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August 15, 2024

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 #R095-24.

The STATE BOARD will hold a public hearing at **2:00 PM** on Wednesday, October 2nd, 2024 via [Livestream Link](#). The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations pertaining to NAC 394.235 and of the Nevada Administrative Code (NAC), pursuant to NRS 385.080, 394.221, 394.221, and 394.241 regarding provisions governing the licensure of a private school accredited by AdvancEd.

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 revise the location of submission for a copy of the crisis response plan for renewal of a private school license.

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.

The revised text of the proposed regulation is attached to this notice.

3. Description of the proposed regulation, or the subjects and issues involved: The proposed regulation would revise requirements governing the application for authorization to sponsor a charter school to apply to an applicant that is a city or county.

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 - October 2, 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 Tuesday, October 1st. 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
STATE BOARD OF EDUCATION**

LCB File No. R095-24

June 27, 2024

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

AUTHORITY: § 1, NRS 385.080, 394.221 and 394.241.

A REGULATION relating to private schools; revising provisions governing the licensure of a private school accredited by AdvancEd; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the governing body of a private school to establish an emergency operations plan development committee to: (1) develop a plan to be used in response to a crisis, emergency or suicide and all other hazards; (2) review such a plan at least once each year and update it as necessary; and (3) provide a copy of the updated plan to the governing body of the private school that established the committee. (NRS 394.1685, 394.1687, 394.1688) Existing law requires the governing body of a private school to submit a copy of an emergency operation plan developed by an emergency operations plan development committee, and any updated emergency operation plan, to local public safety agencies, the Division of Emergency Management of the Office of the Military and any local organization for emergency management. (NRS 394.1688)

Existing regulations establish requirements for the licensure of a private school that is accredited by AdvancEd and require an applicant for renewal of a license of a private school accredited by AdvancEd to submit to the Department of Education a copy of an emergency operation plan if the plan was revised in the term immediately preceding the application for renewal. (NAC 394.200-394.235) This regulation requires an applicant for renewal of a license of a private school accredited by AdvancEd to submit to the Division of Emergency Management of the Office of the Military an emergency operation plan, regardless of whether the plan was updated in the term immediately preceding the application for renewal.

Section 1. NAC 394.235 is hereby amended to read as follows:

394.235 If an application is for renewal of a private school license, the applicant shall submit *to the Division of Emergency Management of the Office of the Military* a copy of its

plan for use in responding to a crisis developed in accordance with NRS 394.168 to 394.1699,
inclusive . ~~if that plan was revised during the immediately preceding term of the private school
license.~~