

AUTHORITY: NRS 392.070

Section 1. NAC 392.025 is hereby amended to read as follows:

392.025 1. The request to have a child excused from compulsory attendance at public school on the ground that the child will be given equivalent instruction outside the school must include:

(a) A statement about the person who will teach the child and where the instruction will take place;

(b) A statement of the educational plan that includes:

(1) The proposed educational goals for the child;

(2) The methods of teaching; and

(3) The instructional materials to be used;

(c) A calendar of the proposed days of teaching, including at least 180 days of instruction of appropriate length; [and]

(d) *A schedule of a typical week of instruction, showing the subjects to be taught and the time to be allotted to each subject;*

(e) Evidence that:

(1) The teacher, when he is other than the parent, has a [teaching certificate] *license to teach* issued by the superintendent of public instruction for the grade level to be taught;

(2) The parent qualifies for a [teaching certificate] *license to teach* for the grade level to be taught;

(3) The consultant has a [teaching certificate] *license to teach* issued by the superintendent of public instruction for the grade level to be taught;

(4) The child is enrolled in an approved correspondence program; or

(5) The parent has received a waiver under NAC 392.075 [.] ; and

(f) Proof of the identity of the child, consisting of his birth certificate or some other document sufficient to establish his identity and a photograph of the child taken within the previous 12 months. A person who is subject to the requirements of this paragraph complies with those requirements by:

(1) Permitting the original or a copy of the birth certificate or other document described in this paragraph to be examined by the board of trustees of the school district or its authorized representative; and

(2) Surrendering the photograph described in this paragraph to the board or its representative.

2. For grades 9 through 12, inclusive, the consultant, teacher or parent must have a *license to teach secondary [certificate] education* with an endorsement in at least one of the following: English, language arts, mathematics, social studies, or any of the physical or natural sciences. For grades 1 through 8, inclusive, the consultant, teacher or parent must have [an endorsement in] a *license to teach elementary education*.

Sec. 2. NAC 392.065 is hereby amended to read as follows:

392.065 1. A grant of an excuse from compulsory attendance at public school is effective for 1 school year.

2. Each child excused from compulsory attendance at public school for the first time under the provisions of NAC 392.015 to 392.075, inclusive, must be

tested as provided in subsections 3 to [6.] 7, inclusive, before the excuse may be granted.

3. The board of trustees of the county school district shall require proof of reasonable educational progress as a condition for renewing the grant of excuse from compulsory attendance at public school.

4. Such proof of progress must be in the form required by NRS 389.015 and students in grades 1, 2, 4, 5, 7 and 8 must be tested [with those instruments routinely used] by the district as part of [their] *its* annual program for testing student achievement throughout the district. If the district does not have such a program at the grade level of the child, then the Stanford Achievement Test must be used.

5. *Any examination given pursuant to this section must be administered in the manner generally prescribed for examinations of the kind, without regard to the fact that the student being tested is excused or seeks to be excused from compulsory attendance. The board of trustees of the district shall select the administrator of the examination and the location where the examination is to be given, giving consideration to the recommendations of its staff and a representative of parents whose children are excused from attendance under the provisions of NAC 392.015 to 392.075, inclusive.*

6. For a student enrolled in an approved correspondence program, the district may use report cards and transcripts as evidence of educational progress.

[6.] 7. Educational progress for a student in grade 10 or 12 who is not enrolled in an approved correspondence program may be determined by

considering samples of his work from the subjects required in the secondary school course of study, standardized tests or other measures agreed to by the parent and the board of trustees of the county school district.

[7.] 8. As used in this section, "reasonable educational progress" means academic achievement within an average range when compared to:

- (a) The child's age group;
- (b) The child's grade level; or
- (c) The child's predicted ability as measured by a standardized test.