

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

LCB File No. R032-15

Effective April 4, 2016

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 education; revising the qualifications to obtain and renew a business and industry endorsement; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the Commission on Professional Standards in Education is required to adopt regulations: (1) identifying fields of specialization in teaching; (2) requiring teachers to obtain from the Department of Education an endorsement to teach in such fields; and (3) establishing the educational requirements to obtain such an endorsement. (NRS 391.019) This regulation revises the qualifications for teachers to obtain and renew a business and industry endorsement.

Section 1. NAC 391.425 is hereby amended to read as follows:

391.425 1. To receive a business and industry endorsement, the applicant must:

- (a) Have earned a high school diploma or its equivalent;
- (b) Have been employed for at least 5 years after 16 years of age in a position which relates to the program for which he or she is applying for endorsement; and
- (c) Hold the appropriate license if one is required by law for employment in an occupation which the person desires to teach.

2. Three of the 5 years of work experience required by paragraph (b) of subsection 1 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, supervised and approved by an accredited postsecondary institution or the Department.

3. To fulfill the requirement of 5 years of work experience required by paragraph (b) of subsection 1, a person who wishes to receive a business and industry endorsement must, if the endorsement is for:

(a) Agricultural and natural resources science, have industry experience in at least three of the following areas:

- (1) Agricultural business and marketing;
- (2) Animal science or veterinary medicine;
- (3) Forestry;
- (4) Horticulture;
- (5) Floriculture;
- (6) Landscaping; or
- (7) Agricultural research.

(b) ~~{Agricultural mechanical engineering technology, have industry experience in each of the following areas:~~

~~——(1) Agricultural construction; and~~

~~——(2) Agricultural power.~~

~~——(c) Building construction;}~~ *Construction technology*, have at least 2 years of industry experience in carpentry and at least 1 year of industry experience in any of the following areas or a combination of those areas:

(1) Electrical;

(2) Plumbing; or

(3) Masonry.

~~{(d) Commercial arts, have industry experience in at least two of the following areas:~~

~~——(1) Advertising design;~~

~~——(2) Digital or graphic arts; or~~

~~——(3) Photography.}~~

4. In addition to the requirements set forth in subsection 1, a person who wishes to receive a business and industry endorsement must:

(a) If the endorsement is for automotive service technology, be certified by the National Institute for Automotive Service Excellence as:

(1) A master automobile technician; or

(2) An automobile technician in the following areas:

(I) Brakes;

(II) Electrical and electronic systems;

(III) ~~{Engine performance;}~~ *Auto maintenance and light repair*; and

(IV) Suspension and steering.

(b) If the endorsement is for military science, be certified by the secretary of the military branch in which the applicant serves or from which the applicant has retired to teach pupils in the Junior Reserve Officers' Training Corps program developed pursuant to 10 U.S.C. § 2031. A person who meets the requirements of this paragraph and who teaches pupils in the Junior Reserve Officers' Training Corps program is exempt from the:

- (1) Provisions of subsection 5;
- (2) Provisions of subparagraph (3) of paragraph (a) of subsection 1 of NAC 391.030; and
- (3) Provisions of NAC 391.036.

5. Except as otherwise provided in paragraph (b) of subsection 4 and subsections 6 and 7, 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 received, from an accredited postsecondary institution, credit for 12 semester hours as follows:

- (a) Three semester hours in ~~professional~~ career and technical education ~~courses;~~
curriculum and instruction;
- (b) Three semester hours in a course involving career and technical education teaching methodology;
- (c) Three semester hours in a course on ~~applied or~~ *career development and* work-based learning; and
- (d) Three semester hours in a course on ~~pupil~~ *career and technical student* organization and management . ~~in career and technical education.~~

↪ At least 3 semester hours of the required 12 must be earned during the first year the person was licensed.

6. A person who desires to renew for the first time a business and industry endorsement for ethnic music issued pursuant to this section is exempt from the requirements of subsection 5 if the person provides proof that he or she has received, from an accredited postsecondary institution, credit for 12 semester hours as follows:

(a) Three semester hours of course work that includes classroom management or music methodology, or both; and

(b) Nine semester hours in the subject area of music.

↪ At least 3 semester hours of the required 12 must be earned during the first year the person was licensed.

7. A person who desires to renew for the first time a business and industry endorsement for ethnic dance issued pursuant to this section is exempt from the requirements of subsection 5 if the person provides proof that he or she has received, from an accredited postsecondary institution, credit for 12 semester hours as follows:

(a) Three semester hours of course work that includes classroom management or dance methodology, or both; and

(b) Nine semester hours in the subject area of dance.

↪ At least 3 semester hours of the required 12 must be earned during the first year the person was licensed.

**NEVADA DEPARTMENT OF EDUCATION
COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION**

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED
BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066**

LCB File No. R032-15

Amendments to NAC 391.425 – Business and industry endorsement: Qualifications for receipt and first renewal. (NRS 388.360, 391.019)

INFORMATIONAL STATEMENT

The following statement is submitted for adopted amendments to Nevada Administrative Code 391:

1. A clear and concise explanation of the need for the adopted regulation.

The Business and Industry endorsement refers to NAC 391.425 and states the intent is to list the qualifications for receipt and first renewal. The changes are updating to meet the current standards of study in technical education and clarifying language. The programs were redesigned three and one half years ago for agricultural and engineering technology in three strands (i.e. fabrication, power systems, and construction). They later realized it was not the best move for the programs. Those standards were reconsolidated into what is now called “agricultural mechanical technology,” which was recently approved by the State Board.

2. Description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education were advised of their right to appear at the scheduled public hearing and their right to address 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 November 4, 2015**. No person who is directly affected by the proposed action appeared to request time to make an oral presentation; the Commission on Professional Standards in Education proceeded.

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.

The public response can be summarized as non-existent as no individuals testified at the workshop or the hearing and no one provided written statements regarding this regulatory change.

A copy of the summary and/or minutes of the public hearing may be obtained by contacting Kim Bennett, Assistant to the Commission on Professional Standards in Education, Nevada Department of Education, 702-668-4317, or by writing to the Nevada Department of Education at 9890 S. Maryland Parkway, Suite 221, Las Vegas, NV 89183.

3. The Number of Persons Who:

- a) Attended Hearing: Workshop: 23; Hearing: 28;
- b) Testified at Workshop: 0; Hearing: 0
- c) Submitted Written Statements: Workshop: 0; Hearing: 0

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing: (a) name; (b) telephone number; (c) business address; (d) business telephone number; (e) electronic mail address; and (f) name of entity or organization represented.

There were no public comments.

5. A description of how comment was solicited from affected business, a summary of their response and an explanation of how other interested person may obtain a copy of the summary.

Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education were advised of their right to appear at the

scheduled public hearing and their right to address 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 November 4, 2015**. No person who is directly affected by the proposed action appeared to request time to make an oral presentation; the Commission on Professional Standards in Education proceeded.

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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.

The affected business response can be summarized as non-existent as no businesses testified at the worksop or the hearing and none provided written statements regarding this regulatory change.

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.

6. If the regulation was adopted with or without change to any part of the proposed regulation, a summary of the reasons for adopting.

The Commission on Professional Standards in Public Education adopted the proposed regulation language at the public hearing held on November 18, 2015 as presented. There were no further amendments that needed to be made proposed regulation.

7. The estimated economic effect of the adopted regulation on the business that it is to regulate and on the public. These must be stated separately and each case must include:

There will be no economic effect of the regulation on the business that it regulates.
There is no estimated economic effect on the public.

8. The estimated cost to the agency for enforcement of the adopted regulation.

There is no additional cost to the agency for enforcement of this regulation.

9. A description of any regulations of other state or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

No other state or governmental agency regulations will be overlapped or duplicated by the above noted regulation. There is no duplication or overlap of federal regulations.

10. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

There are none.

11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

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