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## STATE OF NEVADA BOARD OF EDUCATION

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**September 1, 2022**

### **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 #R068-22

The Nevada State Board of Education will hold a public hearing **at 3:00 P.M. on Thursday, September 1, 2022** 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 Chapter 387 of the Nevada Administrative Code (NAC) pursuant to the Nevada Revised Statutes 387.652 and 387.656.

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

- 1. The need and the purpose of the proposed regulations and/or amendments:** In accordance with NRS 387.652 and 387.656 the Nevada State Board of Education shall adopt regulations prescribing:
  - *Comprehensive services that a program supported by a grant made pursuant to NRS 387.652 must provide.*
  - *Any evaluations in which a program supported by a grant made pursuant to NRS 387.652 must participate.*
  - *Requirements concerning the engagement of parents and guardians of pupils who participate in a program supported by a grant made pursuant to NRS 387.652.*
  - *Indicators of performance for measuring the effectiveness of prekindergarten programs that receive grants pursuant to NRS. 387.652 and minimum standards of performance that each program supported by a grant must meet.*
- 2. Description of the proposed regulation, or the subjects and issues involved:** This regulation would prescribe certain requirements with which a recipient of a grant to fund a prekindergarten program must comply; and providing other matters properly relating thereto.
- 3.** 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. Methods used by the agency in determining the impact on a small business:** Small business are not impacted by this regulation.

6. **The 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 government 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 regulations.
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 [Nevada Department of Education webpage](#), by contacting the State Board of Education, Nevada Department of Education, via email at [NVBoardED@doe.nv.gov](mailto:NVBoardED@doe.nv.gov) by telephone at (775)687-9224 or in person at the Nevada Department of Education, 700 E. Fifth Street Carson City, Nevada 89701. Persons wishing to comment upon the proposed action of the State Board of Education may provide in-person testimony, submit written comment to the State Board of Education via email at [NVBoardED@doe.nv.gov](mailto:NVBoardED@doe.nv.gov) or submit their comments, data, views, or arguments in written form to the State Board of Education, Nevada Department of Education, 700 E. Fifth Street Carson City, Nevada 89701. Comments may be submitted via email leading up to and for the duration of the hearing, and those submitted via mail must be received by the Department on or before August 31, 2022. A record of all submitted comments will be retained, and the State Board of Education 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 State Board 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.

**REVISED PROPOSED REGULATION OF THE  
STATE BOARD OF EDUCATION**

**LCB File No. R068-22**

June 30, 2022

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

AUTHORITY: § 1, NRS 387.652 and 387.656.

A REGULATION relating to prekindergarten education; prescribing certain requirements with which a recipient of a grant to fund a prekindergarten program must comply; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

To the extent money is available, existing law requires the Department of Education to award grants of money to school districts, sponsors of charter schools and nonprofit organizations to support prekindergarten programs. (NRS 387.652) Existing law also requires the State Board of Education to adopt regulations prescribing: (1) the services that a program must provide; (2) any evaluations in which a program must participate; (3) requirements concerning the engagement of parents and guardians of pupils enrolled in a program; and (4) the minimum standards of performance a program must meet and indicators to measure the effectiveness of a program. (NRS 387.656) This regulation requires the recipient of a grant to support a prekindergarten program to: (1) work with providers of community-based services to meet certain needs of the families of pupils enrolled in the program; (2) develop a system to assess the progress of pupils toward the applicable prekindergarten standards; (3) administer an annual survey to the families of pupils to evaluate their experience with the program and use the information collected to create and implement a plan to promote family engagement; and (4) create and implement a system to monitor and improve the quality of the prekindergarten program.

**Section 1.** Chapter 387 of NAC is hereby amended by adding thereto a new section to read as follows:

*A recipient of a grant for a prekindergarten program awarded pursuant to NRS 387.652*

*shall:*

*1. Collaborate with providers of community-based services to meet the needs of the families of pupils enrolled in the program, which must include, without limitation, providing:*

*(a) Screening for basic health care needs, including, without limitation:*

- (1) Wellness checks;*
- (2) Immunizations;*
- (3) Vision examinations;*
- (4) Hearing examinations; and*
- (5) Dental examinations.*

*(b) Referrals for services and resources from programs that provide services, including, without limitation:*

- (1) Educational programs;*
- (2) Nutritional programs;*
- (3) Social programs; and*
- (4) Any other program which provides a beneficial service to the community.*

*2. Maintain a record of the community-based services provided to the families of pupils enrolled in the prekindergarten program.*

*3. Create and implement a system to assess the progress of pupils toward the prekindergarten standards established pursuant to NRS 389.520.*

*4. Administer an annual survey from the Department to the parents and guardians of pupils enrolled in the prekindergarten program to evaluate the experience each family is having with the program.*

*5. Create and implement a plan to keep the families of pupils enrolled in the prekindergarten program engaged in the education of the pupil using information from the survey administered pursuant to subsection 4.*

*6. Create and implement a system to monitor and improve the quality of the prekindergarten program, which must include, without limitation, the:*

*(a) Monitoring of pupil performance;*

*(b) Use of best practices in education based on the most recent data and research;*

*(c) Use of the newest practicable technology in education and any related technical assistance which is necessary; and*

*(d) Professional development and coaching of teachers and administrators.*

*7. Provide data collected from the system implemented pursuant to subsection 6 to the Department for the evaluation of the prekindergarten program and the system implemented pursuant to subsection 6 to monitor and improve the quality of the prekindergarten program.*