

**NOTICE OF INTENT TO ACT UPON A REGULATION
NOTICE OF HEARING FOR THE ADOPTION OF TEMPORARY REGULATIONS
NEVADA STATE BOARD OF EDUCATION/NEVADA STATE BOARD FOR CAREER AND
TECHNICAL EDUCATION**

The Nevada State Board of Education/Nevada State Board for Career and Technical Education will hold a public hearing on Thursday, **April 30, 2015 at 10:00 A.M.** via video conference in the Board Room at the Nevada Department of Education Offices, 700 East Fifth Street Carson City Nevada and 9890 South Maryland Parkway, Las Vegas, Nevada.

The purpose of the hearing is to receive comments from all interested persons regarding revisions to regulations language that pertain to the Nevada Administrative Code (NAC) 391.

10:00 A.M Public Hearing and Possible Adoption on Proposed Amendments and changes to NAC Chapter 389 and additions to NAC Chapter 389 to provide for the administration of the high school proficiency exam for the Graduation Classes of 2019 and 2020 establishing the courses of study, number of times a student may take an exam, and other matters related to the new end of course examinations provided for as a requirement for graduation from high school.

NOTE: Possible action to adopt may be taken at this meeting.

The following information is provided pursuant to the requirements of NRS 233B.0603:

The need and the purpose of the proposed changes to NAC 389; provides for the eligibility of certain pupils to take a college and career readiness assessment; requiring certain pupils to pass end-of-course examinations in specified subject areas; providing, on an interim basis, for the continued administration of the high school proficiency examination; repealing provisions relating to certificates of attendance.

There is no economic effect of the regulation on the public.

There are no immediate or long-term effects on the public. The estimated cost to the agency for enforcement of the proposed regulation is none.

There no cost to the Department of Education for the enforcement of these regulations.

There is no federal law affecting the proposed regulations.

There is no duplication or overlap of state of local government agencies.

The proposed regulations do not establish a new fee nor increase an existing fee of the regulating agency.

Persons wishing to comment upon the proposed action of the Nevada State Board of Education/Nevada State Board for Career and Technical Education may appear at the scheduled public hearing or may address their comments data, views, arguments, in written form, to the Nevada Department of Education, 700 E. 5th St, Carson City, NV 89701 on or before **April 20, 2015** If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada Department of Education may proceed immediately to act upon any written submissions

A copy of this notice and the regulation will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the proposed will be available at the Nevada Department of Education, 700 E. 5th St, Carson City NV and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies, if it is deemed necessary.

Upon adoption of the 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 of hearing has been filed at the following locations: The offices of the Nevada Department of Education, both Locations: 17 Nevada County School District Offices, 16 Public Libraries, and at the Nevada State Library and Archives.

3/30/15

BRIAN SANDOVAL
Governor

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DALE A.R. ERQUIAGA
Superintendent of Public Instruction



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

Date: March 30, 2015

Re: Public Hearing to Adopt Regulations Concerning High School Proficiency Exam and End-of-Course examinations, scheduled for April 30, 2015 at 10:00 a.m.

I, Dale A.R. Erquiaga, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes the administration of the high school proficiency examination and end-of-course examinations are not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business. The proposed regulations deal only with the administration of tests within the public high schools of this state.
2. A concerted effort was made to determine any economic burden. The Department of Education has relied on expert knowledge in the administration of high school exams and its long history as the sole government agency responsible for developing assessments of this kind.
3. All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes are within the historic scope of the Department's activities and present no new cost of enforcement.
4. 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 economic impact can be assessed.

I hereby further 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 was prepared properly and is accurate.

Respectfully submitted,

A handwritten signature in black ink that reads "Dale A.R. Erquiaga".

DALE A.R. ERQUIAGA
Superintendent of Public Instruction