

**ADOPTED REGULATION OF THE
STATE BOARD OF EDUCATION**

LCB File No. R038-99

Effective November 3, 1999

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1, 2 and 3, NRS 385.080 and 392.070.

Section 1. NAC 392.011 is hereby amended to read as follows:

392.011 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. “Parent” ~~includes~~ *means* the parent ~~and~~ *or* legal guardian of a child.

Sec. 2. NAC 392.015 is hereby amended to read as follows:

392.015 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 to be taught.

2. By the parent, when the parent **[qualifies]** :

(a) Qualifies for or possesses a teaching license from any state or territory of the United States for the grade to be taught **[H]**; *or*

(b) Has provided instruction in the home in any state or territory of the United States for at least 3 years.

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 to be taught; or

(b) Has provided instruction in the home in any state or territory of the United States for at least 3 years.

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

5. By the parent, when the parent has received a waiver under NAC 392.075.

Sec. 3. 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; and

(2) 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) 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 to be taught;

(2) The parent ~~[qualifies]~~ :

(I) Qualifies for or possesses a license to teach from any state or territory of the United States for the grade to be taught; *or*

(II) Has provided instruction in the home in any state or territory of the United States for at least 3 years;

(3) The consultant has:

(I) A license to teach issued by the superintendent of public instruction for the grade to be taught; or

(II) Provided instruction in the home in any state or territory of the United States 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;

(e) Upon initial application, proof of the identity of the child, consisting of his birth certificate or some other document sufficient to establish his identity; and

(f) A statement signed by the parent which declares that:

(1) The educational plan will be followed; and

(2) The parent assumes full responsibility to provide equivalent instruction to the child.

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.