

ASSEMBLY BILL NO. 3—COMMITTEE ON EDUCATION

PREFILED DECEMBER 18, 1998

Referred to Committee on Education

SUMMARY—Requires department of education to prescribe form for developing individualized education programs for pupils with disabilities. (BDR 34-318)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: Yes.

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

AN ACT relating to education; requiring the department of education to prescribe a form for use by school districts in the development of individualized education programs for pupils with disabilities; authorizing school districts to use expanded forms that comply with the form prescribed by the department; requiring the department to provide information to the boards of trustees of school districts concerning the identification and evaluation of pupils with disabilities; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 388.520 is hereby amended to read as follows:
2 388.520 1. ***The department shall:***
3 ***(a) Prescribe a form that contains the basic information necessary for***
4 ***the uniform development, review and revision of an individualized***
5 ***education program for a pupil with a disability in accordance with 20***
6 ***U.S.C. § 1414(d); and***
7 ***(b) Make the form available on a computer disk for use by school***
8 ***districts and, upon request, in any other manner deemed reasonable by the***
9 ***department.***
10 2. ***Except as otherwise provided in this subsection, each school district***
11 ***shall ensure that the form prescribed by the department is used for the***
12 ***development, review and revision of an individualized education program***
13 ***for each pupil with a disability who receives special education in the school***
14 ***district. A school district may use an expanded form that contains additions***
15 ***to the form prescribed by the department if the basic information contained***
16 ***in the expanded form complies with the form prescribed by the department.***

1 **3.** The state board shall prescribe minimum standards for the special
2 education of pupils with disabilities and gifted and talented pupils.

3 ~~12-1~~ **4.** The minimum standards prescribed by the state board must include
4 standards for programs of instruction or special services maintained for the
5 purpose of serving pupils with:

6 (a) Hearing impairments, including, but not limited to, deafness.

7 (b) Visual impairments, including, but not limited to, blindness.

8 (c) Orthopedic impairments.

9 (d) Speech and language impairments.

10 (e) Mental retardation.

11 (f) Multiple impairments.

12 (g) Serious emotional disturbances.

13 (h) Other health impairments.

14 (i) Specific learning disabilities.

15 (j) Autism.

16 (k) Traumatic brain injuries.

17 (l) Developmental delays.

18 (m) Gifted and talented abilities.

19 ~~13-1~~ **5.** No apportionment of state money may be made to any school
20 district or charter school for the instruction of pupils with disabilities and
21 gifted and talented pupils until the program of instruction maintained therein
22 for such pupils is approved by the superintendent of public instruction as
23 meeting the minimum standards prescribed by the state board.

24 **6.** *The department shall, upon the request of the board of trustees of a*
25 *school district, provide information to the board of trustees concerning the*
26 *identification and evaluation of pupils with disabilities in accordance with*
27 *the standards prescribed by the state board.*

28 **7.** *As used in this section, "individualized education program" has the*
29 *meaning ascribed to it in 20 U.S.C. § 1414(d)(1)(A).*

30 **Sec. 2.** 1. On or before October 1, 1999, the department of education
31 shall, in accordance with NRS 388.520, prescribe the form for the
32 development, review and revision of individualized education programs for
33 pupils with disabilities.

34 2. The board of trustees of each school district in this state shall ensure
35 that the form prescribed by the department of education or an expanded form
36 authorized pursuant to subsection 2 of NRS 388.520 as amended by this act is
37 used for pupils who are initially evaluated for placement in a program of
38 special education after November 1, 1999. If an individualized education
39 program is initially developed for a pupil with a disability on or before
40 November 1, 1999, the board of trustees of a school district shall ensure that
41 any review or revision of that program after November 1, 1999, complies with
42 the form prescribed by the department of education.

1 **Sec. 3.** This act becomes effective on July 1, 1999.

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