

**REGULATION OF THE
NEVADA STATE BOARD OF EDUCATION/
STATE BOARD FOR OCCUPATIONAL EDUCATION**

Authority: NRS 385.080 and 392.070.

ROUGH DRAFT #1

EXEMPTION FROM COMPULSORY ATTENDANCE REGULATIONS

NAC 392 Identification of the child.

1. Each notification of intent to have a child excused from compulsory attendance at public school on the ground that the child will be given equivalent instruction must provide:
 - (a) The full name of the child;
 - (b) The name of the parent(s) as defined in 392.011(5); and
 - (c) The address and phone number where the child resides; and
 - (d) The child's birth date.
2. The initial notification of intent to provide equivalent instruction outside the public schools shall include proof of the identity of the child, consisting of the child's birth certificate or some other document sufficient to establish his identity.
 - (a) No proof of identity shall be photocopied or kept on file by a local school district.
3. No child enrolled in the public school shall be removed by a parent from public school premises pursuant to an excuse from compulsory attendance on the grounds that the parent is providing equivalent instruction outside the public school without proof of the parent's identity.

NAC 392 School district to provide certain information to parents:

1. The Nevada Department of Education shall develop standard Notification of Intent forms, which shall not require any information or assurances other than those required by law.
2. School districts shall make available to parent(s) the following items provided by the Department of Education in a timely manner:
 - (a) Written notification of PSAT/NMSQT exam registration and test dates;
 - (b) Millennium Scholarship Program information; and
 - (c) The Nevada Department of Education Notification of Intent forms.
 - (d) The Home School Information Packet developed by the Northern and Southern Home School Advisory Councils to the Nevada State Board of Education.
3. Informational documents included in a district home school packet shall not require/request initials or signature.
4. Upon receipt of the evidence of equivalent instruction defined in NAC 392.025, the school district shall provide a written acknowledgement that clearly states that the parents have provided the notice required by law and that the child is excused from attendance at the public school for the duration of the school year. ~~or until the Board of Trustees for the county votes to deny the child's exemption from compulsory attendance, whichever comes first.~~ This written acknowledgement shall serve as proof of compliance with Nevada's compulsory attendance law.

NAC 392.011 Definitions.

As used in NAC 392.011 to 392.065, inclusive, unless the context otherwise requires:

1. "Home schooling" refers to the educational option whereby the parents of a child, exercising their right to direct the education of that child, provide instruction through the home.
2. "Accredited correspondence program" means a program whose material is accredited by a member of a national or regional accrediting association, which is accredited for elementary or secondary education.
3. "Approved correspondence program" means a program whose material has been approved by the State Board of Education pursuant to the provisions of chapter 394 of NRS.
1. ~~"Approved correspondence program" means a program provided by:~~
 - (a) ~~A member of a national or regional accrediting association, which 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, 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.~~
4. "Home School Information Packet", which may be reviewed on-line, shall include:
 - (a) Current Nevada State Regulations
 - (b) A definition of home schooling.
 - (c) Other educational options available to parents in Nevada.
 - (d) A list of all state approved correspondence courses.
 - (e) A list of resources available to home schoolers in Nevada such as state home school organizations, local support groups, and resources for purchasing home school materials.
 - (f) Instructions on how to get started home schooling to include:
 - (1) How to fill out notification of intent forms
 - (2) How to evaluate educational needs of the child
 - (3) How to choose curriculum
 - (4) Other pertinent material
5. ~~"Parent" means the parent or legal guardian of a child-~~ a parent, joint legal custodian, guardian, or any other person appointed by a court, that has the legal right to direct the education of the child. In cases where two or more parties possess this right, the person signing the Notification of Intent to Homeschool form implies that concurrence between the parties has been reached.
6. ~~"Proposed educational goals" means a description of the anticipated kind of instruction, by subject, for that school year.~~
7. "Local school district" refers to the district boundaries the student lives within. If a student moves into a different district within Nevada or from a school district outside of Nevada that student will be considered "new" to the district and must submit an "initial" notification of intent to provide equivalent instruction.

NAC 392.015 Persons qualified to teach equivalent instruction.

A child shall 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. A teacher who possesses a teaching license issued by the superintendent of public instruction for the grade to be taught;~~
- 1. A parent who assumes full responsibility for the education of the child, who may use other person(s) to assist in meeting equivalent instruction as defined in NAC 392.035 and who has reviewed the Home Schooling Information Packet.**
 - ~~(a) Qualifies for or possesses a license to teach from any state or territory of the United States; or~~
 - ~~(b) Has provided instruction in any state or territory of the United States for at least one year; or~~
- ~~3. A parent who assumes full responsibility for the education of the child, in consultation with an experienced educator (uncompensated or compensated) as defined in NAC 392.025(3);~~
- 2. A parent who has enrolled the child in an accredited or an approved correspondence program as defined in NAC 392.011(2) & (3) and who has reviewed the Home Schooling Information Packet.**

NAC 392.025 Written evidence of equivalent instruction.

~~1. A notification of intent to provide equivalent instruction by a licensed teacher must consist of:~~

- ~~(a) The identifying information required by NAC 392 Identification of the child;~~
- ~~(b) A calendar of the proposed days of teaching, including the equivalent of at least 180 days of instruction, as defined in NAC 387.286(2); and~~
- ~~(c) Evidence that:~~
 - ~~(1) The teacher, for grades 9 to 12, inclusive, has a license to teach secondary education with an endorsement in at least one of the following:
 - ~~(i) English.~~
 - ~~(ii) Language arts.~~
 - ~~(iii) Mathematics.~~
 - ~~(iv) Social studies.~~
 - ~~(v) Any of the physical or natural sciences~~~~
 - ~~(2) For grades 1 to 8, inclusive, the teacher must have a license to teach elementary education and any special education certificates~~

1. An initial notification of intent to provide equivalent instruction primarily by a parent as defined by 392.011(5) must consist of:
 - (a) The identifying information required by NAC 392 Identification of the child;
 - (b) A statement of the educational plan that includes:
 - (1) The proposed educational goals for the child as defined in NAC 392.011(6); or
 - (2) The instructional materials to be used; and
 - (c) A statement signed by the parent that declares that:
 - (1) The parent assumes full responsibility to provide equivalent instruction of the kind and amount defined in NAC 392.035; and
 - (2) The parent has reviewed the Home School Information Packet.
2. Subsequent notification of intents to provide equivalent instruction by a parent as defined by 392.011(5) must consist of:
 - (a) The identifying information required by NAC 392 Identification of the child;
 - (b) A statement signed by the parent which declares that the parent assumes full responsibility to provide equivalent instruction of the kind and amount defined in NAC 392.035
- ~~3. A notification of intent to provide equivalent instruction by a parent in consultation with an experienced educator pursuant to 392.011(2), must consist of:~~
 - ~~(a) The identifying information required by NAC 392 Identification of the child;~~
 - ~~(b) A statement of the educational plan that includes:~~
 - ~~(1) The proposed educational goals for the child as defined in NAC 392.011(4); or~~
 - ~~(2) The instructional materials to be used; and~~
 - ~~(c) Evidence that:~~
 - ~~(1) The consultant has a license to teach in any state or territory of the United States; or~~
 - ~~(2) The consultant has provided instruction in the home in any state or territory of the United States for at least 3 years; and~~
 - ~~(d) A statement signed by the parent which declares that~~
 - ~~(1) The parent assumes full responsibility to provide equivalent instruction of the kind and amount defined in NAC 392.035; and~~
 - ~~(2) The educational plan will be followed.~~
3. A notification of intent to provide equivalent instruction by a parent using either an accredited or an approved correspondence program must consist of:
 - (a) The identifying information required by NAC 392 Identification of the child;
 - (b) Evidence that the child is enrolled in an accredited or an approved correspondence program; and
 - (c) The name of the accrediting association; and
 - (d) A statement signed by the parent that declares that the correspondence program will be followed.

NAC 392.035 Kind and amount of equivalent instruction defined.

1. The kind of instruction to be given a child excused from compulsory attendance must include instruction in the following:
 - (a) Core academics:
 - (1) English, including reading, composition and writing;
 - (2) Mathematics;
 - (3) Science; and
 - (4) Social Studies, including history, geography, economics and government.
 - (b) And to the extent practicable:
 - (1) The arts;
 - (2) Computer education and technology;
 - (3) Health; and
 - (4) Physical education.
2. The kind of instruction need not comply with the standards of content and performance established for public schools. All subject areas do not need to be taught each year and may be taught, as appropriate, for the age/skill of the child as determined by the parent.
3. The amount of instruction to be given a child outside the public schools is the equivalent of 180 days of instruction.
4. Credit for the successful completion of classes taken when homeschooling in an approved correspondence course as defined in NAC 392.011(3) shall be directly transferrable to any public school in Nevada if:
 - (a) The age of the student when taking the class matched the grade level for that class by the standards of the public school being applied to, or:
 - (b) The public school determines that the class taken meets its requirements.

~~**NAC 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.~~

NAC 392.065 Duration of exemption

Upon receipt by a school district of written evidence that a child will receive equivalent instruction, the child must be excused from compulsory attendance for the remainder of the school year. A grant of an excuse from compulsory attendance at public school is effective for 1 school year. The board of trustees of the school district shall grant an excuse from compulsory attendance at public school for every school year for which the parent demonstrates compliance with NAC 392.011 to 392.035, inclusive.