

EDUCATION COMMITTEE

4/18/85

EXHIBIT B

Acada Administrative Code

CHAPTER 392

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NAC 392.015 - 392.075

Authority: NRS 385.080 and 392.070

EXEMPTION FROM COMPULSORY ATTENDANCE

392.015 Required instruction for child to be excused from compulsory attendance.

A child must be excused from compulsory attendance at public school when the request to the board of trustees of the county school district provides information 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 certificate issued by the superintendent of public instruction for the grade level to taught.

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

3. By the parent, in consultation with a person who possesses a teaching certificate issued by the superintendent of public instruction for the grade level to be taught. "Consultation"

means:

- (a) Participation by the certificated person in the planning of the educational plan for the child;

- (b) Participation by the certificated person in the development or review of the subjects to be taught on each day of teaching; and

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

4. By the parent when the child is enrolled in an approved correspondence program. An "approved correspondence program" means a program provided by:

(a) A member of a national or regional accrediting association recognized by the United States Secretary of Education, and that is 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 licensed by the state board of education under the provisions of chapter 394 of NRS.

(Added to NAC by Bd. of Education, eff. 7-2-84)

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; and

(d) Evidence that:

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

(2) The parent qualifies for a teaching certificate for the grade level to be taught;

(3) The consultant has a teaching certificate 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.

2. For grades 9 through 12, inclusive, the consultant, teacher or parent must have a secondary certificate 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 elementary education.

(Added to NAC by Bd. of Education, eff. 7-2-84)

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 387.130.

(Added to NAC by Bd. of Education, eff. 7-2-84)

392.045 Required consultation during instructional year.

In the case of a child receiving the equivalent instruction described in subsection 3 of NAC 392.015, at least 25 hours of consultation must take place during the instructional year between the parent and the person possessing a teaching certificate, who must maintain a log including the date and time of each consultation and the services or activities performed.

(Added to NAC by Bd. of Education, eff. 7-2-84)

392.055 School district not required to provide or compensate certificated person.

A school district is not required to provide or compensate a certificated person for the purposes of subsection 3 of NAC 392.015.

(Added to NAC by Bd. of Education, eff. 7-2-84)

392.065 Duration of exemption; proof of reasonable educational progress.

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

6. 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. 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.

(Added to NAC by Bd. of Education, eff. 7-2-84)

392.075 Waiver of requirement of consultant.

The board of trustees of a county school district must waive the requirement for a consultant, set forth in subsection 3 of NAC 392.015, after 1 year when it has been demonstrated that the child has made reasonable educational progress in his educational plan. The waiver will apply if other children in the family are excused at a later date from compulsory attendance of public school.

(Added to NAC by Bd. of Education, eff. 7-2-84)