

NOTICE OF INTENT TO ACT UPON A REGULATION

NOTICE OF HEARING FOR THE AMENDMENT AND ADOPTION OF REGULATION OF THE COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

The Nevada Commission on Professional Standards in Education will hold a public hearing at 9:00 AM on **February 21, 2018 to be video-conferenced in the following locations:**

Department of Education
9890 S. Maryland Pkwy.
Board Room
Las Vegas, NV 89183

AND

Department of Education
700 E. Fifth St.
Board Room
Carson City, NV 89701

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoptions of regulations that pertain to Chapter 391 of the Nevada Administrative Code (NAC). If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

The time for the hearing is scheduled as follows:

9:00 A.M. Public Hearing and Possible Adoption of Proposed Amendments to R050-17; A regulation relating to education; revising the qualifications required to obtain a license to teach middle school or junior high school education; and providing other matters properly relating thereto.

NOTE: Possible action to adopt may be taken at this meeting.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need and the purpose of the proposed amendments to NAC 391 are based on existing law which requires the Commission on Professional Standards in Education to adopt regulations prescribing the qualifications for licensing teachers and other educational personnel. Those regulations must require an applicant for a license to teach middle school or junior high school education to demonstrate proficiency in a field of specialization or area of concentration by: (1) successfully completing course work prescribed by the Department of Education; or (2) completing a subject matter competency examination prescribed by the Department with a score deemed satisfactory. (NRS 391.019, as amended by section 19 of Assembly Bill No. 77, chapter 341, Statutes of Nevada 2017, at page 2116).
2. The Subjects and Issues involved in the regulation are those who would be seeking a license or endorsement to teach middle school or junior high school. This regulation clarifies that an applicant for such a license who holds a license to teach elementary education, early childhood education, special education or secondary education is not required to repeat courses identical or comparable to courses he or she previously completed to qualify for his or her current license.
3. There is no economic effect of the regulation on the business that it regulates. There is no economic effect of the regulation on the public. There are no immediate or long-term effects on the public.

4. The estimated cost to the Department of Education for enforcement of the proposed regulations is none.
5. There are no federal laws affecting the proposed regulation and there is no duplication or overlap of state or local governmental agencies.
6. The proposed regulation is not required pursuant to federal law.
7. The proposed regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.
8. The proposed regulation does not establish a new fee. The proposed regulation does not increase the existing licensure fee.

Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Commission Secretary, Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183. The Department of Education must receive written submissions **on or before February 6, 2018**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on Professional Standards in Education may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended/adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended/adopted will be available at the Nevada Department of Education, 9890 S. Maryland Parkway, Las Vegas, NV 89183, and in all counties at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the [Legislative Counsel Bureau](#) pursuant to NRS 233B.0653. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 17 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

**REVISED PROPOSED REGULATION OF THE COMMISSION ON
PROFESSIONAL STANDARDS IN EDUCATION**

LCB File No. R050-17

October 31, 2017

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

AUTHORITY: §1, NRS 391.019, as amended by section 19 of Assembly Bill No. 77, chapter 341, Statutes of Nevada 2017, at page 2116.

A REGULATION relating to education; revising the qualifications required to obtain a license to teach middle school or junior high school education; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Commission on Professional Standards in Education to adopt regulations prescribing the qualifications for licensing teachers and other educational personnel. Those regulations must require an applicant for a license to teach middle school or junior high school education to demonstrate proficiency in a field of specialization or area of concentration by: (1) successfully completing course work prescribed by the Department of Education; or (2) completing a subject matter competency examination prescribed by the Department with a score deemed satisfactory. (NRS 391.019, as amended by section 19 of Assembly Bill No. 77, chapter 341, Statutes of Nevada 2017, at page 2116) Existing regulations require an applicant for a license to teach middle school or junior high school education to have completed 24 semester credits in a major field of endorsement or area of concentration. (NAC 391.111) This regulation authorizes an applicant for such a license to have passed a competency examination approved by the Department as an alternative to having completed such course work.

Existing regulations also require an applicant for a license to teach middle school or junior high school education to hold a bachelor's degree and have completed certain course work. (NAC 391.111) This regulation clarifies that an applicant for such a license who holds a license to teach elementary education, early childhood education, special education or secondary education is not required to repeat courses identical or comparable to courses he or she previously completed to qualify for his or her current license.

Section 1. NAC 391.111 is hereby amended to read as follows:

391.111 1. ~~Fe~~ *Except as otherwise provided in subsection 6, to* receive a license to teach middle school or junior high school education, a person must hold a bachelor's degree or a higher degree from an accredited college or university and have completed:

(a) A program of preparation for teaching middle school or junior high school education which is approved by the Board; or

(b) Twenty-four semester credits of course work in professional education which must include:

(1) Eight semester credits of supervised student teaching in a designated level of middle school or junior high school;

(2) A course in the methods and materials for teaching the major or minor field of specialization at the middle school, junior high school or secondary grade level, or a course in integrated methods at the middle school or junior high school level;

(3) Three semester credits in a course of study regarding education or curricular adaptation for pupils with disabilities or a course of study regarding foundations of education or methods in teaching English language learners;

(4) Six semester credits of course work in at least two of the following areas:

(I) The foundations, history, theory or philosophy of middle school;

(II) The curriculum, pedagogy or assessment for middle school;

(III) Adolescent growth and development;

(IV) The nature and needs of the adolescent, including social, emotional and cultural concerns;

(V) Classroom management strategies;

- (VI) School, family and community collaboration; or
 - (VII) Supervision and evaluation of programs and pupils in a middle school; and
- (5) Six semester credits of course work in any of the following subjects:
- (I) English as a second language, bilingualism or biculturalism;
 - (II) Educational technology;
 - (III) Tests and measurement;
 - (IV) Educational psychology;
 - (V) Education of the exceptional child;
 - (VI) Multicultural education; or
 - (VII) Educational research.

2. In addition to the requirements set forth in subsection 1, an applicant for a license to teach middle school or junior high school education must have ~~completed~~ :

(a) Passed, at the level of competence specified by the Department, a competency examination approved by the Department on the subject matter of a field of specialization or area of concentration; or

(b) Completed 24 semester credits in a major field of endorsement or area of concentration. Subsequent minor fields of endorsement may be added to the license upon verification of 14 semester hours of credit.

3. The following subjects are recognized for an endorsement of a license to teach middle school or junior high school education:

- (a) Art;
- (b) English language arts;

- (c) Instrumental and vocal music;
- (d) Instrumental music;
- (e) Mathematics;
- (f) Science;
- (g) Social science;
- (h) Vocal music; and
- (i) World languages, in accordance with paragraph (z) of subsection 1 of NAC 391.131.

4. An endorsement for mathematics *for a person who has not passed a competency examination as described in paragraph (a) of subsection 2* requires the completion of three semester credits in a course in college algebra or the concepts of calculus, including, without limitation, an introduction to limits, derivatives and integrals, precalculus or differential calculus.

5. Except as otherwise provided in subsection 4, a major or minor field of endorsement or area of concentration identified in subsection 3 shall be deemed to be satisfied if the applicant holds a bachelor's degree or a higher degree with a major, minor or area of concentration identified on the official transcript of record conferred by a regionally accredited college or university.

6. An applicant who holds a valid license to teach elementary education, early childhood education, special education or secondary education and who has previously satisfied the requirements of subsection 1 or has completed comparable course work, as determined by the Department, is not required to satisfy the requirements again to receive a license to teach middle school or junior high school education.

BRIAN SANDOVAL
Governor
STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction

STATE OF NEVADA



SOUTHERN NEVADA OFFICE
9890 S. Maryland Parkway, Suite 221
Las Vegas, Nevada 89183
(702) 486-6458
Fax: (702) 486-6450

DEPARTMENT OF EDUCATION
Northern Nevada Office
700 E. Fifth Street
Carson City, Nevada 89701-5096
(775) 687 - 9200
Fax: (775) 687 - 9101
www.doe.nv.gov

**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: 06/30/17

Re: **Proposed Adoption of Regulations Revising NAC 391.111 Qualifications for license; requirements and recognized subjects for endorsement. ([NRS 385.080](#), [385.110](#), [391.019](#)).**

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulation NAC 391.111 are **not** likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business.
2. A concerted effort was made to determine any economic burden. The Department of Education has relied on the expert knowledge of Department staff; All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:

The proposed changes do not impact small businesses.

3. Comment was solicited from small businesses that may be affected by this regulatory amendment in the following manner:

Comment was not solicited from small businesses because no small businesses will be impacted by this proposed change.

4. The analysis of the impact on small businesses was conducted in the following manner:

The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within Department staff; Reviewing relevant materials and considering the Department's history with implementing similar regulations.

5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:

(1) *The Proposed regulation will have no adverse or beneficial effects; and*
(2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the Department of Education considered to reduce the impact of the proposed regulation on small businesses were:

As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.

7. The estimated cost to the Department of Education for enforcement of the proposed regulation is zero dollars.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.

This regulation does not create a new fee or increase an existing fee.

9. An explanation of why any such provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.

This regulation does not provide duplicative or more stringent provisions than existing federal state or local regulations.

10. The Department of Education reached these conclusions regarding the impact of this regulation on small businesses because:

This regulation affects only licensed educators and does not affect small businesses.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,



STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction