of each year. (NAC 388D.070) This regulation extends the deadline to submit the annual report from March 30 to July 31 of each year.

Section 1. NAC 388D.070 is hereby amended to read as follows:

The Department of Education will:

1. Maintain on its Internet website a directory of each scholarship organization that is registered with the Department of Education pursuant to NAC 388D.030 and, by not later than

September 30, December 30, March 30 and June 30 of each year, submit to the Department of Taxation a list of each such scholarship organization.

2. ~~By not~~ *Not* later than ~~March 30~~ *July 31* of each year, submit to the Governor, the State Board and the Director of the Legislative Counsel Bureau a summary of the information reported to the Department by each scholarship organization pursuant to NRS 388D.280.