

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

**LCB File No. R033-15**

Effective April 4, 2016

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 education; revising provisions governing the program areas for which a business and industry endorsement may be issued; 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) **Section 1** of this regulation revises the program areas in which a qualified teacher may obtain a business and industry endorsement. **Section 2** of this regulation makes a conforming change.

**Section 1.** NAC 391.420 is hereby amended to read as follows:

391.420 The Superintendent of Public Instruction shall issue to a qualified applicant a business and industry endorsement for a specific program ~~included~~ *area* in ~~a career~~ :

*1. Any program of career* and technical education ~~group. The programs for which an endorsement may be issued are:~~

- ~~—1. Accounting.~~
- ~~—2. Advertising design.~~
- ~~—3. Agricultural and natural resources science.~~
- ~~—4. Agricultural mechanical engineering technology.~~

- ~~—5. Air transportation.~~
- ~~—6. Airframe, aircraft and power plant.~~
- ~~—7. Automotive collision repair.~~
- ~~—8. Automotive service technology.~~
- ~~—9. Building construction.~~
- ~~—10. Building maintenance.~~
- ~~—11. Business management and administrative services.~~
- ~~—12. Cabinetmaking and millwork.~~
- ~~—13. Carpentry.~~
- ~~—14. Child care and guidance.~~
- ~~—15. Clothing, fashion and textiles.~~
- ~~—16. Commercial arts.~~
- ~~—17. Communications and media.~~
- ~~—18. Computer data processing.~~
- ~~—19. Computer maintenance and repair.~~
- ~~—20. Computer networking.~~
- ~~—21. Computer software.~~
- ~~—22. Computer system programming.~~
- ~~—23. Computer website design.~~
- ~~—24. Cosmetology.~~
- ~~—25. Criminal justice.~~
- ~~—26. Culinary arts.~~
- ~~—27. Dental assistant and dental technician.~~

- ~~—28. Dental laboratory.~~
- ~~—29. Diesel mechanics.~~
- ~~—30. Digital and graphic arts.~~
- ~~—31. Drafting and design.~~
- ~~—32. Electrical technology.~~
- ~~—33. Electronic technology.~~
- ~~—34. Emergency medical technology.~~
- ~~—35. Engineering technology.~~
- ~~—36. Ethnic dance.~~
- ~~—37. Ethnic music.~~
- ~~—38. Fashion merchandising.~~
- ~~—39. Food science and nutrition.~~
- ~~—40. Heating, ventilation and air conditioning.~~
- ~~—41. Hospitality, travel and tourism.~~
- ~~—42. Interior decorating.~~
- ~~—43. Interior design.~~
- ~~—44. Manufacturing processes.~~
- ~~—45. Marketing.~~
- ~~—46. Masonry.~~
- ~~—47. Medical assistant and medical technician.~~
- ~~—48. Medical laboratory.~~
- ~~—49. Medical office management.~~
- ~~—50. Metal fabrication.~~

- ~~—51. Military science.~~
- ~~—52. Nursing occupations.~~
- ~~—53. Pharmacy assistant and pharmacy technician.~~
- ~~—54. Photography.~~
- ~~—55. Physical therapy.~~
- ~~—56. Plumbing.~~
- ~~—57. Small engines and power equipment.~~
- ~~—58. Sports medicine.~~
- ~~—59. Stage and theater.~~
- ~~—60. Veterinary medicine.~~
- ~~—61. Welding, brazing and soldering.~~ *set forth in NAC 389.803.*

*2. Any of the following performing arts:*

- (a) Ethnic music;*
- (b) Ethnic dance; or*
- (c) Dance performance.*

*3. Military science.*

**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 ~~included in a career and technical education group~~ *area* identified in NAC 391.420.

2. To receive an endorsement as a substitute teacher of business and industry, the applicant must:

- (a) Have earned a high school diploma or its equivalent;

(b) Have been employed for at least 3 years, after 16 years of age, in a position which relates to the program 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.

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 in a course that is approved by the Department and that involves career and technical education teaching methodology.

5. 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, 60 days of service if filling a teaching position for which a licensed teacher has not been hired under contract.

6. 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 in an exceptional case upon request from the superintendent of schools of the school district.

7. An endorsement issued pursuant to this section is not subject to the provisions of NAC 391.030 and 391.036.

**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. R033-15**

**Amendments to NAC 391.420 – A Regulation relating to Education; revising provisions governing the program areas for which a business and industry endorsement may be issued; and providing other matters properly relating thereto.**

**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 389.803 and states the intent is to list their programs and studies in one regulation and have other regulation refer to this regulation, and to break out performing arts and military science endorsements.

**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 have received 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.**

Comments were solicited through the public hearing notice of October 16, 2015. At the workshop Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education were advised of their right 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 have received 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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The response from affected businesses can be summarized as non-existent as no businesses testified at the workshop or the hearing and none 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.

**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.