



# **Distance Education Program Handbook**

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### INTRODUCTION

#### What is Distance Education

The term “Distance Education”, often used interchangeably with “Virtual Education”, is defined as instruction during which students and teachers are separated by time and/or location and interact via computers and/or telecommunications technologies. Virtual education ranges from straightforward coursework presented online for students to view at their own pace; to interactive, real-time instruction between teachers and students over an electronic medium unconstrained by geographic or temporal boundaries. When properly employed by skilled instructors, technology can make many learning opportunities available to any student, at any location, and at any time.

The Department of Education regulates the approval of distance education **courses** and **programs** according to [NRS388](#) and [NAC388](#). See working definitions below for “course” and “program”.

**Course:** The organization of subject matter and related learning experiences for the instruction of students on a regular or systematic basis. Courses are usually offered to an individual or group of students (e.g., a class) for a predetermined period of time (e.g., a semester, two weeks), although pacing may vary in a virtual setting. Thus, the term “course” refers to subject matter content, whereas the term “class” refers to the setting in which a course is offered to one or more students.

**Program:** A series of courses that build upon one another to provide either depth or breadth within a subject matter area. A virtual or traditional school may provide a program that consists of a series of related courses offered virtually. Within a given school and program, there might be several classes for the same course. All of the classes would cover the same subject matter, but they might meet at different times (e.g., 1st period, 7:00 p.m., or “student-paced and not at a specific time”), attract different groups of students (e.g., 10th grade students or adult students), rely upon different instructional approaches (e.g., instructor-led or self-taught), and use various media for communication between students and instructors (e.g., face-to-face or online).

Because the technology driving virtual education permits participation regardless of administrative boundaries—attendance areas, county lines, and state borders—restrictions on participation have largely become administrative and policy issues. These policy decisions are often constrained by overarching rules and regulations, such as local or state laws limiting the transfer of funds across administrative boundaries or regulations requiring specific academic credentials to teach within a particular state or school district.

Given the breadth and depth of issues that affect, and are affected by, virtual education, policymakers must simultaneously demonstrate foresight and caution as they grapple with important pedagogical and policy choices. In many circumstances, virtual education can be a powerful tool that allows students and teachers to access otherwise unavailable expertise,

information, and experience. Virtual education is especially useful when decision makers choose to:

offer coursework not otherwise possible (e.g., when offering a class is not feasible because too few students have enrolled);

access instructional expertise or materials not otherwise available;

present instructional material in a format better suited to some students' learning needs;

introduce supplementary experiences otherwise impractical to offer in real time and space, such as virtual field trips (e-trips);

maximize educational opportunities beyond traditional school hours;

eliminate travel time between instructional locations;

permit students to set their own learning pace;

offer instruction to hospitalized, incarcerated, homebound, and other students physically unable to travel to a school site;

offer services to homeschooled students and their parents;

provide services to students who may prefer alternative settings (for example, to avoid bullying or because they do not function well in a social setting); and/or

ensure equity of instructional opportunity for all students regardless of school assignment (for example, to equalize options in urban, suburban, and rural settings).

Public virtual education arises in five basic types of administrative structures: statewide supplemental programs, district-level supplemental programs, single-district cyberschools, multidistrict cyberschools, and cyber charter schools. While a wide range of configurations exist within these basic categories (such as exclusively virtual schools versus schools that mix virtual and traditional offerings), some features are common to each category and help describe the range of public virtual education programs:

**Statewide supplemental programs** offer courses to students enrolled in a traditional school or a cyberschool anywhere in the state. These programs are authorized in some way by state-level authority (for example, a state education agency regulation or a state law) to operate on a statewide basis.

**District-level supplemental programs** offer courses to students enrolled in a traditional school within a single district. These programs exist in many states, but they are not always monitored by state education agencies because they are operated within autonomous districts.

**Single-district cyberschools** are run as stand-alone schools by individual school districts for district residents seeking an alternative to the physical school environment. They are often housed within one of the district's physical schools. In most states, the number of students enrolled in single-district cyberschools is quite small, but these programs are growing rapidly in size and number as school districts seek to retain students they may otherwise lose to multidistrict cyberschools.

**Multidistrict cyberschools** are operated by, or chartered within, individual school districts, but they enroll students from several school districts throughout a state. These programs represent the largest growth sector in elementary/secondary online learning.



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**Cyber charter schools** exist in many states that allow charter schools. They are chartered within a single district but usually operate as multidistrict cyberschools. Cyber charter schools are sometimes operated by commercial vendors. Some states have enacted legislation specifying expectations for these schools with regard to program quality and accessibility. Other states apply general charter school laws and regulations to cyber charter schools.

School districts and/or charter schools that wish to use “online,” “cyber,” or “virtual” curriculum, “distance education,” “blended learning,” and/or instruction delivered by means of video, computer, television, the internet or other electronic means of communication, or any combination thereof, may need to obtain approval from the Nevada Department of Education (NDE) under “Distance Education” requirements. Because these terms are sometimes used interchangeably, and because school districts and/or charter schools sometimes wish to use a variety of instructional methods in non-traditional ways, it can be confusing for schools wishing to use certain instructional methods to know when NDE distance education permission is required and when it is not. Additionally, there are specific requirements for schools using distance education that must be followed to ensure that the student may be counted for apportionment. This handbook is intended to offer information to school districts and charter schools to allow the programs to operate effectively and within the guidelines of State regulations and statutes.

## **PROGRAM GUIDELINES**

### **General Program Requirements**

1. A program of distance education may include, without limitation, an opportunity for pupils to participate in the program:
  - (a) For a shorter school day or a longer school day than that regularly provided for in the school district or charter school, as applicable; and
  - (b) During any part of the calendar year.
2. If a program of distance education is provided for pupils on a full-time basis, the program must include at least as many hours or minutes of instruction as would be provided under a program consisting of 180 days. Distance Education courses approved by the Department are considered to meet this criteria. (NRS 388.842)
3. The board of trustees of a school district or the governing body of a charter school that provides a program of distance education shall ensure that, for each course offered through the program, a teacher:
  - (a) Provides the work assignments to each pupil enrolled in the course that are necessary for the pupil to complete the course; and
  - (b) Meets or otherwise communicates with the pupil at least once each week during the course to discuss the pupil's progress. (NRS 388.866)
4. If a course offered through a program of distance education is a core academic subject, the teacher who fulfills the requirements must be a licensed teacher with an endorsement in that core subject, or have an alternative education endorsement. (NAC 391.392)

### **Written Agreement Requirements (NRS 388.854), (NRS 388.858) & (NRS 388.866)**

1. The board of trustees of a school district or the governing body of a charter school that provides a program of distance education shall ensure that for each course offered through the program: a teacher provides the work assignments to each pupil enrolled in the course that are necessary for the pupil to complete the course; meets or otherwise communicates with the pupil at least once each week during the course to discuss the pupil's progress; and enters into a written agreement with the pupil and his parent or legal guardian outlining the objectives of the course, the timeline for completion of the course and the method by which the progress of the pupil will be assessed.

### **Revocation of approved distance education course or program (NAC 388.860)**

1. The state board may revoke approval for a distance education program to operate within the state or revoke the approval of a distance education course to be included on the state approved listing of distance education courses, if a majority of the board determines that the provider has failed to comply with:
  - (a) The terms and conditions of the approved application;
  - (b) Generally accepted standards of accounting and fiscal management; or



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- (c) The distance education provisions outlined in Nevada Revised Statutes, or any other statutes and regulations applicable to the operation and management of a distance education program or approved distance education course.
2. If the department receives a complaint or has reason to believe that a distance education program or course is not in compliance with any of the terms identified in statute, a review of the course or program to include the possibility of an audit may be conducted by the department.
  - (a) If a review of the course or program of distance education is conducted, the department will notify the provider of the distance education program or course of the department's intent and the dates the review will be conducted.
  - (b) The notice shall identify the specific concerns to be addressed during the review.
  - (c) The department will file a written report with the distance education program or course providers of any deficiencies found during the review and provide a timeline for correction.
  - (d) If the deficiencies are not corrected within the timeline specified in the written report, the department may recommend revocation of the approval to operate the distance program or removal of the distance education course from the state approved listing of distance education courses to the state board.
    - (1) The recommendation for revocation will be presented for consideration at the next scheduled state board meeting after the time has passed for the deficiencies to be corrected.
3. The state board will provide notice of its intent to revoke its approval to provide the distance education program or course in Nevada. As part of the notice, the board will:
  - (a) Send by certified mail its intent to revoke the approval of the distance education program or course to the appropriate person, entity, board of trustees or governing body;
    - (1) A specific time and location must be designated for the revocation hearing to be held at a regularly scheduled state board meeting.
  - (b) Provide in writing, the deficiencies found that are cause for initiating the revocation procedure at least 30 calendar days before the state board meeting;
4. The state board will notify the distance education program or course provider, in writing by way of certified mail, the decision of the board within 7 calendar days after the meeting.
  - (a) If the decision is to revoke the approval to operate the program or to offer the course, the distance education program or course provider must cease operation of the program or use of the course immediately upon notification of the board.

## Important Terms

### Teacher of Record

The teacher of record is the person who provides work assignments to the pupil, communicates with the pupil regarding the pupil's progress, and enters into a written agreement with the pupil (NRS 388.866). Every K-12 pupil must have a fully state certified teacher of record for the grade in which the pupil is enrolled and teacher of record for each of the following core courses in which the pupil is enrolled: English Language Arts, Mathematics, Science, World Language, Social Studies (including Civics or Government, Economics, Geography, History), the Arts, Computer Education and Technology, Health, and Physical Education (NRS 389.018).

If a fully state certified teacher of record in the core area is not available, NAC 391.392 allows for an instructor to act as teacher of record outside of their area of endorsement for Distance Education courses if they have received an alternative education endorsement. This endorsement is available for any teacher that is currently licensed in one of the core areas and can be attained by contacting the NDE Office of Educator Licensure.

### Seat Time-Based Instruction (STBI)

Credit for courses completed by pupils is usually awarded on the basis of Carnegie Units or "Seat Time." To earn credit, pupils must fulfill all course requirements and attend instruction for a minimum number of hours. To earn one full credit, Nevada pupils must attend instruction for 120 hours in one subject to earn one full credit (or attend 60 hours of instruction for one-half credit). Pupils may receive STBI using online curricula in a school setting; they may not receive STBI for instruction outside the school setting.

### Competency-Based Instruction (CBI)

The alternative to the "Seat Time" requirement for earning credits as described above is "Competency-Based Instruction" in which the amount of time a pupil physically attends a class or accesses instruction is not the determining factor for the earning of credit. Rather, the pupil accesses instruction, be it via technology at home or in a school setting, for as long as it takes to pass all course requirements, which may be less than the 120 hours required for one credit under the Carnegie Unit system. The online curriculum provides both the instruction and the assessment to determine competency. *In this model, the teacher may provide additional or supplemental materials for the student to complete, but there may not be any deletions or changes made to the program materials provided in the online curriculum.* Any changes made must be approved by NDE as per NAC [388.825](#)(subsection 4):

*If a provider of a course of distance education intends to change or modify the course with regard to the items set forth in subparagraphs (1) to (10), inclusive, of paragraph (e) of subsection 1, the provider shall obtain the written approval of the Department before making such a change or modification. If the provider changes or modifies the course without the approval of the Department pursuant to this subsection, the Department may revoke its approval of the course.*



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### **A School District or Charter school must obtain NDE permission to use Distance Education if:**

The school district or charter school wishes to use any course appearing on the [NDE Approved Course Provider List \(NAC 388.820\)](#). To use any of these courses, [Distance Education Program Approval \(NAC 388.815\)](#) must first be obtained by the school district or charter school. If the district or charter school intends to use these courses as approved, the district or charter school must obtain approval through NDE to provide courses of distance education. This method of instruction is considered Competency-Based Instruction (CBI) and the program determines the competency as per identified assessments.

***Please note:** If a teacher or school intends to simply provide portions of the approved online course to students as “supplemental materials” and will be providing the primary curriculum through direct instruction, Distance Education Program Approval is not required. This method would be considered Seat Time-Based Instruction (STBI) and subject to the requirements listed in the definition above. In some cases, this could be considered an Alternative Education method, as defined under NAC 388.500, 388.510, 388.520 as applicable.*

If a school district or charter school is approved to operate a Distance Education program via the Distance Education Program Approval process described above, the course must be chosen from the Approved Course Provider List. If the course that would be delivered by means of video, computer, television, the internet or other electronic means of communication (or any combination thereof) does not appear on the Approved Course Provider List, the course must be approved by NDE; this is referred to as Distance Education Course Approval. In order to use a course once it appears on the list, permission must also be obtained from NDE through the Distance Education Program Approval process outlined in the bullet point above. The courses that are to be used by the school district or charter school must be reflected in the distance education program application and updated accordingly as changes are made.

**RECAP:** A **Program Approval** is what a district or charter school needs to submit in order to offer a Distance Education program and issue credits.

A **Course Approval** is what a vendor or instructional content creator needs to submit in order to have their curriculum or “class” approved for use by districts or charter schools.

### **Courses Assigned in Infinite Campus**

If a school district or charter school uses computer-based instruction or Distance Education as a primary method of instruction, **the courses offered must be identified in the Student Information System (SIS) separately from those offered through direct instruction.** For example, if the school offers Algebra 1 as a semester class where the teacher provides the instruction, and daily attendance and participation in the course counts towards the required Seat Time of 60 hours for each 0.5 credit, **it must have a unique identifier separate from the Algebra 1 course offered through Distance Education.** Thus, the distance education course is Competency-Based Instruction, whereas the direct instruction course credit is acquired through

Seat Time or Carnegie units. An example would be to name the distance education course *DEAlgebra 1*. This allows the administrator oversight and the ability to view transcripts with courses and credits uniformly identified as distance education.

### **Concurrent vs Sequential Delivery of Courses**

[NAC 387.193](#) provides: For purposes of full-time enrollment in a program of distance education, a pupil in any grade from grades 9 to 12, inclusive, must:

- (a) Be enrolled in the number of courses required for full-time pupils pursuant to subsection 4 of [NAC 387.345](#); or
- (b) Have a written plan for enrollment prepared for the pupil which demonstrates that the pupil will complete during the school year the number of courses required for full-time pupils. In grades 9-11, students must be enrolled in six courses per semester (equivalent to 6 credits per year) and as a senior, 4 courses per semester.

There are two ways to accomplish this for students:

1. Enroll the students in either 6 or 4 courses, as needed. With this method, the student must be working in all courses that are currently assigned and should be completed by the end of the 1st semester. Attendance and tracking of completion of work must be documented in each of the classes throughout the semester. If the student is assigned 6 courses, they must be working on each of these to ensure completion by the end of the semester. This method is considered to be the **concurrent model**.
2. Enroll the students in a single course, or any combination of courses below the maximum required. In this case, a **Plan of Study is developed** (see page 14 and 15 for examples) for the student to provide a timeline for completion of each individual course. For example, if a student is assigned one course, then on the plan of study there would be annotated a start and end date. For one course, it would be suggested to provide the student approximately 3 weeks to complete the course. At the end of the time-period assigned, the student would then move on to the next course that is outlined in the Plan of Study. If the student has not completed the first course, the school may determine if the student is close enough to completion that they allow the course to remain open for the student to finish. However, the student must begin to work on the next course, and attendance would be taken in that class going forward. The Plan of Study should contain a complete list of courses that the student would be assigned throughout the school year. **Each course should contain a start and end date, as well as an actual completion date.** The courses that are listed on the plan of study should be the same that are listed on the Student Information System (Infinite Campus). If a change is made, that change should be annotated on the Plan of Study. When the Plan of Study is developed, it must contain the parental or guardian signature if the student is under the age of 18. If the student is at least 18 years of age, the student may sign it personally.



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### Enrollment Dates

Students enrolling in a program of distance education will typically participate in an intake process and/or orientation to the program. If during the orientation process the student logs into the program and participates in a class, then that would be the entry date for the student in the SIS. If the student does not log in and participate during the orientation, then the first date that the student logs into the course(s) should be marked in the SIS as the first date of attendance. For students that are enrolled in a program of distance education during the week immediately preceding count day the student shall be deemed an enrolled pupil per NAC 387.193 if:

- (a) The school district or charter school documents that the pupil attended an orientation for the program of distance education or a similar admittance process for the program of distance education; and
- (b) Within the first calendar week after count day, the school district or charter school has evidence of the pupil's progression in each course as documented:
  - (1) In the electronic learning management system;
  - (2) By the pupil's participation in a real-time class session for the course which is conducted by a person who is licensed pursuant to [chapter 391](#) of NRS and who is authorized by the school district or charter school for the course; or
  - (3) By the pupil meeting or otherwise communicating with a person who is licensed pursuant to [chapter 391](#) of NRS and who is authorized by the school district or charter school for the course to discuss the pupil's progress.

### Attendance

Attendance in Distance Education programs is based either on the student and teacher meeting weekly to discuss the progress of the student, and/or by documented progress in the course through the Learning Management System. These meetings must be documented sufficiently to prove that the discussion was a two-way communication between the teacher and student.

NAC 387.193(2) states, "Each pupil enrolled in a course of distance education offered through a program of distance education must be recorded in full attendance for each week that a teacher meets or otherwise communicates with the pupil during the course to discuss the pupil's progress. Each weekly meeting or communication with a pupil must be included in the master register of enrollment and attendance required by NAC 387.171." This means that after documented communication is completed during the week, the student has completed the attendance requirement for the entire week. If the teacher is unable to communicate with the student during the week, the student must be marked absent for the 5 school days of that week. Established non-attendance for two weeks in a row will cause the student to be absent 10 days. School truancy policies should commence at the appropriate time.

Sufficient documentation is the basis for proving attendance. The documentation must show two-way communication and it must document a discussion of student progress. The

communication may be in person, over the phone, or through email but it must be documented.

Appropriate documentation must include as a minimum:

Student Name

Teacher Name

Course Name

Date of Contact

Substantive notes of discussion of pupil's progress in each class enrolled.

Proper documentation could include:

A sign-in sheet with a written summary of the discussion

A phone log with sufficient details of the conversation

Outbound and response e-mails showing 2-way discussion of progress.



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**PLAN OF STUDY EXAMPLE 1**

In the Plan of Study example template below, the student is assigned each class sequentially. The student is given 3 weeks to complete each class.

**PLAN OF STUDY**

**School:** \_\_\_\_\_

**Program:** \_\_\_\_\_

**Student Name:** \_\_\_\_\_ **Birthdate:** \_\_\_\_\_  
(Print)

**Student Phone:** \_\_\_\_\_ **Student email:** \_\_\_\_\_

**Student Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Student ID #** \_\_\_\_\_

**Parent / Guardian Name (s):** \_\_\_\_\_  
(Print)

**Parent /Guardian Phone:** \_\_\_\_\_ **Parent email:** \_\_\_\_\_

**Parent /Guardian Signature:** \_\_\_\_\_

| First Semester Courses | Course Start Date | Course Completion Date | Course Final Grade |
|------------------------|-------------------|------------------------|--------------------|
| 1: Algebra 1 Sem1      | 8/10/2015         | 8/28/2015              |                    |
| 2: English 1           | 8/31/2015         | 9/18/2015              |                    |
| 3: Biology 1           | 9/21/2015         | 10/9/2015              |                    |
| 4: World History 1     | 10/12/2015        | 10/30/2015             |                    |
| 5: Art                 | 11/2/2015         | 11/20/2015             |                    |
| 6: Health              | 11/23/2015        | 12/11/2015             |                    |

| Second Semester Courses | Course Start Date | Course Completion Date | Course Final Date |
|-------------------------|-------------------|------------------------|-------------------|
| 1: Algebra 1 Sem2       | 1/11/2016         | 1/29/2016              |                   |
| 2: English 2            | 2/1/2016          | 2/19/2016              |                   |
| 3: Biology 2            | 2/22/2016         | 3/11/2016              |                   |
| 4: World History 2      | 3/14/2016         | 4/1/2016               |                   |
| 5: Comp Lit             | 4/4/2016          | 4/22/2016              |                   |
| 6: Spanish 1            | 4/25/2016         | 5/13/2016              |                   |

**Date Oriented:** \_\_\_\_ / \_\_\_\_ / \_\_\_\_ **Date Enrolled:** \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**Counselor:** \_\_\_\_\_ **Distance Ed Coordinator** \_\_\_\_\_

**PLAN OF STUDY EXAMPLE 2**

In this next Plan of Study example, the student is assigned two classes at a time. The student is given 6 weeks to complete the two classes.

**PLAN OF STUDY**

**School:** \_\_\_\_\_

**Program:** \_\_\_\_\_

**Student Name:** \_\_\_\_\_ **Birthdate:** \_\_\_\_\_  
(Print)

**Student Phone:** \_\_\_\_\_ **Student email:** \_\_\_\_\_

**Student Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Student ID #** \_\_\_\_\_

**Parent / Guardian Name (s):** \_\_\_\_\_  
(Print)

**Parent /Guardian Phone:** \_\_\_\_\_ **Parent email:** \_\_\_\_\_

**Parent /Guardian Signature:** \_\_\_\_\_

| First Semester Courses | Course Start Date | Course Completion Date | Course Final Grade |
|------------------------|-------------------|------------------------|--------------------|
| 1: Algebra 1 Sem1      | 8/10/2015         | 9/18/2015              |                    |
| 2: English 1           | 8/10/2015         | 9/18/2015              |                    |
| 3: Biology 1           | 9/21/2015         | 10/30/2015             |                    |
| 4: World History 1     | 9/21/2015         | 10/30/2015             |                    |
| 5: Art                 | 11/2/2015         | 12/23/2015             |                    |
| 6: Health              | 11/2/2015         | 12/23/2015             |                    |

| Second Semester Courses | Course Start Date | Course Completion Date | Course Final Date |
|-------------------------|-------------------|------------------------|-------------------|
| 1: Algebra 1 Sem2       | 1/11/2016         | 2/19/2016              |                   |
| 2: English 2            | 1/11/2016         | 2/19/2016              |                   |
| 3: Biology 2            | 2/22/2016         | 4/1/2016               |                   |
| 4: World History 2      | 2/22/2016         | 4/1/2016               |                   |
| 5: Comp Lit             | 4/4/2016          | 5/13/2016              |                   |
| 6: Spanish 1            | 4/6/2016          | 5/13/2016              |                   |

**Date Oriented:** \_\_\_\_/\_\_\_\_/\_\_\_\_ **Date Enrolled:** \_\_\_\_/\_\_\_\_/\_\_\_\_

**Counselor:** \_\_\_\_\_ **Distance Ed Coordinator** \_\_\_\_\_



## Distance Education Program Handbook

### **PROGRAM APPLICATION GUIDELINES**

#### **Program Requirements**

Nevada School Districts and Charter Schools that wish to provide a program of distance education to students in Nevada must apply to the Nevada Department of Education (NDE) and receive approval to provide such a program.

#### **Eligibility**

Only Nevada Public School Districts and Charter Schools are eligible to apply for approval to operate a program of Distance Education for Nevada students.

#### **Program Application Timeline**

Nevada Department of Education staff will review applications in the order they are received. Within 45 calendar days after receipt of the application, the Department will provide the applicant with written notification of approval or denial of the program. If the application to operate the program is denied, the applicant will have 30 calendar days to address and correct any deficiencies identified by NDE and resubmit the application. Upon receipt of the resubmitted application, NDE shall make a final determination as to final status of the program application within 30 calendar days.

#### **Program Application Submission and Technical Assistance**

The complete signed, dated (including the date the Board of Trustees of the school district or the governing body of the charter school approved the application) must be submitted electronically.

The file naming convention is:

(Submission Year)(County/Charter Name)Distance Ed Program Application

Example: 2018 John Smith Academy Distance Ed Program Application

#### **Please submit the application to:**

Tracy Moore

Adult, Alternative, Distance Education Programs Professional

Nevada Department of Education

[tmoore@doe.nv.gov](mailto:tmoore@doe.nv.gov)

cc Kendra Wastun, AAll

[kjwastun@doe.nv.gov](mailto:kjwastun@doe.nv.gov)

If you have any questions regarding the information requested in the application, please contact Tracy Moore by phone at (775)687-7288 or email at [tmoore@doe.nv.gov](mailto:tmoore@doe.nv.gov).

## Program Application Requirements

### Application Cover Page (Provided as part of the official application)

All information requested on the application cover page must be completed by the applicant as part of the application. An original signature of the school district superintendent, charter school principal or other appropriate designee of the applicant must be provided. The name and telephone number of a contact person must be provided. The designated contact person will be the person the Nevada Department of Education will contact regarding any questions it may have pertaining to the application.

**Please Note:** *By signing the cover page, the school district or charter school representative assures the Nevada Department of Education that the distance education program will be operated as described in the application and ensures that the persons who operate the program on a day-to-day basis will comply with and carry out all applicable requirements, statutes, regulations, rules and policies of the school district or charter school. Refer to the attached "General Program Requirements" for distance education programs taken from the Nevada Revised Statutes and the Nevada Administrative Code for additional program requirements not specifically addressed in this application.*

**As separate attachments to the cover page, address each of the following areas in sequence. Label each section to correspond with the area being addressed.**

**Section 1:** Identify all distance education courses that will be offered as part of the distance education program.

If a course of distance education that will be offered through the program is currently included on the list of approved distance education courses prepared by the Department, please include an identification of each course, including, without limitation, the title of the course and the name of the provider of the course of distance education.

For new courses that will be developed and offered by the applicant, the Distance Education Course Approval Application must be submitted.

**Section 2:** Describe the process that will be used to enroll students in the distance education program.

Describe the process the school district or charter school will follow regarding the selection and enrollment of students in the distance education program. Describe who is involved in the process, what counseling is provided to the student and who ultimately approves the enrollment. If you have an enrollment form/packet, please attach to the application.

If the applicant will accept the enrollment of students for full and/or part-time from other school districts or charter schools in Nevada, describe how the required written permission and agreement from the other school district or charter school will be obtained for each student. Please provide a copy of any agreements between the school districts or charter schools including any remuneration between each school district and charter school.

**Please note:** *Home schooled students are not eligible to enroll in or otherwise attend a program of distance education offered by a Nevada school district or charter school.*



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**Section 3:** Provide an explanation of how the school district or charter school will document each pupil's attendance and participation in courses offered through the distance education program.

Provide a brief description of the process the school district or charter school will follow to ensure an accurate accounting of the student's attendance and participation in the distance education program.

**Please note:** *regulations require that the teacher assigned to each course must meet or otherwise communicate with each student at least once each week for the pupil to be considered enrolled in the program of distance education. The student shall be considered in full attendance for each week the teacher meets or communicates with the student. The attendance of the student must be recorded weekly as part of the master register of enrollment and attendance.*

For each student who is enrolled full time in a program of distance education, the school district that provides the program must designate one public school within that school district to which the student will be affiliated. The student must be reported weekly as enrolled and in attendance in the school designated by the school district.

For each student who is enrolled part time in a program of distance education for which an agreement has been constructed between school districts or charter schools, the student must be reported weekly as enrolled and in attendance in the class. The record of part time attendance must be maintained separately from the record of attendance maintained by the school in which the pupil attends classes full time.

**Section 4:** Describe the plan that will be followed for assessing the achievement of students enrolled in the distance education program.

Provide a description of the plan (process) the school district or charter school will follow regarding the assessment of students in the required state achievement examinations and other assessments required of all students by the school district or charter school for all applicable grades. Provide a description of how required midterm/end-of-course assessments will be administered to include proctoring.

**Section 5:** Describe how the school district or charter school will document successful course completion and the awarding of course credit to students.

The description must include how the school district or charter school will document the completion of the distance education courses by individual students, how the records will be stored and maintained, as well as if a student must pass the proctored final and at what %.

**Section 6:** Describe how the school district or charter school will monitor the progress of students enrolled in the program.

Provide a description of the process to be followed by the school district or charter school regarding the monitoring of progress being made by students enrolled in distance education courses.

Include any criteria that will be used to trigger the identification of pupils who are having difficulty with course assignments or are otherwise having difficulty in being successful in the course. In addition, describe the technical assistance/support that will be provided to students who are not making adequate progress in their distance education courses.

### **Special Notes**

A school district or charter school may not operate a program of distance education until the school district or the charter school has received official notification of approval to operate within the State of Nevada by the Department of Education.

If your distance education program enrolls students from other school districts, you must have a Memoranda of Understanding (MOU) with each school district you enroll students from. Please include a list and copies of your MOU's with each district. (NRS 388.854)

A school district or charter school may continue to allow students to participate in Dual Credit Courses provided by Nevada Community Colleges and Universities as well as Correspondence Courses without having an approved Distance Education Program.

If the application to operate a program of distance education is approved, the approval is valid for a period of three years.



## Distance Education Program Handbook

### **Distance Education Course Application Guidelines & Requirements**

#### **Eligibility**

A person or entity that has developed a course of distance education may submit an application for inclusion of the course on the list of approved courses prepared by the Nevada Department of Education. Entities may include, without limitation:

- a vendor of a course of distance education
- the Nevada System of Higher Education or other postsecondary educational institution
- a board of trustees of a school district or a governing body of a charter school

#### **Course Application Timeline**

Applications for distance education course approval must be received by June 15th for the subsequent school year, in order to assure that the courses can be approved prior to the normal start of the school year. The Department cannot guarantee that the applications received after June 15th will be approved by the start of the school year.

Department staff will review applications in the order they are received. Within 45 calendar days after receipt of the application, the Department will provide the applicant with a written approval or denial of the courses.

If the application for course approval is denied, the applicant will have 30 calendar days to correct any deficiencies identified by the Department and resubmit the application.

Upon receipt of the resubmitted application, the Department shall make a final determination as to whether the courses will be approved.

All sections of the application must be completed. Failure to complete all sections will result in denial of the application and could unnecessarily delay approval of courses.

The application forms must be used. Substitute forms will not be accepted and will result in denial of the application.

Completed application must be submitted electronically.

#### **Course Application Approval**

Except as otherwise provided in NAC 388.860 (revocation), if a course is approved, the approval is valid for 3 years, commencing with the date on which the course is first included on the list of approved distance education courses published by the Department.

The Department shall prescribe forms for the renewal of an application. A provider of a course of distance education must submit an application for renewal to the Department at least 60 days before the expiration of the approval to maintain the course on the list of approved distance education courses.

Regulations require the Nevada Department of Education to prepare and publish a list of State approved courses of distance education twice each year. This list is published on the Department's website.

### **Course Application Approval/Course Modification**

If a provider of a course of distance education intends to change or modify the course with regard to the information requested in Section 3 of the distance education course application, the provider shall obtain the written approval of the Department before making such a change or modification. If the provider changes or modifies the course without the approval of the Department pursuant to this subsection, the Department may revoke its approval of the course.

#### **Submit Course Application To:**

Jayne Malorni, Education Programs Professional  
Nevada Department of Education  
[jmalorni@doe.nv.gov](mailto:jmalorni@doe.nv.gov)

If you have any questions regarding the information requested in the application, please call Jayne Malorni at (72)486-8398, or email [jmalorni@doe.nv.gov](mailto:jmalorni@doe.nv.gov).



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### **Completing the Course Application Forms**

Follow the instructions for Sections 1-3 of the application. Failure to use Department forms or complete all information could result in denial of the application.

#### **Section 1: Certification**

##### **1.1**

If applicable, the date on which the application was approved by the board of directors, board of regents, board of trustees or other governing body of the entity that submitted the application.

##### **1.2**

If applicable, a description of the regional or national accreditation status attained by the entity that submitted the application and the date on which such accreditation was granted.

##### **1.3**

List name and title of person authorized to submit this application on behalf of the entity. An original signature of the appropriate designee of the applicant must be provided. By signing Section 1.3.2, the applicant assures the Department that the distance education courses will be provided as described in the application.

##### **1.4**

Provide all contact information. The designated contact will be the person the Department will contact regarding any questions pertaining to the application.

#### **Section 2: List of Courses**

##### **2.1**

List all courses you want to be reviewed for State approval. Do not combine courses in categories on one line. Each course must be listed separately.

##### **2.2**

List the course number, if applicable.

##### **2.3**

Indicate which grade levels are covered by each course.

### **Section 3: Course Information**

Provide the following information for **each course** being requested for approval with this application. Use a separate form for each course. Make copies of this section as needed.

#### **3.1-3**

Enter course title, course number (if applicable), and grade levels covered by this course. This should match the information entered in Section 2:List of Courses.

#### **3.4**

The amount of credit to be awarded for completion of the course should be reported in Carnegie units if the course is designated for students in grades 9 through 12.

A Carnegie unit in Nevada is defined as a course providing a minimum of 120 hours of instruction.

If the course is designated for elementary or middle school students, please indicate that the course will meet the appropriate grade level requirements described in regulation for students who successfully complete the course.

#### **3.5**

The number of instructional hours provided as part of the course is required to be reported by regulation. Do not include homework assignments as part of the hours reported unless the assignment would be completed as a normal part of the classroom instruction.

#### **3.6**

Provide all listed information for the person responsible for this course. This is probably an administrator, but could be the instructor.

This is the person the Department will contact regarding the course.

#### **3.7**

Provide information for the instructor of each course.

For core subject areas, instructors must be licensed for the specific subject area at the appropriate grade level. Core subject areas are English Language Arts, Mathematics, Science, and Social Studies.

If an instructor has not been designated at the time of this application, provide a detailed description of the qualifications needed for employment of an instructor to teach this specific course.

If the course to be provided is not in a core subject area, submit a description of the qualifications that will be used to employ a person to instruct this specific course.

#### **3.8**

Provide a description of the course.

#### **3.9**

List all textbooks and supplemental materials for this course. Include the exact title and edition, publisher's name, and copyright date. Include any textbook alternatives in the list.



## Distance Education Program Handbook

### **3.10**

How will this distance education course be delivered? For example, is it internet-based, two-way video, on CD or otherwise computer-based, etc.

### **3.11**

Nevada statute requires that instructors of distance education course meet with or otherwise communicate with students on a weekly basis to determine the student's progress. How will this requirement be satisfied for this course?

### **3.12**

Provide a detailed description of how students will be assessed. Include the criteria to determine the student's grade at the completion of the course.

### **3.13**

Item 4 requests documentation that verifies that the course is aligned with State standards or with the course of study objectives adopted by the State. Nevada has adopted Nevada Academic Content Standards (NVACs) for English Language Arts, Mathematics, Science, World Language, Social Studies (including Civics or Government, Economics, Geography, History), the Arts, Computer Education and Technology, Health, and Physical Education. Applications submitted for courses in those subject areas should align to NVACs.

For school districts and charter schools in Nevada who offer the identical course in a regular classroom setting, an assurance that the course has been aligned with the State standards or with the course of study objectives along with a brief description of the process followed by the school district or charter school to align the course is all that needs to be provided.

For all other courses, documentation must be provided that aligns the specific course objectives with the appropriate State standards or with the course of study objectives. The documentation must include the specific benchmark standard identified by number or the specific course of study objective that is covered by each of the course objectives.

### **3.14**

List all attachments.

Include the syllabus for all courses.

A copy of the valid teacher license for the instructor for all core subject area courses must be available upon request.

Provide additional attachments you believe will help you receive course approval.

## Distance Education Best Practices Chart from NDE Audit Division

| Issue  | Resolution   |
|--|--|
| Admission vs. Enrollment   | <p><b>Admission:</b> pupil completed enrollment package</p> <p><b>Enrollment:</b> pupil completed enrollment package and attended orientation and demonstrated progress in class by accessing the learning management system or real time class sessions</p>   |
| Full time vs. part time enrollment                                 | <p><b>Part time enrollment:</b> pupil demonstrates progress in <u>any</u> class from his schedule by accessing the learning management system or real time class sessions</p> <p><b>Full time enrollment:</b> pupil demonstrates progress in <u>each</u> class from his schedule by accessing the learning management system or real time class sessions</p>   |
| When to put pupil on Master Register                               | When pupil is enrolled (see admission vs. enrollment); use enrollment code EB3001 for full time and EB3003 for part time.  |
| Change from part time to full time and from full time to part time | Record on the Master Register date when pupil changed his status from part time to full time. Use codes EB3001 for full time and EB3003 for part time for those events.  |
| Prior year “no-shows”  | Review the Master Register for prior year pupil carryovers. Backdate “no-shows” to the date before the school starts.  |
| Student plan of study  | Each student must have plan of study. Plan should be signed by the pupil, parent and the school official. Best time to accomplish it is during orientation. Any changes to the plan of study must also be signed by parent and school official.  |
| Orientation log  | <p><b>On-line orientation:</b> IT audit trail should show the name of pupil, log in ID, session ID, date of orientation, time spent for orientation.</p> <p><b>Live orientation:</b> Log should indicate date, time, name of attendee, and attendee signature.</p>   |
| Real time class session and telephone communication log            | Logs should indicate: persons communicated; date and time of communication; subjects discussed, such as classes and pupils’ progress   |
| Attendance   | <p>Attendance can be achieved by pupil having:</p> <ul style="list-style-type: none"> <li>Progress in learning management system</li> <li>Participation in real time class session</li> <li>Two way communication with a licensed personnel (such as phone call or e-mail)</li> </ul> <p>Each of the above counts as the attendance for the whole week.</p> <p>Attendance should be performed in each class per pupil’s plan of study.</p> |
| Non-attendance in one or more classes                              | Pupil must demonstrate attendance every week in each class according to pupil’s plan of study; otherwise, on 11th day of non-attendance pupil can become part-time or withdrawn. School should demonstrate truancy effort to count the pupil for apportionment. Truancy effort should be documented.   |



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| Issue                             | Resolution  |
|-----------------------------------|---|
| Certified count for apportionment | Only full time enrolled and attending pupils can be counted for apportionment.  |
| Class record books                | Class record books should be maintained by teachers. The first date of attendance is the date of enrollment in teacher’s class (see admission vs. enrollment). Date of enrollment in class record book and date of enrollment on the Master register can be different, if pupil started other class(es) earlier   |
| Withdrawals                       | <p>Generally, date of withdrawal is the date after the last day of attendance in class. Consult (NAC 387.200 for other circumstances)</p> <p>Master Register should be updated for the latest information available.</p> <p>Example: pupil disappeared and was withdrawn as 10 days whereabouts unknown, later registrar received a records request from out of state. Date and code of withdrawal on the master register should be adjusted for the latter.</p> <p>Withdrawals on the Master Register should be supported by withdrawal forms and print out of pupils’ attendance.</p> |

# Blank Plan of Study Examples

SCHOOL NAME \_\_\_\_\_

SCHOOL YEAR \_\_\_\_\_

## PUPIL'S PLAN OF STUDY

PUPIL'S NAME \_\_\_\_\_

PUPIL'S ID # \_\_\_\_\_

PUPIL'S GRADE LEVEL \_\_\_\_\_

TEACHER OF RECORD \_\_\_\_\_

### 1<sup>st</sup> SEMESTER

| Course title | Course begin date | Course end date | Final Grade |
|--------------|-------------------|-----------------|-------------|
|              |                   |                 |             |
|              |                   |                 |             |
|              |                   |                 |             |
|              |                   |                 |             |
|              |                   |                 |             |
|              |                   |                 |             |

### 2<sup>nd</sup> SEMESTER

| Course title | Course begin date | Course end date | Final Grade |
|--------------|-------------------|-----------------|-------------|
|              |                   |                 |             |
|              |                   |                 |             |
|              |                   |                 |             |
|              |                   |                 |             |
|              |                   |                 |             |
|              |                   |                 |             |

PUPIL'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

PARENT'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

TEACHER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_



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**PLAN OF STUDY**

School: \_\_\_\_\_

Program: \_\_\_\_\_

Student Name: \_\_\_\_\_ Birthdate: \_\_\_\_\_  
(Print)

Student Phone: \_\_\_\_\_ Student email: \_\_\_\_\_

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Student ID # \_\_\_\_\_

Parent / Guardian Name (s): \_\_\_\_\_  
(Print)

Parent /Guardian Phone: \_\_\_\_\_ Parent email: \_\_\_\_\_

Parent /Guardian Signature: \_\_\_\_\_

| First Semester Courses | Course Start Date | Course Completion Date | Course Final Grade |
|------------------------|-------------------|------------------------|--------------------|
| 1.                     |                   |                        |                    |
| 2.                     |                   |                        |                    |
| 3.                     |                   |                        |                    |
| 4.                     |                   |                        |                    |
| 5.                     |                   |                        |                    |
| 6.                     |                   |                        |                    |

| Second Semester Courses | Course Start Date | Course Completion Date | Course Final Date |
|-------------------------|-------------------|------------------------|-------------------|
| 1.                      |                   |                        |                   |
| 2.                      |                   |                        |                   |
| 3.                      |                   |                        |                   |
| 4.                      |                   |                        |                   |
| 5.                      |                   |                        |                   |
| 6.                      |                   |                        |                   |

Passed Proficiencies: \_\_\_ MATH \_\_\_ READING \_\_\_ WRITING \_\_\_ SCIENCE

Date Oriented: \_\_\_/\_\_\_/\_\_\_ Date Enrolled: \_\_\_/\_\_\_/\_\_\_

Counselor: \_\_\_\_\_ Distance Ed Coordinator \_\_\_\_\_

## NRS and NAC for Distance Education

### NRS 388.820

Definitions. As used in [NRS 388.820](#) to [388.874](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 388.823](#), [388.826](#) and [388.829](#) have the meanings ascribed to them in those sections. (Added to NRS by [2001, 3149](#))

### NRS 388.823

“Course of distance education” defined. “Course of distance education” means a course of study that uses distance education as its primary mechanism for delivery of instruction. (Added to NRS by [2001, 3149](#))

### NRS 388.826

“Distance education” defined. “Distance education” means instruction which is delivered by means of video, computer, television, or the Internet or other electronic means of communication, or any combination thereof, in such a manner that the person supervising or providing the instruction and the pupil receiving the instruction are separated geographically for a majority of the time during which the instruction is delivered. (Added to NRS by [2001, 3149](#); A [2007, 1992](#))

### NRS 388.829

“Program of distance education” defined. “Program of distance education” means a program comprised of one or more courses of distance education. (Added to NRS by [2001, 3149](#); A [2003, 223](#); [2007, 1992](#); [2013, 1512](#))

### NRS 388.834

Publication of list of approved distance education courses.

1. The Department shall prepare and publish a list of courses of distance education that satisfy the requirements of [NRS 388.820](#) to [388.874](#), inclusive, and all other applicable statutes and regulations. If an application to provide a program of distance education is approved pursuant to [NRS 388.838](#), the Department shall automatically include on the list each course of study included within that program if the course of study had not been approved pursuant to this section before submission of the application to provide the program.
2. A person or entity that has developed a course of distance education, including, without limitation, a vendor of a course of distance education, the Nevada System of Higher Education or other postsecondary educational institution, a board of trustees of a school district or a governing body of a charter school, may submit an application for inclusion of the course on the list prepared by the Department. The Department shall approve an application if the application satisfies the requirements of [NRS 388.820](#) to [388.874](#), inclusive, and all other applicable statutes and regulations. The Department shall provide written notice to the applicant of its approval or denial of the application.



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3. If the Department denies an application, the Department shall include in the written notice the reasons for the denial and the deficiencies of the application. The applicant must be granted 30 days after receipt of the written notice to correct any deficiencies identified in the written notice and resubmit the application. The Department shall approve an application that has been resubmitted pursuant to this subsection if the application satisfies the requirements of [NRS 388.820](#) to [388.874](#), inclusive, and all other applicable statutes and regulations.

(Added to NRS by [2001, 3149](#))

### **NRS 388.838**

Submission of application to Department; conditions for approval; opportunity to correct deficiencies

1. The board of trustees of a school district or the governing body of a charter school may submit an application to the Department to provide a program of distance education. In addition, a committee to form a charter school may submit an application to the Department to provide a program of distance education if the application to form the charter school submitted by the committee pursuant to [NRS 386.520](#) indicates that the charter school intends to provide a program of distance education.
2. An applicant to provide a program of distance education may seek approval to provide a program that is comprised of one or more courses of distance education included on the list of courses approved by the Department pursuant to [NRS 388.834](#) or a program that is comprised of one or more courses of distance education which have not been reviewed by the Department before submission of the application.
3. An application to provide a program of distance education must include:
  - (a) All the information prescribed by the State Board by regulation.
  - (b) Except as otherwise provided in this paragraph, proof satisfactory to the Department that the program satisfies all applicable statutes and regulations. The proof required by this paragraph shall be deemed satisfied if the program is comprised only of courses of distance education approved by the Department pursuant to [NRS 388.834](#) before submission of the application.
4. Except as otherwise provided in this subsection, the Department shall approve an application submitted pursuant to this section if the application satisfies the requirements of [NRS 388.820](#) to [388.874](#), inclusive, and all other applicable statutes and regulations. The Department shall deny an application to provide a program of distance education submitted by a committee to form a charter school if the Department denies the application to form a charter school submitted by that committee. The Department shall provide written notice to the applicant of the Department's approval or denial of the application.

5. If the Department denies an application, the Department shall include in the written notice the reasons for the denial and the deficiencies of the application. The applicant must be granted 30 days after receipt of the written notice to correct any deficiencies identified in the written notice and resubmit the application. The Department shall approve an application that has been resubmitted pursuant to this subsection if the application satisfies the requirements of [NRS 388.820](#) to [388.874](#), inclusive, and all other applicable statutes and regulations.  
(Added to NRS by [2001, 3150](#); A [2005, 2414](#))

**NRS 388.842**

Alternate scheduling permitted; minimum time required for full-time program

1. A program of distance education may include, without limitation, an opportunity for pupils to participate in the program:
  - (a) For a shorter school day or a longer school day than that regularly provided for in the school district or charter school, as applicable; and
  - (b) During any part of the calendar year.
2. If a program of distance education is provided for pupils on a full-time basis, the program must include at least as many hours or minutes of instruction as would be provided under a program consisting of 180 days.  
(Added to NRS by [2001, 3150](#))

**NRS 388.846**

Compliance with statutes and regulations; notice by charter school to board of trustees concerning type of educational services provided.

- 1.If the board of trustees of a school district provides a program of distance education, the board of trustees shall ensure that the persons who operate the program on a day-to-day basis comply with and carry out all applicable requirements, statutes, regulations, rules and policies of the school district, including, without limitation:
  - (a) Graduation requirements;
  - (b) Accountability of public schools, as set forth in [NRS 385.3455](#) to [385.3891](#), inclusive;
  - (c) Provisions governing the attendance and truancy of pupils, as set forth in [NRS 392.040](#) to [392.220](#), inclusive; and
  - (d) Discipline of pupils.
- 2.If the governing body of a charter school provides a program of distance education, the governing body shall:
  - (a) For each pupil who is enrolled in the program, provide written notice to the board of trustees of the school district in which the pupil resides of the type of educational services that will be provided to the pupil through the program. The written notice must be provided to the board of trustees before the pupil receives educational services through the program of distance education.



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- (b) Ensure that the persons who operate the program on a day-to-day basis comply with and carry out all applicable requirements, statutes, regulations, rules and policies of the charter school, including, without limitation:
- (1) Graduation requirements;
  - (2) Accountability of public schools, as set forth in [NRS 385.3455](#) to [385.3891](#), inclusive;
  - (3) Provisions governing the attendance and truancy of pupils, as set forth in [NRS 392.040](#) to [392.220](#), inclusive; and
  - (4) Discipline of pupils.  
(Added to NRS by [2001, 3154](#); A [2003, 19th Special Session, 52](#); [2013, 1929](#))

### **NRS 388.850**

#### Eligibility for enrollment

1. A pupil may enroll in a program of distance education unless:
  - (a) Pursuant to this section or other specific statute, the pupil is not eligible for enrollment or the pupil's enrollment is otherwise prohibited;
  - (b) The pupil fails to satisfy the qualifications and conditions for enrollment adopted by the State Board pursuant to [NRS 388.874](#); or
  - (c) The pupil fails to satisfy the requirements of the program of distance education.
2. A child who is exempt from compulsory attendance and is enrolled in a private school pursuant to [chapter 394](#) of NRS or is being homeschooled is not eligible to enroll in or otherwise attend a program of distance education, regardless of whether the child is otherwise eligible for enrollment pursuant to subsection 1.
3. If a pupil who is prohibited from attending public school pursuant to [NRS 392.264](#) enrolls in a program of distance education, the enrollment and attendance of that pupil must comply with all requirements of [NRS 62F.100](#) to [62F.150](#), inclusive, and [392.251](#) to [392.271](#), inclusive.  
(Added to NRS by [2001, 3151](#); A [2003, 223, 1141](#); [2007, 1993, 3031](#); [2013, 1512](#))

### **NRS 388.854**

Permission of board of trustees required for full-time enrollment; written agreement between board of trustees and provider of distance education program.

1. Before a pupil may enroll full-time in a program of distance education that is provided by a school district other than the school district in which the pupil resides, the pupil must obtain the written permission of the board of trustees of the school district in which the pupil resides. Before a pupil who is enrolled in a public school of a school district may enroll part-time in a program of distance education that is provided by a charter school, the pupil must obtain the written permission of the board of trustees of the school district in which the pupil resides. Except as otherwise provided in [NRS 388.850](#) or other specific

statute, a board of trustees from whom permission is requested pursuant to this subsection shall grant the requested permission.

2. A pupil who enrolls part-time in a program of distance education that is provided by a school district other than the school district in which the pupil resides or enrolls full-time in a program of distance education that is provided by a charter school is not required to obtain the approval of the board of trustees of the school district in which the pupil resides.
3. If the board of trustees of a school district grants permission pursuant to subsection 1, the board of trustees shall enter into a written agreement with the board of trustees or governing body, as applicable, that provides the program of distance education. A separate agreement must be prepared for each year that a pupil enrolls in a program of distance education. If permission is granted pursuant to subsection 1, the written agreement required by this subsection is not a condition precedent to the pupil's enrollment in the program of distance education.

(Added to NRS by [2001, 3152](#); A [2005, 2415](#); [2007, 1993](#); [2013, 1513](#))

#### **NRS 388.858**

Permission of charter school required for part-time enrollment; written agreement between charter school and provider of distance education program.

1. If a pupil is enrolled in a charter school, the pupil may enroll full-time in a program of distance education only if the charter school in which the pupil is enrolled provides the program of distance education.
2. Before a pupil who is enrolled in a charter school may enroll part-time in a program of distance education that is provided by a school district or another charter school, the pupil must obtain the written permission of the governing body of the charter school in which the pupil is enrolled.
3. If the governing body of a charter school grants permission pursuant to subsection 2, the governing body shall enter into a written agreement with the board of trustees or governing body, as applicable, that provides the program of distance education. A separate agreement must be prepared for each year that a pupil enrolls in a program of distance education.

(Added to NRS by [2001, 3153](#); A [2005, 2416](#); [2007, 1995](#))

#### **NRS 388.862**

Board of trustees required to declare public school to which pupil enrolled in program is affiliated; applicability of statutes and regulations to pupils.

1. If a pupil is enrolled full-time in a program of distance education provided by the board of trustees of a school district, the board of trustees that provides the program shall declare for each such pupil one public school within that school district with which the pupil is affiliated. The board of trustees may declare that all the pupils enrolled in the program of distance education are affiliated with one public school within the school district, or it may declare individual public schools for the pupils enrolled in the program. Upon the



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declared affiliation, the pupil shall be deemed enrolled in that public school for purposes of all the applicable requirements, statutes, regulations, rules and policies of that public school and school district, including, without limitation:

- (a) Graduation requirements;
  - (b) Accountability of public schools, as set forth in [NRS 385.3455](#) to [385.3891](#), inclusive;
  - (c) Provisions governing the attendance and truancy of pupils, as set forth in [NRS 392.040](#) to [392.220](#), inclusive; and
  - (d) Discipline of pupils.
2. A pupil who is enrolled full-time in a program of distance education provided by a charter school shall be deemed enrolled in the charter school. All the applicable requirements, including, without limitation, statutes, regulations, rules and policies of that charter school apply to such a pupil, including, without limitation:
- (a) Graduation requirements;
  - (b) Accountability of public schools, as set forth in [NRS 385.3455](#) to [385.3891](#), inclusive;
  - (c) Provisions governing the attendance and truancy of pupils, as set forth in [NRS 392.040](#) to [392.220](#), inclusive; and
  - (d) Discipline of pupils.
3. If a pupil is enrolled part-time in a program of distance education, all the applicable requirements, statutes, regulations, rules and policies of the public school of the school district in which the pupil is otherwise enrolled or the charter school in which the pupil is otherwise enrolled apply to such a pupil, including, without limitation:
- (a) Graduation requirements;
  - (b) Accountability of public schools, as set forth in [NRS 385.3455](#) to [385.3891](#), inclusive;
  - (c) Provisions governing the attendance and truancy of pupils, as set forth in [NRS 392.040](#) to [392.220](#), inclusive; and
  - (d) Discipline of pupils.
- (Added to NRS by [2001, 3153](#); A [2003, 19th Special Session, 52](#); [2013, 1929](#))

### **NRS 388.866**

Requirements of program; supervision by teacher; qualifications of certain teachers

1. The board of trustees of a school district or the governing body of a charter school that provides a program of distance education shall ensure that:
  - (a) For each course offered through the program, a teacher:
    - (1) Provides the work assignments to each pupil enrolled in the course that are necessary for the pupil to complete the course;
    - (2) Meets or otherwise communicates with the pupil at least once each week during the course to discuss the pupil's progress; and

- (3) Enters into a written agreement with the pupil and the pupil's parent or legal guardian outlining the objectives of the course, the timeline for completion of the course and the method by which the progress of the pupil will be assessed; or
  - (b) The program satisfies the requirements of a plan to operate an alternative program of education submitted by the school district and approved pursuant to [NRS 388.537](#).
2. If a course offered through a program of distance education is a core academic subject, as defined in [NRS 389.018](#), the teacher who fulfills the requirements of subsection 1 must be a:
- (a) Licensed teacher; or
  - (b) Teacher, instructor or professor who provides instruction at a community college or university. Such a teacher, instructor or professor may only be assigned to a course of distance education in the subject area for which he or she provides instruction at a community college or university.
- (Added to NRS by [2001, 3151](#); A [2005, 2417](#); [2007, 1995](#))

**NRS 388.874**

Regulations of State Board

1. The State Board shall adopt regulations that prescribe:
  - (a) The process for submission of an application by a person or entity for inclusion of a course of distance education on the list prepared by the Department pursuant to [NRS 388.834](#) and the contents of the application;
  - (b) The process for submission of an application by the board of trustees of a school district, the governing body of a charter school or a committee to form a charter school to provide a program of distance education and the contents of the application;
  - (c) The qualifications and conditions for enrollment that a pupil must satisfy to enroll in a program of distance education, consistent with [NRS 388.850](#) and any other applicable statute;
  - (d) A method for reporting to the Department the number of pupils who are enrolled in a program of distance education and the attendance of those pupils;
  - (e) The requirements for assessing the achievement of pupils who are enrolled in a program of distance education, which must include, without limitation, the administration of the examinations required pursuant to [NRS 389.550](#) and, if applicable for the grade levels of the pupils enrolled, the administration of the examinations pursuant to [NRS 389.805](#) and the college and career readiness assessment pursuant to [NRS 389.807](#); and
  - (f) A written description of the process pursuant to which the State Board may revoke its approval for the operation of a program of distance education.
2. The State Board may adopt regulations as it determines are necessary to carry out the provisions of [NRS 388.820](#) to [388.874](#), inclusive.  
 (Added to NRS by [2001, 3155](#); A [2003, 223](#); [2005, 2417](#); [2013, 1514](#), [3267](#))



## Distance Education Program Handbook

### **NRS 391.273**

Supervision of unlicensed personnel required; exemptions; reduction of basic support allocation for failure to comply; exception for certain unlicensed personnel of charter school.

1. Except as otherwise provided in this section and except for persons who are supervised pursuant to [NRS 391.096](#), the unlicensed personnel of a school district must be directly supervised by licensed personnel in all duties which are instructional in nature. To the extent practicable, the direct supervision must be such that the unlicensed personnel are in the immediate location of the licensed personnel and are readily available during such times when supervision is required.
2. Unlicensed personnel who are exempted pursuant to subsection 4, 5 or 6 must be under administrative supervision when performing any duties which are instructional in nature.
3. Unlicensed personnel may temporarily perform duties under administrative supervision which are not primarily instructional in nature.
4. Except as otherwise provided in subsection 7, upon application by a superintendent of schools, the Superintendent of Public Instruction may grant an exemption from the provisions of subsection 1 pursuant to subsection 5 or 6.
5. Except as otherwise provided in subsection 6, the Superintendent shall not grant an exemption from the provisions of subsection 1 unless:
  - (a) The duties are within the employee's special expertise or training;
  - (b) The duties relate to the humanities or an elective course of study, or are supplemental to the basic curriculum of a school;
  - (c) The performance of the duties does not result in the replacement of a licensed employee or prevent the employment of a licensed person willing to perform those duties;
  - (d) The secondary or combined school in which the duties will be performed has less than 100 pupils enrolled and is at least 30 miles from a school in which the duties are performed by licensed personnel; and
  - (e) The unlicensed employee submits his or her fingerprints for an investigation pursuant to [NRS 391.033](#).
6. Upon application by a superintendent of schools, the Superintendent of Public Instruction may grant an exemption from the provisions of subsection 1 if:
  - (a) The duties of the unlicensed employee relate to the supervision of pupils attending a course of distance education provided pursuant to [NRS 388.820](#) to [388.874](#), inclusive, while the pupils are receiving instruction from a licensed employee remotely through any electronic means of communication; and
  - (b) The unlicensed employee submits his or her fingerprints for an investigation pursuant to [NRS 391.033](#).

7. The exemption authorized by subsection 4, 5 or 6 does not apply to a paraprofessional if the provisions of 20 U.S.C. § 6319 and the regulations adopted pursuant thereto require the paraprofessional to be directly supervised by a licensed teacher.
8. The Superintendent of Public Instruction shall file a record of all exempt personnel with the clerk of the board of trustees of each local school district, and advise the clerk of any changes therein. The record must contain:
  - (a) The name of the exempt employee;
  - (b) The specific instructional duties the exempt employee may perform;
  - (c) Any terms or conditions of the exemption deemed appropriate by the Superintendent of Public Instruction; and
  - (d) The date the exemption expires or a statement that the exemption is valid as long as the employee remains in the same position at the same school.
9. The Superintendent of Public Instruction may adopt regulations prescribing the procedure to apply for an exemption pursuant to this section and the criteria for the granting of such exemptions.
10. Except in an emergency, it is unlawful for the board of trustees of a school district to allow a person employed as a teacher's aide to serve as a teacher unless the person is a legally qualified teacher licensed by the Superintendent of Public Instruction. As used in this subsection, "emergency" means an unforeseen circumstance which requires immediate action and includes the fact that a licensed teacher or substitute teacher is not immediately available.
11. If the Superintendent of Public Instruction determines that the board of trustees of a school district has violated the provisions of subsection 10, the Superintendent shall take such actions as are necessary to reduce the amount of money received by the district pursuant to [NRS 387.124](#) by an amount equal to the product when the following numbers are multiplied together:
  - (a) The number of days on which the violation occurred;
  - (b) The number of pupils in the classroom taught by the teacher's aide; and
  - (c) The number of dollars of basic support apportioned to the district per pupil per day pursuant to [NRS 387.1233](#).
12. Except as otherwise provided in this subsection, a person employed as a teacher's aide or paraprofessional may monitor pupils in a computer laboratory without being directly supervised by licensed personnel. The provisions of this subsection do not apply to a paraprofessional if the provisions of 20 U.S.C. § 6319 and the regulations adopted pursuant thereto require the paraprofessional to be directly supervised by a licensed teacher.



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13. The provisions of this section do not apply to unlicensed personnel who are employed by the governing body of a charter school, unless a paraprofessional employed by the governing body is required to be directly supervised by a licensed teacher pursuant to the provisions of 20 U.S.C. § 6319 and the regulations adopted pursuant thereto.  
(Added to NRS by [1987, 1480](#); A [1989, 2146](#); [1999, 3314](#); [2003, 19th Special Session, 74](#); [2007, 1138](#); [2013, 1514, 1690](#))

### **NRS 392.010**

Admission of pupil from adjoining state or district; payment of tuition for pupil attending school in adjoining district or state; agreement for payment of tuition, transportation and other costs. Except as to the attendance of a pupil pursuant to [NRS 388.820](#) to [388.874](#), inclusive, [392.015](#) or [392B.110](#), or a pupil who is ineligible for attendance pursuant to [NRS 392.4675](#) and except as otherwise provided in [NRS 392.264](#) and [392.268](#):

1. The board of trustees of any school district may, with the approval of the Superintendent of Public Instruction:
  - (a) Admit to the school or schools of the school district any pupil or pupils living in an adjoining school district within this State or in an adjoining state when the school district of residence in the adjoining state adjoins the receiving Nevada school district;  
or
  - (b) Pay tuition for pupils residing in the school district but who attend school in an adjoining school district within this State or in an adjoining state when the receiving district in the adjoining state adjoins the school district of Nevada residence.
2. With the approval of the Superintendent of Public Instruction, the board of trustees of the school district in which the pupil or pupils reside and the board of trustees of the school district in which the pupil or pupils attend school shall enter into an agreement providing for the payment of such tuition as may be agreed upon, but transportation costs must be paid by the board of trustees of the school district in which the pupil or pupils reside:
  - (a) If any are incurred in transporting a pupil or pupils to an adjoining school district within the State; and
  - (b) If any are incurred in transporting a pupil or pupils to an adjoining state, as provided by the agreement.
3. In addition to the provisions for the payment of tuition and transportation costs for pupils admitted to an adjoining school district as provided in subsection 2, the agreement may contain provisions for the payment of reasonable amounts of money to defray the cost of operation, maintenance and depreciation of capital improvements which can be allocated to such pupils.

[360:32:1956]—(NRS A 1957, 300; 1959, 807; 1961, 40; 1965, 100; 1979, 1613; 1981, 842; [1989, 1979](#); [1993, 2306](#); [1997, 428](#); [2001, 3162](#); [2007, 803](#))

**NAC 387.193**

Pupil enrolled in program of distance education. ([NRS 385.080](#), [387.123](#), [388.874](#))

1. A pupil who is enrolled in a program of distance education that has been approved pursuant to [NAC 388.830](#) shall be deemed an enrolled pupil if, for each course of distance education in which the pupil is enrolled:
  - (a) The course is included on the list of approved courses of distance education prepared and published by the Department pursuant to [NRS 388.834](#);
  - (b) The name of the pupil is included in the electronic learning management system or the master register of enrollment and attendance required by [NAC 387.171](#); and
  - (c) Except as otherwise provided in subsection 2, the school district or charter school has evidence of the pupil's progression in the course, as documented in the electronic learning management system or as documented by the pupil's participation in a real-time class session for the course which is conducted by a person who is licensed pursuant to [chapter 391](#) of NRS and who is authorized by the school district or charter school for the course.
2. If a pupil is initially enrolled in a program of distance education during the calendar week immediately preceding the count day prescribed by NRS 387.1233 and the school district or charter school does not have evidence of the pupil's progression in each course of distance education as required by paragraph (c) of subsection 1, the pupil shall be deemed an enrolled pupil if:
  - (a) The school district or charter school documents that the pupil attended an orientation for the program of distance education or a similar admittance process for the program of distance education; and
  - (b) Within the first calendar week after count day, the school district or charter school has evidence of the pupil's progression in each course as documented:
    - (1) In the electronic learning management system;
    - (2) By the pupil's participation in a real-time class session for the course which is conducted by a person who is licensed pursuant to [chapter 391](#) of NRS and who is authorized by the school district or charter school for the course; or
    - (3) By the pupil meeting or otherwise communicating with a person who is licensed pursuant to [chapter 391](#) of NRS and who is authorized by the school district or charter school for the course to discuss the pupil's progress.
3. Each pupil enrolled in a course of distance education offered through a program of distance education must be recorded in full attendance for each week that the school district or charter school has evidence of the pupil's progression in each course as documented:
  - (a) In the electronic learning management system;
  - (b) By the pupil's participation in a real-time class session for the course which is conducted by a person who is licensed pursuant to [chapter 391](#) of NRS and who is authorized by the school district or charter school for the course; or



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- (c) By the pupil meeting or otherwise communicating with a person who is licensed pursuant to [chapter 391](#) of NRS and who is authorized by the school district or charter school for the course to discuss the pupil's progress.

The information required by this subsection to record the attendance of a pupil must be included in the master register of enrollment and attendance required by [NAC 387.171](#) for that pupil.

4. A pupil who is enrolled full time in a program of distance education provided by:
  - (a) The board of trustees of a school district must be entered as an enrolled pupil in the master register of enrollment and attendance for the public school to which the pupil is declared affiliated by the board of trustees pursuant to [NRS 388.862](#).
  - (b) A charter school must be entered as an enrolled pupil in the master register of enrollment and attendance for the charter school.
5. A pupil shall be deemed enrolled full-time in a program of distance education if:
  - (a) The program of distance education contains the number of school days in session required pursuant to [NAC 387.120](#);
  - (b) The time that the pupil spends in the program is recorded by the pupil, the parent or legal guardian of the pupil, or by a computerized program; and
  - (c) The pupil satisfies the requirements of subsection 6 or 7, as applicable for his or her grade level.
6. For purposes of full-time enrollment in a program of distance education, a pupil in kindergarten or in any grade from grades 1 to 8, inclusive, must be enrolled in:
  - (a) The minimum daily period required pursuant to [NAC 387.131](#); or
  - (b) A curriculum that is equivalent to the regular school curriculum, if an exception to the minimum daily period has been approved pursuant to subsection 3 of [NAC 387.131](#).
7. For purposes of full-time enrollment in a program of distance education, a pupil in any grade from grades 9 to 12, inclusive, must:
  - (a) Be enrolled in the number of courses required for full-time pupils pursuant to subsection 4 of [NAC 387.345](#); or
  - (b) Have a written plan for enrollment prepared for the pupil which demonstrates that the pupil will complete during the school year the number of courses required for full-time pupils.
8. If a pupil is enrolled part time in a program of distance education, the record of the part-time attendance of the pupil must be maintained separately from the record of attendance maintained by the school in which the pupil is otherwise enrolled.

9. As used in this section, “electronic learning management system” means an electronic system used by a school district or charter school to track the enrollment, attendance, progression and participation of a pupil enrolled in a course of distance education offered through a program of distance education provided by the school district or charter school. (Added to NAC by Bd. of Education by R007-02, eff. 4-5-2002; A by R134-07, 6-17-2008; R016-11, 10-26-2011)

#### **NAC 388.800**

Definitions ([NRS 388.874](#)) As used in [NAC 388.800](#) to [388.860](#), inclusive, unless the context otherwise requires, the words and terms defined in [NAC 388.805](#), [388.810](#) and [388.815](#) have the meanings ascribed to them in those sections.

(Added to NAC by Bd. of Education by R007-02, eff. 4-5-2002)

#### **NAC 388.805**

“Department” defined. ([NRS 388.874](#)) “Department” means the Department of Education.

(Added to NAC by Bd. of Education by R007-02, eff. 4-5-2002)

#### **NAC 388.810**

“Provider of a course of distance education” defined. ([NRS 388.874](#)) “Provider of a course of distance education” means a person or entity, located within this State or in another state, that provides a course of distance education which has been approved for inclusion on the list of approved distance education courses pursuant to [NRS 388.834](#) and [NAC 388.825](#).

(Added to NAC by Bd. of Education by R007-02, eff. 4-5-2002)

#### **NAC 388.815**

“Provider of a program of distance education” defined. ([NRS 388.874](#)) “Provider of a program of distance education” means a school district or charter school located in this State that provides a program of distance education which has been approved pursuant to [NRS 388.838](#) and [NAC 388.830](#).

(Added to NAC by Bd. of Education by R007-02, eff. 4-5-2002)

#### **NAC 388.820**

List of approved courses: Preparation and publication; submission of application for inclusion on list. ([NRS 388.874](#))

1. On January 2 and July 1 of each year, the Department shall prepare and publish a list of approved distance education courses pursuant to NRS 388.834.
2. A person or entity that has developed a course of distance education may submit an application pursuant to NRS 388.834 and NAC 388.825 to the Department for inclusion of the course on the list of approved distance education courses prepared and published by the Department. The Department shall conduct reviews of applications for approval of courses for inclusion on the list twice each year. An application that is received by the Department on or before:
  - (a) April 1 will be considered for inclusion on the list published by the Department on July 1 of that same year.



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- (b) October 1 will be considered for inclusion on the list published by the Department on January 2 of the immediately succeeding year.

(Added to NAC by Bd. of Education by R007-02, eff. 4-5-2002)

### **NAC 388.825**

Form and contents of application for inclusion on list of approved courses; approval or denial of application; renewal of application; modification of course ([NRS 388.874](#))

1. The Department shall prescribe the form for an application for inclusion of a course of distance education on the list of approved distance education courses prepared and published by the Department. The Department shall not accept or review an application for a course that contains a commercial advertisement. Each application must include:
  - (a) The name of the person or entity that is the provider of the course of distance education;
  - (b) The original signature of the person or authorized representative of the entity submitting the application;
  - (c) If applicable, the date on which the application was approved by the board of directors, board of regents, board of trustees or other governing body of the entity that submitted the application;
  - (d) If applicable, a description of the regional or national accreditation status attained by the entity that submitted the application and the date on which such accreditation was granted; and
  - (e) For each course identified in the application:
    - (1) The specific title of the course;
    - (2) The amount of credit to be awarded for successful completion of the course;
    - (3) The number of instructional hours provided as part of the course;
    - (4) A description of the course, including, without limitation, the syllabus for the course, a list of each textbook that will be used for the course and any supplemental materials that will be used for the course;
    - (5) A description of the method used for delivery of instruction, including, without limitation, the method by which a teacher will meet or otherwise communicate with each pupil enrolled in the course at least once each week to discuss the pupil's progress;
    - (6) A description of the manner by which the academic achievement of pupils enrolled in the course will be assessed and the criteria that will be used to determine the grades assigned to pupils who complete the course;

- (7) If the subject area offered by the course is a subject area for which the State Board of Education has:
    - (I) Adopted standards of content and performance pursuant to [NRS 389.520](#), documentation which demonstrates that the course is aligned with those standards; or
    - (II) Otherwise adopted regulations setting forth the requirements for the subject area offered by the course, documentation which demonstrates that the course is aligned with those requirements;
  - (8) If available at the time the application is submitted, the name of the teacher who will provide instruction for the course and, if the course is a core academic subject, as defined in [NRS 389.018](#), a copy of the license of the teacher;
  - (9) If a teacher has not been identified at the time the application is submitted, a description of the qualifications that will be used to employ a teacher for the course; and
  - (10) The name, address and telephone number of the person who will administer the course.
2. Not more than 45 calendar days after receipt of an application pursuant to this section, the Department shall provide written notice of its approval or denial of the application to the applicant. If an application is denied, the applicant may, not later than 30 calendar days after receipt of the notice of denial, correct the deficiencies identified in the notice of denial and resubmit the application to the Department.
  3. Except as otherwise provided in [NAC 388.860](#), if a course is approved pursuant to this section, the approval is valid for 3 years, commencing with the date on which the course is first included on the list of approved distance education courses published by the Department. The Department shall prescribe forms for the renewal of an application. A provider of a course of distance education must submit an application for renewal to the Department at least 60 days before the expiration of the approval to maintain the course on the list of approved distance education courses.
  4. If a provider of a course of distance education intends to change or modify the course with regard to the items set forth in subparagraphs (1) to (10), inclusive, of paragraph (e) of subsection 1, the provider shall obtain the written approval of the Department before making such a change or modification. If the provider changes or modifies the course without the approval of the Department pursuant to this subsection, the Department may revoke its approval of the course.  
(Added to NAC by Bd. of Education by R007-02, eff. 4-5-2002)



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### **NAC 388.830**

Submission and review of application for program; approval or denial of program; renewal of application; modification of program; enrollment of pupils in program ([NRS 388.874](#))

1. The Department shall engage in the process of reviewing applications for programs of distance education not less than once per year. An application must be received by the Department from the board of trustees of a school district or a governing body of a charter school on or before January 15 for consideration of a program that will begin operation in the immediately succeeding school year. An application must be received by the Department from a committee to form a new charter school on or before September 1 for a program that will begin operation in the immediately succeeding school year.
2. The Department shall prescribe the form for the application. An application must include:
  - (a) The name of the school district or charter school submitting the application;
  - (b) The date on which the board of trustees of the school district, the governing body of the charter school or the committee to form a charter school, as applicable, reviewed and approved the application;
  - (c) The original signature of the president of the board of trustees, or his or her designee, a member of the governing body of the charter school or a member of the committee to form a charter school, as applicable, indicating approval of the application;
  - (d) The name, address and telephone number of the person who will administer the program of distance education;
  - (e) A list designating each course of distance education that will be offered through the program;
  - (f) If a course of distance education that will be offered through the program is included on the list of approved distance education courses prepared by the Department, an identification of each course, including, without limitation, the title of the course and the name of the provider of the course of distance education;
  - (g) If a course of distance education that will be offered through the program is not included on the list of approved distance education courses prepared by the Department, the information required by subparagraphs (1) to (10), inclusive, of paragraph (e) of subsection 1 of [NAC 388.825](#);
  - (h) A description of the manner by which the school district or charter school will document the attendance and participation of each pupil who is enrolled in a course offered through the program, consistent with the provisions of [NAC 387.193](#) and [387.294](#);
  - (i) A description of the criteria that will be used to enroll pupils in the program, including, without limitation, the manner by which the eligibility of each pupil for enrollment will be determined and documented in compliance with [NRS 388.850](#);

- (j) A description of the plan for assessing the academic achievement of pupils who are enrolled in the program, which must include, without limitation, the administration of the achievement and proficiency examinations required by [NRS 389.015](#) and [389.550](#);
  - (k) A description of the manner by which the school district or charter school will document the completion of a course by a pupil enrolled in the program and award credit to each pupil who completes a course; and
  - (l) A description of the manner by which the school district or charter school will monitor the progress of each pupil enrolled in the program, including, without limitation:
    - (1) A method for identifying pupils who are experiencing difficulty with completing assignments or who are otherwise not demonstrating satisfactory progress; and
    - (2) The assistance or support that will be provided to pupils identified pursuant to subparagraph (1) in addition to any assistance or support offered by the provider of the course of distance education.
3. If a school district or charter school submits an application pursuant to this section to provide a program of distance education and the application is approved, the school district or charter school is not required to submit a separate application pursuant to [NRS 388.834](#) and [NAC 388.825](#) for approval of a course that is included in the approved program.
  4. Not more than 45 calendar days after receipt of an application pursuant to this section, the Department shall provide written notice to the applicant of its approval or denial of the program. If an application is denied, the applicant may, not later than 30 calendar days after receipt of the notice of denial, correct the deficiencies identified in the notice of denial and resubmit the application to the Department. If the application is denied by the Department, the applicant may appeal the decision of the Department to the State Board of Education. The State Board may approve or deny the application upon appeal.
  5. Except as otherwise provided in this subsection and [NAC 388.860](#), if a program of distance education is approved pursuant to this section, the approval is valid for 3 years after the date of approval.
  6. The Department shall prescribe the form for the renewal of an application. To continue providing a program of distance education, the provider of the program must submit an application for renewal to the Department at least 60 days before the expiration of the approval. If the Department approves a program of distance education submitted by a committee to form a new charter school and the committee's application to form a charter school is denied by the Department, the board of trustees of a school district or the State Board of Education, as applicable, the approval of the program of distance education is automatically revoked and the procedure for revocation set forth in [NAC 388.860](#) does not apply.
  7. If a provider of a program of distance education intends to change or modify the program with regard to the items set forth in the application, the provider shall obtain the written approval of the Department before making such a change or modification. If the provider changes or modifies the program without the approval of the Department pursuant to this subsection, the Department may revoke its approval of the program.



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8. A school district or charter school shall not enroll pupils in a program of distance education unless the Department has provided documentation indicating that the program has been approved pursuant to this section for operation in this State.  
(Added to NAC by Bd. of Education by R007-02, eff. 4-5-2002; A by R134-07, 6-17-2008)

### **NAC 388.835**

License requirements for teacher ([NRS 388.874](#)) A licensed teacher designated by the provider of a program of distance education to fulfill the requirements of subsection 1 of [NRS 388.866](#) for a course of distance education must hold a license that authorizes him or her to teach in the state in which the license was issued:

1. In the subject area offered by the course of the distance education; and
2. At the appropriate grade level for which the course of distance education is offered.  
(Added to NAC by Bd. of Education by R007-02, eff. 4-5-2002)

### **NAC 388.840**

Responsibility for certain costs. ([NRS 388.874](#)) If a program of distance education includes courses from a provider of a course of distance education, the provider of the program of distance education is responsible for any costs associated with the use of such courses for the program.  
(Added to NAC by Bd. of Education by R007-02, eff. 4-5-2002)

### **NAC 388.845**

Award of credit earned. ([NRS 388.874](#)) A provider of a program of distance education shall award the credit earned by pupils who complete a course of distance education on official transcripts of the school district or charter school, as applicable.  
(Added to NAC by Bd. of Education by R007-02, eff. 4-5-2002)

### **NAC 388.850**

Written agreement with board of trustees of school district ([NRS 388.874](#)) The written agreement required by subsection 2 of [NRS 388.854](#) authorizing a pupil to enroll in a program of distance education must, in addition to the information required by that subsection, include:

1. The name of the pupil and his or her school identification number;
2. The written permission of the board of trustees of the school district in which the pupil resides for the pupil to enroll full-time or part-time in a program of distance education provided by another school district or a charter school;
3. If the pupil is:
  - (a) Less than 18 years of age, the name and signature of the pupil's parent or legal guardian; or
  - (b) At least 18 years of age, the signature of the pupil;

4. The name of the provider of the program of distance education;
5. A list indicating each course of distance education in which the pupil will be enrolled; and
6. An identification of the category pursuant to which the pupil is eligible to enroll in a program of distance education, as set forth in [NRS 388.850](#).  
(Added to NAC by Bd. of Education by R007-02, eff. 4-5-2002)

**NAC 388.855**

Written agreement with governing body of charter school ([NRS 388.874](#)) The written agreement required by subsection 3 of [NRS 388.858](#) authorizing a pupil to enroll in a program of distance education must, in addition to the information required by that subsection, include:

1. The name of the pupil and his or her school identification number;
2. The written permission of the governing body of the charter school in which the pupil is enrolled for the pupil to enroll part-time in a program of distance education provided by another charter school or a school district;
3. If the pupil is:
  - (a) Less than 18 years of age, the name and signature of the pupil’s parent or legal guardian; or
  - (b) At least 18 years of age, the signature of the pupil;
4. The name of the provider of the program of distance education;
5. A list indicating each course of distance education in which the pupil will be enrolled; and
6. An identification of the category pursuant to which the pupil is eligible to enroll in a program of distance education, as set forth in [NRS 388.850](#).  
(Added to NAC by Bd. of Education by R007-02, eff. 4-5-2002)

**NAC 388.860**

Revocation of approval for course or program: Grounds; procedure; effect. ([NRS 388.874](#))

1. The State Board of Education may revoke approval for a course of distance education to be included on the list of approved distance education courses published by the Department or for a program of distance education to operate in this State if the State Board determines, by majority vote, that the provider of the course or program has failed to comply with:
  - (a) The terms and conditions of the application to provide the course or program, as approved by the Department pursuant to [NAC 388.825](#) or [388.830](#);
  - (b) Subsection 4 of [NAC 388.825](#) or subsection 7 of [NAC 388.830](#), as applicable;
  - (c) Generally accepted standards of accounting and fiscal management; or
  - (d) The provisions of [NRS 388.820](#) to [388.874](#), inclusive, or any other statute or regulation applicable to distance education.



## Distance Education Program Handbook

2. If the Department receives a complaint concerning a course of distance education or a program of distance education, or otherwise has reason to believe that a provider of a course or program has failed to comply with paragraphs (a), (b), (c) or (d) of subsection 1, the Department may conduct a review of the course or program, including, without limitation, an audit of the course or program, to determine whether to recommend revocation of the course or program.
3. If the Department conducts a review pursuant to subsection 2, the Department shall provide written notice to the provider of the course or program that the Department will conduct a review of the course or program. The notice must include the scheduled dates for the review and the specific concerns that will be addressed during the review.
4. If the Department finds deficiencies in a course or program during a review that is conducted pursuant to subsection 2, the Department shall provide written notice to the provider of the course or program that includes a statement of the deficiencies and a timeline by which the provider may correct the deficiencies before the Department recommends revocation of the course or program to the State Board of Education. If the provider does not correct the deficiencies to the satisfaction of the Department within the time period prescribed in the written notice, the Department may recommend that the State Board revoke approval of the course or program. If the Department determines to recommend revocation, the Department shall present its recommendation to the State Board at the next regularly scheduled meeting of the State Board after the time period prescribed in the written notice has expired.
5. If the State Board of Education decides to proceed with revocation, it will provide written notice of the proposed revocation by certified mail to the provider of the course or program. The notice must:
  - (a) Include the time and location set by the State Board for a hearing concerning the proposed revocation, which will be conducted during a regularly scheduled meeting of the State Board;
  - (b) Identify the deficiencies in the course or program that have caused the State Board to proceed with revocation; and
  - (c) Be provided to the provider of the course or program at least 30 calendar days before the hearing.
6. Within 7 calendar days after a hearing is conducted pursuant to subsection 5, the State Board of Education will provide written notice by certified mail to the provider of the course or program of the decision of the State Board concerning the revocation.

7. If the State Board of Education revokes approval for a course of distance education to be included on the list of approved distance education courses published by the Department, the provider of the course shall cease to offer the course in this State immediately upon receipt of notice from the State Board pursuant to subsection 6. If the State Board revokes approval for a program of distance education to operate in this State, the provider of the program shall cease to operate the program immediately upon receipt of notice from the State Board pursuant to subsection 6.

(Added to NAC by Bd. of Education by R007-02, eff. 4-5-2002; A by R134-07, 6-17-2008)