

## 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 **August 15, 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 R105-18; A regulation relating to educational personnel; revising requirements for teaching pupils in a program of early childhood 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 educational personnel. (NRS 391.019) Existing law also establishes the kinds of licenses that the Department of Education is authorized to issue for teachers and other educational personnel. (NRS 391.031) Assembly Bill No. 77 of the 2017 Legislative Session authorized the Department to issue a license to teach pupils in a program of early childhood education. (NRS 391.031, as amended by section 21 of Assembly Bill No. 77, chapter 341, Statutes of Nevada 2017, at page 2120) Existing regulations: (1) require a person to hold a special license or endorsement to teach pupils from birth through second grade in order to teach prekindergarten; and (2) set forth the requirements for obtaining such a special license or endorsement. (NAC 391.087, 391.089). **Section 1** of this regulation requires that a person hold a license to teach pupils in a program of early childhood education in order to teach prekindergarten. **Section 2** of this regulation sets forth the requirements for obtaining such a license, which are the same requirements to obtain a special license or endorsement to teach pupils from birth through second grade under existing regulations.
2. The Subjects and Issues involved in the regulation are those who would be teaching pupils in a program of early childhood education.
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 July 31, 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.

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

**LCB File No. R105-18**

June 13, 2018

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

AUTHORITY: §§1-3, NRS 391.019 and 391.031.

A REGULATION relating to educational personnel; revising requirements for teaching pupils in a program of early childhood 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 educational personnel. (NRS 391.019) Existing law also establishes the kinds of licenses that the Department of Education is authorized to issue for teachers and other educational personnel. (NRS 391.031) Assembly Bill No. 77 of the 2017 Legislative Session authorized the Department to issue a license to teach pupils in a program of early childhood education. (NRS 391.031, as amended by section 21 of Assembly Bill No. 77, chapter 341, Statutes of Nevada 2017, at page 2120) Existing regulations: (1) require a person to hold a special license or endorsement to teach pupils from birth through second grade in order to teach prekindergarten; and (2) set forth the requirements for obtaining such a special license or endorsement. (NAC 391.087, 391.089). **Section 1** of this regulation requires that a person hold a license to teach pupils in a program of early childhood education in order to teach prekindergarten. **Section 2** of this regulation sets forth the requirements for obtaining such a license, which are the same requirements to obtain a special license or endorsement to teach pupils from birth through second grade under existing regulations.

**Section 1.** NAC 391.087 is hereby amended to read as follows:

391.087 1. Except as otherwise provided in this section, a person must hold a ~~special~~ license ~~for endorsement~~ *to teach pupils in a program of early childhood education* issued pursuant to NAC 391.089 before teaching in a program of instruction for prekindergarten pupils conducted by a public school or a private school licensed pursuant to chapter 394 of NRS.

2. The provisions of this section do not apply to a person who:
  - (a) Holds an elementary license pursuant to the provisions of NAC 391.095;
  - (b) On July 1, 2002, ~~is~~ *was* employed full-time teaching pupils in such a program; and
  - (c) After July 1, 2002, ~~is~~ *has been* continuously employed full-time teaching pupils in such a program.

**Sec. 2.** NAC 391.089 is hereby amended to read as follows:

391.089 To receive a ~~special~~ license ~~for endorsement~~ to teach pupils ~~from birth through the second grade,~~ *in a program of early childhood education*, a person must hold a bachelor's degree or graduate degree from an accredited college or university and must:

1. Have completed a program of preparation to teach such pupils that is approved by the Board;
2. Hold a license to teach such pupils that was issued by another state and approved by the Commission;
3. Hold an elementary license, a secondary license, or a license to teach middle school or junior high school education, that is endorsed with a major in child care, and:
  - (a) Have experience teaching pupils under 6 years of age that consists of:
    - (1) Eight semester hours of student teaching;
    - (2) One year of verifiable experience teaching pupils in a program of early childhood education conducted by a public school, a public agency or a private school licensed pursuant to chapter 394 of NRS at the conclusion of which the person was eligible for reemployment; or
    - (3) An equivalent field experience or practicum conducted by an accredited college or university;

(b) Have completed at least 6 semester hours of courses in early childhood education

consisting of courses in any of the following subjects:

- (1) Early childhood curriculum;
- (2) Emergent language and literacy; or
- (3) Play theory and creativity; and

(c) Have completed at least 6 additional semester hours of courses in any of the courses

described in paragraph (b) or in any of the following subjects:

- (1) Child development from birth to 8 years of age;
- (2) Diversity in young children;
- (3) Introduction to early childhood education;
- (4) Positive discipline and guidance for young children; or
- (5) Working with families with young children; or

4. Have completed at least 35 semester hours of courses in early childhood education for children who are developing typically and atypically consisting of:

(a) Six semester hours in child development and learning, with the content of the courses covering diversity in culture, language and ability;

(b) Twelve semester hours in early childhood curriculum and program implementation that include at least one course in each of the following subjects:

- (1) Language and literacy;
- (2) Mathematics and science;
- (3) Social studies; and
- (4) Strategies for working with children with disabilities;

- (c) Three additional semester hours in early childhood curriculum and program implementation consisting of courses in any of the following subjects:
- (1) Curriculum for infants and toddlers;
  - (2) Early childhood classroom management;
  - (3) Integrated curriculum;
  - (4) Play theory and creativity;
  - (5) Positive discipline and guidance for young children; or
  - (6) Technology;
- (d) Three semester hours in family and community relations, including working with families;
- (e) Three semester hours in assessment and evaluation for early childhood education; and
- (f) Except as otherwise provided in this paragraph, 8 semester hours of student teaching involving pupils in at least two different age groups, one of which must have included pupils in the first or second grade and one of which must have included pupils of any age from birth through kindergarten. At least one of the groups must have included pupils with and without disabilities. In lieu of completing 8 semester hours of student teaching, a person may have 1 year of verifiable experience teaching pupils under 6 years of age in a program of early childhood education conducted by a public school, a public agency or a private school licensed pursuant to chapter 394 of NRS at the conclusion of which the person was eligible for reemployment.

**Sec. 3.** A person who, on the effective date of this regulation, holds a special license or endorsement to teach pupils from birth through the second grade as described in NAC 391.089 shall be deemed to hold a license to teach pupils in a program of early childhood education as

described in NAC 391.089, as amended by section 2 of this regulation, on and after the effective date of this regulation.

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

STATE OF NEVADA



DEPARTMENT OF EDUCATION  
Northern Nevada Office  
700 E. Fifth Street  
Carson City, Nevada 89701-5096  
(775) 687 - 9200  
Fax: (775) 687 - 9101  
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SOUTHERN NEVADA OFFICE  
9890 S. Maryland Parkway, Suite 221  
Las Vegas, Nevada 89183  
(702) 486-6458  
Fax: (702) 486-6450

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

Date: April 2, 2018

Re: **NAC 391.087 Requirements for teaching in program of instruction for prekindergarten pupils; exception.** ([NRS 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 391.087 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

## 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 **August 15, 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 R106-18; A regulation relating to education; revising certain qualifications for teaching pupils who have autism; 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. (NRS 391.019) Existing regulations prescribe the qualifications for teaching pupils who have autism which include, in part: (1) holding a certain license; or (2) holding an endorsement to teach pupils who have autism. Existing regulations prescribe the qualifications to obtain such an endorsement which include, in part, holding a certain license or degree. (NAC 391.378) This regulation revises the qualifications to teach pupils who have autism to include, as an alternative to the qualifications prescribed by existing regulations, holding a special education license with an endorsement to perform the duties of a generalist in special education and completing certain coursework.
2. The Subjects and Issues involved in the regulation are those who would be teaching pupils who have autism.
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 July 31, 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. R106-18**

June 27, 2018

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

AUTHORITY: §1, NRS 391.019 and 391.032.

A REGULATION relating to education; revising certain qualifications for teaching pupils who have autism; 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. (NRS 391.019) Existing regulations prescribe the qualifications for teaching pupils who have autism which include, in part: (1) holding a certain license; or (2) holding an endorsement to teach pupils who have autism. Existing regulations prescribe the qualifications to obtain such an endorsement which include, in part, holding a certain license or degree. (NAC 391.378) This regulation revises the qualifications to teach pupils who have autism to include, as an alternative to the qualifications prescribed by existing regulations, holding a special education license with an endorsement to perform the duties of a generalist in special education and completing certain coursework.

**Section 1.** NAC 391.378 is hereby amended to read as follows:

391.378 1. Before teaching pupils, ages 3 to 21, inclusive, who have autism, a person must:

- (a) Hold an endorsement issued pursuant to this section; or
- (b) Hold a teacher’s elementary or secondary license, a license to teach special education, a license to teach middle school or junior high school education, or a bachelor’s or ~~master’s~~ *a more advanced* degree with a major or minor in special education, must have completed 6 semester hours from course work prescribed in subparagraph (2) of paragraph ~~(d)~~ *(e)* of

subsection 2 and must complete a program of preparation leading to licensing in this field within 3 years after beginning to teach such pupils.

2. To receive the endorsement, the person must:

(a) Have completed a program of preparation for teaching pupils who have autism, which has been approved by the ~~Board;~~ *Department;*

(b) Hold a license or certificate, issued by another state, with an endorsement to teach pupils who have autism;

(c) Hold a bachelor's or ~~master's~~ *a more advanced* degree in the education of pupils who have autism and have completed 8 semester hours of student teaching, equivalent field experience or 1 year of verifiable teaching experience in special education; ~~for~~

(d) *Hold a license to teach special education with an endorsement to perform the duties of a generalist in special education issued pursuant to NAC 391.343 and have completed 12 semester hours of course work through a regionally accredited college or university, including course work in each of the following areas:*

*(1) Speech and language development;*

*(2) Assistive technology, or alternative or augmentative communication;*

*(3) Characteristics of pupils who have autism; and*

*(4) Curriculum development or methods and strategies for teaching pupils who have autism; or*

(e) Hold a bachelor's or ~~master's~~ *a more advanced* degree and have completed:

(1) Eight semester hours of student teaching with pupils who have autism, equivalent field experience with such pupils or 1 year of verifiable teaching experience with such pupils; and

(2) Thirty semester hours of course work, including course work in the following areas:

(I) Behavior management;

(II) Speech and language development;

(III) Assistive technology, or alternative or augmentative communication;

(IV) Characteristics of pupils who have autism;

(V) Curriculum development or methods and strategies for teaching pupils who have autism;

(VI) Introduction to special education or the education of pupils who have disabilities;

(VII) The assessment of pupils who have disabilities;

(VIII) Parental involvement in programs for pupils who have disabilities;

(IX) Education or planning for the transition of pupils who have disabilities from their current placement to placement in additional educational programs, employment and living independently as an adult;

(X) Methods of teaching mathematics; and

(XI) Methods of teaching literacy.

↪ The requirement for course work in two of these areas may be satisfied by completing one course, of at least 3 semester hours, that encompasses both subject matters.

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

**STATE OF NEVADA**



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

Date: April 2, 2018

Re: **NAC 391.378 Qualifications for teaching pupils who have autism. ([NRS 391.019](#), [391.032](#)).**

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 391.378 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

## NOTICE OF INTENT TO ACT UPON A REGULATION

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The time for the hearing is scheduled as follows:

**9:00 A.M. Public Hearing and Possible Adoption of Proposed Amendments to R107-18; A regulation relating to educational personnel; revising the requirements to obtain an endorsement as a substitute teacher of business and industry; 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 identifying fields of specialization in teaching which require the specialized training of teachers. Existing law also requires the Commission to adopt regulations requiring teachers to obtain an endorsement in a field of specialization to be eligible to teach in that field of specialization. (NRS 391.019) **Section 2** of this regulation revises the qualifications required to receive an endorsement as a substitute teacher of business and industry. **Section 1** of this regulation makes a conforming change.
2. The Subjects and Issues involved in the regulation are those who would be obtaining an endorsement as a substitute teacher of business and industry.
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 July 31, 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.

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

**LCB File No. R107-18**

June 19, 2018

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

AUTHORITY: §§1 and 2, NRS 391.019.

A REGULATION relating to educational personnel; revising the requirements to obtain an endorsement as a substitute teacher of business and industry; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires the Commission on Professional Standards in Education to adopt regulations identifying fields of specialization in teaching which require the specialized training of teachers. Existing law also requires the Commission to adopt regulations requiring teachers to obtain an endorsement in a field of specialization to be eligible to teach in that field of specialization. (NRS 391.019) **Section 2** of this regulation revises the qualifications required to receive an endorsement as a substitute teacher of business and industry. **Section 1** of this regulation makes a conforming change.

**Section 1.** NAC 391.036 is hereby amended to read as follows:

391.036 1. Except as otherwise provided in this section, paragraph (h) of subsection 1 of NRS 391.019, NAC 391.0545, subsection 2 of NAC 391.0585, paragraph (b) of subsection 3 of NAC 391.233, paragraph (b) of subsection 6 of NAC 391.330, subsection 5 of NAC 391.363, paragraph (b) of subsection 4 of NAC 391.425 and subsection ~~7~~ 6 of NAC 391.436, an applicant who applies for an initial license must pass a competency test that has been approved by the Commission, at the level of competence specified by the Commission, in:

- (a) Basic reading, writing and mathematics;
- (b) The principles and methods of teaching; and

(c) The subject matter of the initial area of endorsement on the license or the area of endorsement necessary for the applicant's area of assignment.

2. The Superintendent of Public Instruction may exempt an applicant from any of the tests required by subsection 1 if the applicant:

(a) Submits to the Department evidence that he or she:

(1) Has retired from teaching in this State;

(2) Held a special license, a license to teach elementary or secondary education, a license to teach special education, or a license to teach middle school or junior high school education, which:

(I) Has expired within the 3 years immediately preceding the date on which his or her application was submitted;

(II) Was free from any conditions that the applicant pass a competency test; and

(III) Authorized the applicant to teach in the same grade level and subject area for which he or she is applying to receive an initial license;

(3) Was required, for the issuance of the applicant's expired license, to complete courses of study and experience which are substantially equivalent to the courses of study and experience required for the issuance of an initial license; and

(4) Otherwise satisfies the requirements for the issuance of an initial license;

(b) Submits to the Department evidence that the applicant has passed, as part of a teacher education program approved by a state and offered through a regionally accredited college or university, competency examinations equivalent to those required of the applicant by subsection 1; or

(c) Submits to the Department evidence that the applicant holds a license to teach issued by another state which is not a provisional license, and the Commission determines that the examinations required for licensure in that state are comparable to the competency tests required by subsection 1.

3. An applicant is exempt from the requirement to pass a competency test in basic reading, writing and mathematics if the applicant submits to the Department:

(a) Official documentation which indicates that he or she passed, at the level of competency specified by the Commission:

(1) The “Pre-Professional Skills Tests” in reading, mathematics and writing, prepared and administered by the Educational Testing Service; or

(2) The “California Basic Educational Skills Test,” prepared and administered by the California Commission on Teacher Credentialing;

(b) Evidence that the applicant has received a master’s or more advanced degree from a regionally accredited college or university, the receipt of which required the passage of the “Graduate Record Examinations,” prepared and administered by the Educational Testing Service, or its equivalent;

(c) An official transcript which indicates that the applicant achieved at least a 3.0 grade-point average in his or her undergraduate studies and evidence that he or she has taken the “Graduate Record Examinations,” prepared and administered by the Educational Testing Service, and received a score of:

(1) At least 420 on the verbal portion of the examination;

(2) At least 460 on the quantitative portion of the examination; and

(3) At least 430 on the analytical portion of the examination or at least 3.5 on the analytical writing portion of the examination, as applicable; or

(d) Evidence that:

(1) The applicant did not pass, at the level of competency specified by the Commission, the “Pre-Professional Skills Tests” in reading, mathematics and writing, prepared and administered by the Educational Testing Service; and

(2) After not passing the test described in subparagraph (1), the applicant began and completed, with a grade of B or better, a course of study in a subject area approved by the Commission or the Director of Licensure for the Department.

4. An applicant is exempt from the requirement to pass a competency test in the principles and methods of teaching if he or she:

(a) Submits to the Department official documentation which indicates that the applicant passed, at the level of competency specified by the Commission, the “Professional Knowledge Test,” prepared and administered by the Educational Testing Service;

(b) Is applying for a license with an endorsement in an area for which training in the principles and methods of teaching is not required; or

(c) Is applying for an elementary endorsement and submits to the Department evidence that the applicant passed, at the level of competency specified by the Commission, the “Elementary Education: Curriculum, Instruction, and Assessment Test” and the “Elementary Education: Content Area Exercises Test,” both prepared and administered by the Educational Testing Service.

5. An applicant is exempt from the requirement to pass a competency test in the subject matter of endorsement if he or she:

(a) Submits to the Department official documentation which indicates that the applicant previously passed, at the level of competency specified by the Commission, the competency test in that subject matter;

(b) Is applying for an initial license with an endorsement in an area for which no competency tests have been approved by the Commission;

(c) Is applying for an endorsement to teach pupils who have speech and language impairments and submits to the Department official documentation which indicates that he or she has received a certificate of clinical competence from the American Speech-Language-Hearing Association; or

(d) Is applying for an endorsement in family and consumer sciences and submits to the Department official documentation which indicates that the applicant satisfactorily completed the “National Family and Consumer Sciences Certification Examination,” prepared and administered by the American Association of Family and Consumer Sciences.

6. If a competency test in a subject matter has been reviewed by the Commission for less than 1 year but is not yet approved, an applicant must take the test, but is not required to pass the test at a level of competence specified by the Commission.

7. An applicant who fails to comply with the provisions of this section may not apply for a renewable license.

8. The tests required by subsection 1 will be administered three times each year at locations and times established by the Commission.

**Sec. 2.** NAC 391.436 is hereby amended to read as follows:

391.436 1. The Superintendent of Public Instruction shall issue to a qualified applicant an endorsement as a substitute teacher of business and industry for a specific ~~program~~ *course of*

*study* included in a *program area for a program of* career and technical education group ~~identified in NAC 391.420.~~ *set forth in NAC 389.803.*

2. To receive an endorsement as a substitute teacher of business and industry ~~and~~ *pursuant to subsection 1*, the applicant must:

- (a) Have earned a high school diploma or its equivalent;
- (b) ~~Have been employed for at least 3~~ *Provide to the Department proof acceptable to the*

*Department that the applicant has:*

(1) *Two* years ~~and~~ *of full-time employment*, after ~~16~~ *18* years of age, in a position which relates to the ~~program~~ *course of study* for which he or she is applying for the endorsement;

~~and~~ *or*

(2) *An aggregate total of 4,000 hours of employment, after 18 years of age, in a position which relates to the course of study for which he or she is applying for the endorsement; and*

(c) ~~Submit written verification of the employment required by paragraph (b) in the format required by the Department.~~ *Hold the appropriate license if one is required by law for employment in an occupation which the person desires to teach.*

3. ~~One of the 3 years of work experience required by paragraph (b) of subsection 2 may be fulfilled by the completion of courses or training in an area of career and technical education~~

~~which relates to the desired endorsement at the rate of 1 year of full-time employment to:~~

~~—(a) Sixteen semester hours of credit from an accredited or licensed postsecondary institution;~~

~~—(b) Two hundred and fifty hours of training from an accredited or licensed postsecondary institution;~~

~~—(c) Two thousand hours of part-time employment; or~~

~~—(d) One thousand hours of employment, which is preplanned. A training agreement between industry and the appropriate sponsor must be on file with, supervised by and approved by an accredited postsecondary institution or the Department.~~

~~—4.†~~ A person who desires to renew for the first time an endorsement issued pursuant to this section must provide proof that he or she has completed 3 semester hours of credit from an accredited postsecondary institution, *or an equivalent number of hours of professional development*, in a course *or program of professional development* that is approved by the Department and that involves ~~{career and technical education}~~ teaching methodology ~~†~~.

~~—5.†~~ *for career and technical education or secondary education.*

4. A school district may hire a person who has an endorsement as a substitute teacher of business and industry in kindergarten through grade 12 for:

(a) Unlimited days of service if filling the position of a licensed teacher who is under contract.

(b) Except as otherwise provided in subsection ~~{6.†} 5~~, 60 days of service if filling a teaching position for which a licensed teacher has not been hired under contract.

~~{6.†} 5.~~ The Department may grant a school district one extension for 30 days with regard to a person who is hired pursuant to paragraph (b) of subsection ~~{5.†} 4~~ in an exceptional case upon request from the superintendent of schools of the school district.

~~{7.†} 6.~~ An endorsement issued pursuant to this section is not subject to the provisions of NAC 391.030, ~~{and} 391.036 †~~ *and 391.065.*

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

STATE OF NEVADA



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

Date: April 2, 2018

Re: **NAC 391.436 Endorsement as substitute teacher of business and industry: Issuance; qualifications for receipt and first renewal; period of hire. ([NRS 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 391.436 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

## 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 **August 15, 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 R118-18; A regulation relating to educational personnel; revising provisions governing the requirements to teach pupils who have disabilities and who are under 8 years of age; 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 setting forth the requirements a teacher must satisfy to qualify for an endorsement in a field of specialization. (NRS 391.019) Existing regulations prescribe the requirements a person must satisfy to teach pupils who have disabilities and who are under 8 years of age. Existing regulations also authorize the Department of Education to grant an extension of up to 2 years to a person for the purpose of completing a program of preparation leading to licensing in early childhood special education. (NAC 391.363) **Section 2** of this regulation revises the educational and licensure requirements a person must satisfy to teach pupils who have disabilities and who are under 8 years of age. **Section 2** also removes the authorization of the Department to grant such a person an extension to complete a program of preparation leading to licensing in early childhood special education. Finally, **section 2** removes the exemption in existing regulations from the requirement to pass a competency test in the principles and methods of teaching for a person who wishes to receive a license to teach special education with an endorsement to teach pupils who have disabilities and who are under 8 years of age. **Section 1** of this regulation makes a conforming change.
2. The Subjects and Issues involved in the regulation are those who would be teaching pupils who have disabilities and who are under 8 years of age.

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 July 31, 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.

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

**LCB File No. R118-18**

July 10, 2018

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

AUTHORITY: §§1 and 2, NRS 391.019.

A REGULATION relating to educational personnel; revising provisions governing the requirements to teach pupils who have disabilities and who are under 8 years of age; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires the Commission on Professional Standards in Education to adopt regulations setting forth the requirements a teacher must satisfy to qualify for an endorsement in a field of specialization. (NRS 391.019) Existing regulations prescribe the requirements a person must satisfy to teach pupils who have disabilities and who are under 8 years of age. Existing regulations also authorize the Department of Education to grant an extension of up to 2 years to a person for the purpose of completing a program of preparation leading to licensing in early childhood special education. (NAC 391.363) **Section 2** of this regulation revises the educational and licensure requirements a person must satisfy to teach pupils who have disabilities and who are under 8 years of age. **Section 2** also removes the authorization of the Department to grant such a person an extension to complete a program of preparation leading to licensing in early childhood special education. Finally, **section 2** removes the exemption in existing regulations from the requirement to pass a competency test in the principles and methods of teaching for a person who wishes to receive a license to teach special education with an endorsement to teach pupils who have disabilities and who are under 8 years of age. **Section 1** of this regulation makes a conforming change.

**Section 1.** NAC 391.036 is hereby amended to read as follows:

391.036 1. Except as otherwise provided in this section, paragraph (h) of subsection 1 of NRS 391.019, NAC 391.0545, subsection 2 of NAC 391.0585, paragraph (b) of subsection 3 of NAC 391.233, paragraph (b) of subsection 6 of NAC 391.330, ~~subsection 5 of NAC 391.363,~~ paragraph (b) of subsection 4 of NAC 391.425 and subsection 7 of NAC 391.436, an applicant

who applies for an initial license must pass a competency test that has been approved by the Commission, at the level of competence specified by the Commission, in:

- (a) Basic reading, writing and mathematics;
- (b) The principles and methods of teaching; and
- (c) The subject matter of the initial area of endorsement on the license or the area of endorsement necessary for the applicant's area of assignment.

2. The Superintendent of Public Instruction may exempt an applicant from any of the tests required by subsection 1 if the applicant:

- (a) Submits to the Department evidence that he or she:
  - (1) Has retired from teaching in this State;
  - (2) Held a special license, a license to teach elementary or secondary education, a license to teach special education, or a license to teach middle school or junior high school education, which:
    - (I) Has expired within the 3 years immediately preceding the date on which his or her application was submitted;
    - (II) Was free from any conditions that the applicant pass a competency test; and
    - (III) Authorized the applicant to teach in the same grade level and subject area for which he or she is applying to receive an initial license;
  - (3) Was required, for the issuance of the applicant's expired license, to complete courses of study and experience which are substantially equivalent to the courses of study and experience required for the issuance of an initial license; and
  - (4) Otherwise satisfies the requirements for the issuance of an initial license;

(b) Submits to the Department evidence that the applicant has passed, as part of a teacher education program approved by a state and offered through a regionally accredited college or university, competency examinations equivalent to those required of the applicant by subsection 1; or

(c) Submits to the Department evidence that the applicant holds a license to teach issued by another state which is not a provisional license, and the Commission determines that the examinations required for licensure in that state are comparable to the competency tests required by subsection 1.

3. An applicant is exempt from the requirement to pass a competency test in basic reading, writing and mathematics if the applicant submits to the Department:

(a) Official documentation which indicates that he or she passed, at the level of competency specified by the Commission:

(1) The “Pre-Professional Skills Tests” in reading, mathematics and writing, prepared and administered by the Educational Testing Service; or

(2) The “California Basic Educational Skills Test,” prepared and administered by the California Commission on Teacher Credentialing;

(b) Evidence that the applicant has received a master’s or more advanced degree from a regionally accredited college or university, the receipt of which required the passage of the “Graduate Record Examinations,” prepared and administered by the Educational Testing Service, or its equivalent;

(c) An official transcript which indicates that the applicant achieved at least a 3.0 grade-point average in his or her undergraduate studies and evidence that he or she has taken the “Graduate

Record Examinations,” prepared and administered by the Educational Testing Service, and received a score of:

- (1) At least 420 on the verbal portion of the examination;
- (2) At least 460 on the quantitative portion of the examination; and
- (3) At least 430 on the analytical portion of the examination or at least 3.5 on the

analytical writing portion of the examination, as applicable; or

(d) Evidence that:

(1) The applicant did not pass, at the level of competency specified by the Commission, the “Pre-Professional Skills Tests” in reading, mathematics and writing, prepared and administered by the Educational Testing Service; and

(2) After not passing the test described in subparagraph (1), the applicant began and completed, with a grade of B or better, a course of study in a subject area approved by the Commission or the Director of Licensure for the Department.

4. An applicant is exempt from the requirement to pass a competency test in the principles and methods of teaching if he or she:

(a) Submits to the Department official documentation which indicates that the applicant passed, at the level of competency specified by the Commission, the “Professional Knowledge Test,” prepared and administered by the Educational Testing Service;

(b) Is applying for a license with an endorsement in an area for which training in the principles and methods of teaching is not required; or

(c) Is applying for an elementary endorsement and submits to the Department evidence that the applicant passed, at the level of competency specified by the Commission, the “Elementary Education: Curriculum, Instruction, and Assessment Test” and the “Elementary Education:

Content Area Exercises Test,” both prepared and administered by the Educational Testing Service.

5. An applicant is exempt from the requirement to pass a competency test in the subject matter of endorsement if he or she:

(a) Submits to the Department official documentation which indicates that the applicant previously passed, at the level of competency specified by the Commission, the competency test in that subject matter;

(b) Is applying for an initial license with an endorsement in an area for which no competency tests have been approved by the Commission;

(c) Is applying for an endorsement to teach pupils who have speech and language impairments and submits to the Department official documentation which indicates that he or she has received a certificate of clinical competence from the American Speech-Language-Hearing Association; or

(d) Is applying for an endorsement in family and consumer sciences and submits to the Department official documentation which indicates that the applicant satisfactorily completed the “National Family and Consumer Sciences Certification Examination,” prepared and administered by the American Association of Family and Consumer Sciences.

6. If a competency test in a subject matter has been reviewed by the Commission for less than 1 year but is not yet approved, an applicant must take the test, but is not required to pass the test at a level of competence specified by the Commission.

7. An applicant who fails to comply with the provisions of this section may not apply for a renewable license.

8. The tests required by subsection 1 will be administered three times each year at locations and times established by the Commission.

**Sec. 2.** NAC 391.363 is hereby amended to read as follows:

391.363 1. Except as otherwise provided in subsection ~~4,~~ **5**, before teaching pupils who have disabilities and who are under 8 years of age in a program of early childhood special education, a person must:

(a) Hold an endorsement issued pursuant to this section; or

(b) Hold a teacher's elementary or secondary license, a license to teach special education, or a license to teach middle school or junior high school education, complete 6 semester hours from the courses prescribed in paragraph ~~(b)~~ **(a)** of subsection 3 within 1 year after beginning that teaching and complete a program of preparation leading to licensing in early childhood special education within 3 years after beginning that teaching. ~~The Department may grant a person an extension of up to 2 years in which to complete a program of preparation leading to licensing in early childhood special education upon receipt of:~~

~~—(1) Documentation which shows that the courses prescribed in paragraph (b) of subsection 3 were not offered at times or locations available to the person; or~~

~~—(2) Verification that the person's medical condition prevented the person from enrolling in or completing the courses prescribed in paragraph (b) of subsection 3.~~

2. To receive ~~the~~ **an** endorsement ~~to~~ **to teach pupils who have disabilities and who are under 8 years of age in a program of early childhood special education**, a person must:

(a) Have completed a program of special education, approved by the ~~Board,~~ **Department**, for children who have disabilities and who are under 8 years of age;

(b) Hold a current license or certificate with a similar endorsement issued by another state;

(c) Hold a ~~master's~~ *bachelor's or a more advanced* degree in early childhood special education and have completed 8 semester hours of student teaching, equivalent field experience or 1 year of verifiable teaching experience in early childhood special education; or

(d) Satisfy the requirements of subsection 3.

3. A person may also receive the endorsement if he or she:

(a)  ~~Holds an elementary or secondary license, a license to teach special education, a license to teach middle school or junior high school education, or a bachelor's or master's degree in early childhood special education, special education, education for early childhood, child development or a related field that customarily involves providing service to children who have disabilities and who are under 8 years of age, such as counseling of children or families, educational or developmental psychology, speech language pathology, physical or occupational therapy, elementary education, social work, or nursing if the person has at least 1 year of experience in pediatric nursing.~~

~~(b)~~ Has completed at least 18 semester hours which included a course in each subject listed in subparagraphs (1) to (5), inclusive, with any remaining hours completed by courses in any of the subjects listed in subparagraphs (6) to (9), inclusive:

- (1) Foundations or overview of early childhood special education;
- (2) Typical and atypical development of children who are under 8 years of age;
- (3) Assessment of children who have disabilities and who are under 8 years of age;
- (4) Strategies for intervention or development of curriculum for children who have disabilities and who are under 8 years of age;
- (5) Working with families of children who have disabilities and who are under 8 years of age;

(6) Issues regarding physical and medical management of children who have disabilities and who are under 8 years of age;

(7) Development of language and strategies for intervention for children who have disabilities and who are under 8 years of age;

(8) Social and emotional development and strategies for intervention for children who have disabilities and who are under 8 years of age; and

(9) Coordination and collaboration of services among other agencies and disciplines which serve children who have disabilities and who are under 8 years of age †.

~~→ For the purpose of completing the requirements for the subjects listed in subparagraphs (1) to (5), inclusive, a single course of 3 semester hours may be applied to satisfy the required course work in no more than two of those subjects.~~

~~(e)† ; and~~

**(b)** Has completed *a minimum of 8 semester hours of credit through a regionally accredited college or university in* student teaching of pupils who have disabilities or developmental delays and who are under 8 years of age or has 1 year of verifiable experience, at the conclusion of which the person is eligible for reemployment, working as a teacher in a program of early childhood special education in a public or private agency that is licensed by the State or that has been approved by a national organization and which serves such pupils and their families or has completed equivalent field experience with such pupils through a regionally accredited college or university.

4. *For the purpose of completing the requirements for the subjects listed in subparagraphs (1) to (5), inclusive, a single course of 3 semester hours may be applied to satisfy the required course work in no more than two of those subjects.*

5. A person may teach in a class in which the majority of the children have developmental delays and are the age of pupils in kindergarten if the person:

(a) On or before September 1, 1994, has at least 3 years of experience teaching pupils who have developmental delays and are the age of pupils in kindergarten in a program of early childhood special education at a public or private agency that is licensed by the State or that has been approved by a national organization; and

(b) Holds a license to teach special education for kindergarten through grade 12 with an endorsement issued pursuant to NAC 391.343, 391.347, 391.360, 391.370 or 391.376.

~~{5.—Testing in the principles and methods of teaching pupils in kindergarten through grade 6 is not required to receive a license to teach special education with an endorsement to teach pupils who have disabilities and who are under 8 years of age. A person who, on December 13, 1999, holds a provisional special license to teach pupils who have disabilities and who are under 8 years of age that was provisioned on passing the competency test required by paragraph (b) of subsection 1 of NAC 391.036 is exempt from the requirement to pass that test to receive a special license.}~~

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

STATE OF NEVADA



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

Date: April 2, 2018

Re: **NAC 391.363 Qualifications for teaching pupils who have disabilities and who are under 8 years of age.** ([NRS 385.080](#), [391.019](#), [391.032](#)).

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 391.363 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

## 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 **August 15, 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 R119-18; A regulation relating to educational personnel; revising the requirements to obtain an endorsement to teach pupils who have speech and language impairments; 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 identifying fields of specialization in teaching which require specialized training of teachers. Existing law also requires the Commission to adopt regulations setting forth the requirements a teacher must satisfy to qualify for an endorsement in each field of specialization. (NRS 391.019) Existing regulations set forth the requirements a teacher must satisfy to obtain an endorsement to teach pupils who have speech and language impairments. (NAC 391.370) This regulation revises such requirements by requiring a person who wishes to receive an endorsement to teach pupils who have speech and language impairments to submit transcripts to demonstrate attainment of certain educational requirements.
2. The Subjects and Issues involved in the regulation are those who would be teaching pupils who have speech and language impairments.
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 July 31, 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.

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

**LCB File No. R119-18**

June 20, 2018

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

AUTHORITY: §1, NRS 391.019.

A REGULATION relating to educational personnel; revising the requirements to obtain an endorsement to teach pupils who have speech and language impairments; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires the Commission on Professional Standards in Education to adopt regulations identifying fields of specialization in teaching which require specialized training of teachers. Existing law also requires the Commission to adopt regulations setting forth the requirements a teacher must satisfy to qualify for an endorsement in each field of specialization. (NRS 391.019) Existing regulations set forth the requirements a teacher must satisfy to obtain an endorsement to teach pupils who have speech and language impairments. (NAC 391.370) This regulation revises such requirements by requiring a person who wishes to receive an endorsement to teach pupils who have speech and language impairments to submit transcripts to demonstrate attainment of certain educational requirements.

**Section 1.** NAC 391.370 is hereby amended to read as follows:

391.370 1. Before teaching pupils, ages 3 to 21, inclusive, who have speech and language impairments, a person must hold an endorsement issued pursuant to this section.

2. To receive the endorsement, the person must:

(a) Have completed a program of preparation for teaching pupils who have speech and language impairments, which has been approved by the Board;

(b) ~~Hold a~~ *Submit a transcript which indicates the person holds a master's degree or a more advanced degree in an area of concentration in speech and language impairments conferred by a regionally accredited college or university and hold:*

(1) A certificate of clinical competence in speech from the American Speech-Language-Hearing Association ; or ~~an~~

(2) An equivalent license from the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board ~~is~~ *created by NRS 637B.100;*

(c) Hold a license or certificate, issued by another state, with an endorsement to teach pupils who have speech and language impairments;

(d) Hold a bachelor's or master's degree in the area of speech and language impairments, and have 8 semester hours of student teaching, a clinical practicum, equivalent field experience or 1 year of verifiable teaching experience with pupils who have speech and language impairments; or

(e) Have completed a bachelor's or master's degree and:

(1) Have completed 8 semester hours in student teaching of pupils who have speech and language impairments, a clinical practicum with those pupils, equivalent field experience with those pupils or 1 year of verifiable teaching experience with those pupils; and

(2) Have completed at least 28 semester hours of course work, including course work in the following areas:

(I) Audiology;

(II) Methods for the assessment and treatment of the disorders of articulation, fluency, voice and language;

(III) The development of normal speech and language;

(IV) Science of speech and voice;

(V) Phonetics;

(VI) Introduction to special education or the education of pupils who have disabilities;

and

(VII) Parental involvement in programs for pupils who have disabilities.

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

STATE OF NEVADA



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

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

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

Date: April 27, 2018

Re: **NAC 391.370 Qualifications for teaching pupils who have speech and language impairments.** ([NRS 385.080](#), [391.019](#), [391.032](#)).

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 391.370 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