

NOTICE OF INTENT TO ACT UPON A REGULATION
Notice of Hearing for the Adoption of Regulations of the
Nevada State Board of Education

The Nevada State Board of Education will hold a public hearing on **March 15, 2018** via video conference at the following locations: **Nevada Department of Education Offices, Board Conference Room, 700 East Fifth Street, Carson City; and, 9890 South Maryland Parkway, 2nd Floor Board Conference Room, Las Vegas, Nevada.** The purpose of the public hearing is to receive comments from all interested persons regarding the amendments/adoptions/repeal of regulations of the Nevada Administrative Code (NAC) 389 as follows:

9:25 A.M. Public Hearing and possible adoption of proposed regulations R117-17 for compliance of Senate Bill 213, AN Act relating to education; authorizing the Superintendent of Public Instruction to carry out an inspection of a provider of special education in certain circumstances; authorizing the Superintendent of Public Instruction to take certain measures to ensure compliance with the laws governing the education of pupils with disabilities in certain circumstances.

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

1. To determine whether a provider of special education is in compliance with any law or regulation governing the education of pupils with disabilities in Nevada
2. To prescribe the required content of a procedure for investigating a request to determine whether a provider of special education has violated any law or regulation governing the education of pupils with disabilities in Nevada.
3. There is no economic effect of the regulation on the business that it regulates and no impact on the public.
4. The estimated cost to the agency for enforcement of the proposed regulation is none.
5. There is no duplication or overlap of regulations of state and local government agencies.
6. This regulation is not required pursuant to federal law.
7. There is no federal law affecting or overlapping the proposed regulations.
8. 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 State Board of Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Nevada Department of Education at 700 East Fifth Street, Carson City, Nevada 89701 no later than March 8, 2018. 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/State Board of Education may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted 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 regulation to be adopted will be available at the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 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 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 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 of hearing has been posted at the following locations: The offices of the Nevada Department of Education in Carson City and Las Vegas; the 17 Nevada School Districts Superintendents' Offices; the 17 Nevada County main public libraries; the Nevada State Library and Archives; and, at the public hearing locations.

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



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

Date: February 8, 2018

Re: Public Workshop to Solicit Public Comments Regarding New Regulations related to constituent concerns investigation (CCI) of providers of special education.

I, Steve Canavero, Superintendent of Public Instruction hereby certify that, to the best of my knowledge or belief:

1. The proposed new regulations added to NAC related to constituent concerns investigation (CCI) providers of special education 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.
2. The proposed new regulations add procedures for the Superintendent of Public Instruction to carry out an inspection of a provider of special education in certain circumstances.
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 significant 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. Any impact is positive and was considered during legislative testimony.

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 blue ink that reads "Steve Canavero".

STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction