

Joe Lombardo
Governor

Steve Canavero, Ph.D.
Interim Superintendent
of Public Instruction



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STATE OF NEVADA
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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 **Monday, October 20, 2025**, 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:

9:03 AM Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 388D.XXX regarding assessments that must be administered to students in private schools receiving public funding under the Nevada Educational Choice Scholarship.

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. 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. 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: October 20, 2025

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

The proposed regulation regarding assessments that must be administered to students in private schools receiving public funding 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, Steve Canavero, Interim Superintendent of Public Instruction, 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.

A blue ink signature of Steve Canavero, written in a cursive style.

Dr. Steve Canavero
Interim Superintendent of Public Instruction
Nevada Department of Education

NAC 388D.XXX For all assessments administered by private schools pursuant to NRS 388A.518, such assessments must be administered in adherence with state laws and policies pertaining to state and federal accountability assessments, including but not limited to:

1. For English Language Proficiency Assessments,
 - a. Statutes regarding implementation of, and accommodations for, tests for English learners in NRS 388.406-388.407,
 - b. Regulations regarding implementation of, and accommodations for, tests for English learners in NAC 388.525-388.655, and
 - c. Policy guidance published by the Nevada Department of Education.
2. For College and Career Readiness Assessments,
 - a. Statutes regarding implementation of, and accommodations for, CCR assessments in NRS 390.610,
 - b. Regulations regarding implementation of, and accommodations for, CCR assessments in NAC 390.210-390.340, and
 - c. Policy guidance published by the Nevada Department of Education.
3. For Criterion Referenced Tests in Mathematics, English Language Arts, and Science,
 - a. Statutes regarding implementation of, and accommodations for, CRT assessments in NRS 390.105-390.125,
 - b. Regulations regarding implementation of, and accommodations for, CRT assessments in NAC 390.250-390.340, and
 - c. Policy guidance published by the Nevada Department of Education
4. For Alternate Assessments for severely disabled students in Mathematics, English Language Arts, and Science,
 - a. Statutes regarding implementation of, and accommodations for, Alternate Assessments in NRS 390.820
 - b. Regulations regarding implementation, and accommodations for, Alternate Assessments in NAC 388.284
 - c. Policy Guidance published by the Nevada Department of Education
5. For all assessments listed above,
 - a. Regarding test security
 - i. Statutes regarding test security in NRS 390.250-390.430 & NRS 391.320,
 - ii. Regulations regarding test security in NAC 390.240, and
 - iii. The State Test Security Procedures manual, published annually by The Department.

- b. Regarding accommodations for English Learners and students with disabilities
 - i. Statutes regarding accommodations for instruction and assessment in NRS 390.810-390.820,
 - ii. Regulations regarding accommodations for instruction and assessment in NAC 388.150-388.488 & NAC 388.525-388.655
 - iii. Test-specific manuals, user guides, or other documentation provided by each test vendor in collaboration with The Department, regarding implementation of accommodations specific to each assessment.
- c. Additional guidance and implementation documents published by test vendors and The Department, including but not limited to,
 - i. Test Administrators Manuals,
 - ii. Test Coordinators Manuals,
 - iii. Delivery-Mode Supplemental Manuals,
 - iv. Testing Platform Technical Manuals and User Guides, and
 - v. Test-specific trainings regarding administration of, and accommodations for, individual assessments or assessment types.

NAC 388D.XXX Private Schools who administer State Assessments published to meet the requirements of NRS 390.610, 388.406 or 390.810 are subject to on sight administration monitoring by the Nevada Department of Education and subject to the reporting of assessment irregularities.