

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 8:00 AM on **March 16, 2016 to be video-conferenced in the following locations:**

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

and

Department of Education
700 East Fifth Street
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:

8:00 A.M. Public Hearing and Possible Adoption of Proposed Amendments to R139-15; NAC Chapter 391 relating to education; revising requirements to receive an endorsement to serve as a social worker; 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 Chapter 391 are based on recommendations from the Nevada Department of Education. Proposed amendments are related to education; revising requirements to receive an endorsement to serve as a social worker.
2. The Subjects and Issues involved in the regulation are those who would be seeking to obtain the license or endorsement for a social worker.
3. There is no economic effect of the regulation on the business and industry 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 March 2, 2016**. 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 and on the Internet at <http://www.leg.state.nv.us>. 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. R138-15

February 4, 2016

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

AUTHORITY: §1, NRS 391.019.

A REGULATION relating to education; revising requirements to receive an endorsement to serve as a social worker; 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 regulations establish the requirements to receive an endorsement to serve as a social worker. Such requirements include holding a current license issued by the Board of Examiners for Social Workers. (NAC 391.320) Alternatively, this regulation allows a person to receive an endorsement to serve as a social worker if the person holds an equivalent license issued by a similar agency in another state and agrees to obtain a license from the Board not later than 1 year after applying for the endorsement. This regulation also provides that an endorsement as a social worker expires if the person who holds the endorsement does not obtain a license issued by the Board within 1 year after applying for the endorsement.

In order to receive an endorsement to serve as a social worker, existing regulations also require a person to have completed an educational program for social workers in schools which includes a practicum in schools. (NAC 391.320) This regulation provides an alternative by allowing a person to receive such an endorsement if the person has completed an educational program for social workers in schools which includes the equivalent professional or practicum experience providing services directly to children of school age and their families.

Section 1. NAC 391.320 is hereby amended to read as follows:

391.320 1. To receive an endorsement to serve as a social worker, a person must:

(a) Hold a current license issued by the Board of Examiners for Social Workers ~~[-]~~ *or hold a current equivalent license issued by a similar agency in another state and agree to obtain a license issued by the Board of Examiners for Social Workers within 1 year after the date on which the person applied for an endorsement; and*

(b) Have completed an educational program for social workers in schools which includes a practicum in schools ~~[-]~~ *or the equivalent professional or practicum experience providing services directly to children of school age, both individually and in groups, and to their families.*

2. In addition to the requirements listed in subsection 1, a person who wishes to receive such an endorsement must:

(a) Have completed a program to serve as a social worker in schools that is approved by the Board;

(b) Hold the credential issued by the National Association of Social Workers certifying that the holder is a specialist in social work in schools; or

(c) Hold a master's degree in social work from a college or university that has been accredited by the Council on Social Work Education.

3. *An endorsement to serve as a social worker held by a person who is not licensed in this State expires 1 year after the date on which the holder applied for the endorsement if the holder has not obtained a license issued by the Board of Examiners for Social Workers by that date.*

4. To renew the endorsement, the holder must:

- (a) Continue to hold a valid license issued by the Board of Examiners for Social Workers;
- and
- (b) Each time that the license is renewed by the Board of Examiners for Social Workers, deliver a copy of the license to the ~~[Teacher Licensure]~~ Office *of Educator Licensure* within the Department.

BRIAN SANDOVAL
Governor

STEVE CANAVERO, Ph.D.
Interim Superintendent
of Public Instruction

STATE OF NEVADA



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

Date: 10/29/2015

RE: Proposed Adoption of Regulations Revising [NAC391.320](#) Endorsement to serve as a social worker. ([NRS 385.080](#), [391.019](#))

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

1. The proposed changes to the regulation NAC 391.320 is 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 and the Attorney General's Office the impact is solely on school districts and the Department of Education.
3. All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes are within the historic scope of the Department's activities and present no new cost of enforcement.
4. Comment has not been solicited from small business, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or economic impact can be assessed.

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,

A handwritten signature in blue ink, appearing to read "Steve Canavero".

Steve Canavero, Ph.D.
Interim Superintendent of Public Instruction