

**392.011 Definitions.** As used in NAC 392.011 to 392.075, inclusive, unless the context otherwise requires:

1. "Approved correspondence program" means a program provided by:

(a) A member of a national or regional accrediting association which is recognized by the United States Secretary of Education and accredited for elementary or secondary education;

(b) A public school in Nevada offering correspondence study at the elementary or secondary level, or both; or

(c) A private correspondence school which is licensed by the state board of education pursuant to the provisions of chapter 394 of NRS.

2. "Consultation" means:

(a) Participation by the consultant in the preparation of the educational plan for the child;

(b) Participation by the consultant in the development or review of the subjects to be taught; and

(c) Consultation with the parent about any learning problems which may occur.

3. "Educational progress" means the achievement by a particular child of academic skills that fall within an average range when compared to:

(a) Other children in the child's age group;

(b) Other children in the child's grade level; or

(c) The child's predicted ability as measured by a standardized test or any other method of evaluation which is appropriate for the child.

(Added to NAC by Bd. of Education, eff. 12-10-92)

**392.015 Required instruction for child to be excused from compulsory attendance.** A child must be excused from compulsory attendance at public school when written evidence is provided to the board of trustees of the county school district that the child will receive equivalent instruction and be instructed by any one of the following:

1. By a teacher, other than the parent, who possesses a teaching license issued by the superintendent of public instruction for the grade level to be taught.

2. By the parent, when the parent qualifies for a teaching license for the grade level to be taught.

3. By the parent, in consultation with a person who:

(a) Possesses a teaching license issued by the superintendent of public instruction for the grade level to be taught; or

(b) Has provided instruction in the home at the age level to be taught for at least 3 years.

4. By the parent when the child is enrolled in an approved correspondence program.

(Added to NAC by Bd. of Education, eff. 7-2-84; A 12-10-92)

**392.025 Request to have child excused from compulsory attendance.**

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;
- (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 license to teach issued by the superintendent of public instruction for the grade level to be taught;
  - (2) The parent qualifies for a license to teach for the grade level to be taught;
  - (3) The consultant has:
    - (I) A license to teach issued by the superintendent of public instruction for the grade level to be taught; or
    - (II) Provided instruction in the home at the age level to be taught for at least 3 years;
  - (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. A person who is subject to the requirement of this paragraph complies with that requirement by allowing the board of trustees of the school district or its authorized representative to examine the original or a copy of the birth certificate or other document described in this paragraph.

2. For the purposes of subsection 1 of NAC 392.015:

- (a) For grades 9 to 12, inclusive, the teacher must have a license to teach secondary education with an endorsement in at least one of the following:
    - (1) English.
    - (2) Language arts.
    - (3) Mathematics.
    - (4) Social studies.
    - (5) Any of the physical or natural sciences.
  - (b) For grades 1 to 8, inclusive, the teacher must have a license to teach elementary education.
- (Added to NAC by Bd. of Education, eff. 7-2-84; A 3-10-89; 9-19-90; 12-10-92)

**392.035 Required courses and period of instruction.**

- 1. To constitute equivalent instruction, the instruction to be given a child outside the public schools must include instruction in the courses of study prescribed by the state board of education pursuant to NRS 385.110.
  - 2. The minimum period of instruction which must be provided to the child on each day of instruction is the appropriate period specified in NAC 387.131.
- (Added to NAC by Bd. of Education, eff. 7-2-84; A 6-23-86)

**392.055 School district not required to provide or compensate teacher.** A school district is not required to provide or compensate a teacher who possesses a teaching license issued by the superintendent of public instruction for the purposes of subsection 1 of NAC 392.015.

(Added to NAC by Bd. of Education, eff. 7-2-84; A 12-10-92)