

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

LCB File No. R092-97

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

AUTHORITY: §§ 1-10, NRS 391.019.

Section 1. NAC 391.030 is hereby amended to read as follows:

391.030 1. As a qualification for becoming a licensed employee of a school district, a person must:

(a) Complete courses covering:

- (1) Title 34 of NRS ; [(Education);]
- (2) The constitution of the State of Nevada; and
- (3) The Constitution of the United States; or

(b) Hold a license which *is not renewable and* allows him [1 year plus any additional time provided by an extension] 3 years to:

- (1) Take courses on those subjects from an accredited university or college; or
- (2) Pass an examination developed by the department in those subjects, by achieving the passing score set by the commission.

2. The staff of the department or representatives appointed by the department will administer an examination in those subjects in November and May in each school year.

[3. If the holder of a license which allows him 1 year plus any additional time provided by an extension to take the courses or pass the examination fails to do either within the prescribed time, his license is invalidated.]

Sec. 2. NAC 391.036 is hereby amended to read as follows:

391.036 1. Except as otherwise provided in this section, 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) 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 at the time of testing.

2. The superintendent of public instruction may exempt an applicant from any of the tests required by subsection 1 if the applicant:

- (a) Has retired from teaching in this state;
- (b) Held a special license, or a license to teach elementary or secondary education which:
 - (1) Has expired within the 3 years immediately preceding the date on which his application was submitted;
 - (2) Was free from any conditions that the applicant pass a competency test; and
 - (3) Authorized the applicant to teach in the same grade level and subject area for which he is applying to receive an initial license;

(c) Was required, for the issuance of his 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

(d) Otherwise satisfies the requirements for the issuance of an initial license.

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

(a) Official documentation which indicates that he 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 State Basic Skills Proficiency Test,” prepared and administered by the California Commission on Teacher Credentialing;

(b) Evidence that he holds a license to teach that was issued by another state and has completed 3 years of full-time teaching within the immediately preceding 5 years in the subject area for which he is applying to receive an initial license in this state;

(c) Evidence that he 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 General Records Examination,” prepared and administered by the Educational Testing Service, or its equivalent;

(d) An official transcript which indicates that he achieved at least a 3.0 grade-point average in his undergraduate studies and evidence that he has taken “The General Records Examination,” prepared and administered by the Educational Testing Service, and received a

score of at least 420 on the verbal portion of the examination, 460 on the quantitative portion of the examination and 430 on the analytical portion of the examination; or

(e) Evidence that he 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 principles and methods of teaching if he:

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

(b) Submits to the department evidence that he holds a license that was issued by another state and has completed 3 years of full-time teaching within the immediately preceding 5 years in the subject area for which he is applying to receive an initial license in this state;

(c) 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

(d) Is applying for an elementary endorsement and submits to the department evidence that he 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:

(a) Submits to the department official documentation which indicates that he 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 has received a certificate of clinical competence from the American Speech and Hearing Association; or

(d) Is applying for an endorsement in home economics and submits to the department official documentation which indicates that he satisfactorily completed “The National Family and Consumer Sciences 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. **[Each applicant must]** *An applicant who fails to* comply with the provisions of this section **[within 2 years after commencing employment as a teacher. The applicant must demonstrate to the department the date on which he commenced such employment. If the applicant fails to demonstrate the date on which he commenced employment, the period for complying with the provisions of this section expires 2 years after the date he was issued his initial] *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. 3. NAC 391.045 is hereby amended to read as follows:

391.045 1. An applicant for the initial issuance of a [certificate] *license* as a teacher or other educational employee must submit with his application:

(a) His official transcripts;

(b) A negative report of an X-ray film of his chest or a tuberculin test completed within the preceding 12 months; and

(c) A fee of \$46 , plus the amount charged by the Federal Bureau of Investigation and the Nevada highway patrol division of the department of motor vehicles and public safety for their reports on the applicant's fingerprints. [This] *The* fee does not include the cost of any examination required by NAC 391.036.

2. If [it is determined that] the applicant is not eligible for [certification, his records will be returned to his last known mailing address. The] *licensure, the* fee will not be returned. The applicant must pay another fee if he applies again.

3. An applicant for an endorsement to an existing [certificate] *license* or for an additional [certificate] *license* must submit with his application:

(a) Current official transcripts; and

(b) A fee of \$40.

4. The academic credits required to obtain initial licensing or an endorsement to an existing license are not satisfiable by the completion of courses offered by a provider of continuing education but [such] *those* courses may be used for the renewal of a license.

Sec. 4. NAC 391.054 is hereby amended to read as follows:

391.054 1. [The] *Except as otherwise provided in subsection 2, the* superintendent of public instruction may issue a license with a special education endorsement to a person who is licensed and endorsed to teach special education in any other state and may issue a license with any other endorsement to a person who is licensed or certified in a state that has entered into an interstate certification contract with *the State of* Nevada through the National Association of State Directors of Teacher Education and Certification if:

(a) The applicant holds a [current] license or certificate issued by the other state;

(b) The applicant holds a bachelor's degree from an institution accredited by a regional accrediting association and has completed any postbaccalaureate studies required in [Nevada] *this state* for the issuance of a license;

(c) The license or certificate issued by the other state is not:

(1) A temporary permit, an emergency, alternative or conditional license or a credential to teach multiple subjects;

(2) A license or certificate for which completion of a bachelor's or higher degree is unnecessary;

(3) A license or certificate for which completion of professional education course work through a college or university accredited by a regional accrediting association is unnecessary; or

(4) A letter or other form of authorization from another state or a county, city, school district or department of education in another state which entitles the person to teach in the same capacity as a licensed teacher on a temporary basis;

(d) The grade levels and subject areas covered by the license or certificate issued by the other state are the same as the grade levels and subject areas for which the applicant is seeking licensure in ~~[Nevada;]~~ *this state*; and

(e) The applicant, if he is an applicant for a license with an endorsement in a subject other than special education, has satisfactorily taught in the other state, in an assignment similar to the assignment for which licensure is sought in ~~[Nevada,]~~ *this state*, during at least 3 out of the 5 years immediately preceding the application for licensure in Nevada.

2. ~~[A license issued pursuant to this section expires and may be renewed in accordance with the provisions of NAC 391.060 to 391.075, inclusive.~~

3. ~~A person who receives a license pursuant to this section must complete the competency testing requirements specified in NAC 391.036 within 2 years after commencing employment as a teacher in this state and the course work or examination requirements specified in NAC 391.030 within 1 year after the date of issuance of the license.]~~ *If the applicant has not complied with the requirements of NAC 391.030 or 391.036 at the time he applies for a license pursuant to this section, the superintendent of public instruction may only issue a provisional license to the applicant. The provisional license is not renewable.*

Sec. 5. NAC 391.055 is hereby amended to read as follows:

391.055 1. The superintendent of public instruction may issue a provisional [:

~~(a) One-year]~~ *1-year* license or endorsement to ~~[an applicant]~~ *a person who holds a renewable license issued in this state* if he otherwise meets the requirements for licensure, but:

~~[(1)]~~ *(a)* Has a deficiency in credits of 6 semester hours or less;

[(2)] (b) Is a teacher, licensed and practicing in [Nevada,] *this state* applying for an additional license, other than for the teaching of handicapped pupils, outside his grade level of experience as a student teacher;

[(3)] Has not completed the courses or passed the examination required by NAC 391.030;

[(4)] *or*

(c) Lacks confirmation from a college that he has [student teaching experience if applying for a teaching license, or that he has completed a school counseling practicum or internship if applying for a school counseling endorsement, but:

(I) Has 3 years of verified experience in teaching or in school counseling that occurred in another state; and

(II) Meets the conditions set forth in subsection 3 of NAC 391.025; or

(5) Lacks confirmation from a college that he has] completed a school counseling practicum or internship if applying for a school counseling endorsement, but:

[(I)] (1) Has completed all the [necessary] *required* course work [requirements] for the school counseling endorsement;

[(II)] (2) Has completed 200 hours of the practicum or internship through a regionally accredited college or university, to include a minimum of 100 hours in a school setting at the time of application for licensure; and

[(III)] (3) Is currently and continuously enrolled in a regionally accredited college or university school counseling practicum or internship program.

[(b)] Two-year license to an applicant if he otherwise meets the requirements for licensure, but:

- (1) Has not passed the tests required by NAC 391.036; and
- (2) Is not exempt pursuant to subsection 2, 3, 4 or 5 of NAC 391.036 from taking the tests.

The superintendent of public instruction may extend a provisional 1-year license pursuant to NAC 391.077. A provisional 2-year license becomes invalid 2 years after the date on which the employee is employed by a school district or a private licensed school in this state and may not be extended, except as otherwise provided in NAC 391.077.]

2. The board of trustees of the public school or the operator of the private licensed school that is to employ the holder of a provisional 1-year license, who is [already] a teacher, licensed and practicing in [Nevada,] *this state*, but who lacks student teaching experience at the proper grade level, must agree in writing:

(a) To specify the process to be used for evaluating the holder of the provisional license during the 1-year period.

(b) To submit documentation to the superintendent of public instruction indicating whether the holder of the provisional license is eligible for reemployment at the conclusion of the first year of teaching.

3. If the holder of a provisional license, who is [already] a teacher, licensed and practicing in [Nevada,] *this state*, but who lacks student teaching experience at the proper grade level, is rated as eligible for reemployment by his employer, and all other requirements for the additional license or endorsement have been met, the superintendent of public instruction shall mail a letter of notification *to the holder of the license indicating* that the requirement for student teaching has been fulfilled . [to the holder of the license.] Experience as a teacher's

aide, teacher's assistant, unlicensed instructor of pupils in a junior reserve officers' training corps program or substitute teacher does not meet the requirement for teaching experience or student teaching.

4. Any credits earned by the holder of a provisional license or endorsement to qualify for a full license will not be counted as credits ~~[needed]~~ *required* to renew a license.

Sec. 6. NAC 391.060 is hereby amended to read as follows:

391.060 1. Upon application, the department will issue a license for the specified number of years to a person with:

- (a) A bachelor's degree or less, for 5 years.
- (b) A master's degree and 3 years of verified teaching experience, for 6 years.
- (c) A specialist's degree and 3 years of verified teaching experience, for 8 years.
- (d) A doctoral degree and 3 years of verified teaching experience, for 10 years.

~~[Any such]~~ A license *specified in this subsection* is renewable.

2. Except as otherwise provided in subsection 3 ~~[of this section]~~ and NAC 391.057, a license expires on the holder's date of birth in the year of expiration.

3. A provisional license *that is renewable* becomes invalid on the date of expiration of the provision. If the holder of ~~[a provisional]~~ *such a* license provides evidence to the department of his completion of the course work required to satisfy the provision, the department will remove the provision and the license remains valid until the date of expiration of the license.

4. An endorsement becomes invalid on the date that the license to which it is attached expires.

Sec. 7. NAC 391.110 is hereby amended to read as follows:

391.110 1. To receive an endorsement as a substitute elementary teacher, a person must **[have completed]** *complete* at least 62 semester hours of credit from an accredited college or university, including at least 6 semester hours of credit in elementary education.

2. A school district may hire a substitute elementary teacher for:

(a) **[Unlimited]** *An unlimited number of* days of service if filling the position of a licensed teacher who is under contract.

(b) **[Sixty]** *Not more than 60* days of service if filling a teaching position for which a licensed teacher has not been hired under contract, except that the department may grant the school district one extension for 30 days in an exceptional case upon request from the superintendent of schools of the county school district or from the administrator of the state-approved private school.

3. If a person has not complied with the requirements of NAC 391.030 and 391.036 at the time he applies for an endorsement as a substitute elementary teacher, the superintendent of public instruction may only issue a provisional endorsement to the person. The provisional endorsement is not renewable.

Sec. 8. NAC 391.140 is hereby amended to read as follows:

391.140 1. To receive an endorsement as a substitute secondary teacher, a person must **[have completed]** :

(a) *Complete* at least 62 semester hours of credit from an accredited college or university, including at least six semester credits in secondary education [**. Provisional licensing is not authorized.**]; *or*

(b) *Comply with the requirements for a business and industry endorsement.*

2. A school district may hire a substitute secondary teacher for:

(a) **[Unlimited]** *An unlimited number of* days of service if filling the position of a licensed teacher who is under contract.

(b) **[Sixty]** *Not more than 60* days of service if filling a teaching position for which a licensed teacher has not been hired under contract, except that the department may grant the school district one extension for 30 days in an exceptional case upon request from the superintendent of schools of the county school district or the administrator of a state-approved private school.

3. *If a person has not complied with the requirements of NAC 391.030 and paragraph (a) of subsection 1 of NAC 391.036 at the time he applies for an endorsement as a substitute secondary teacher, the superintendent of public instruction may only issue a provisional endorsement to the person. The provisional endorsement is not renewable.*

Sec. 9. NAC 391.330 is hereby amended to read as follows:

391.330 1. To receive an endorsement as an emergency substitute teacher, a person must **[have earned]** *earn* a high school diploma or its equivalent. **[In addition, the person must submit proof of his compliance with the provisions of NRS 391.090 not later than 2 years after the endorsement is issued.]**

2. *An endorsement as an emergency substitute teacher:*

(a) *Is valid for 3 years after the date of issuance; and*

(b) *Is not renewable unless, at the time the person applies for the endorsement, he has complied with the requirements of NRS 391.090.*

3. A school district whose enrollment is less than 9,000 pupils may, in an emergency, hire an emergency substitute teacher to serve as a teacher in kindergarten through grade 12, as needed. [In no event may a] A person so employed *may not* serve as a teacher in one classroom for more than 5 days in any 20-day period. Except in an emergency, a school district shall not allow a person solely holding an endorsement as an emergency substitute teacher to serve as a teacher.

[3.] 4. An applicant for an endorsement as an emergency substitute teacher is exempt from the provisions of:

(a) NAC 391.030 in its entirety regarding the subject of Title 34 of NRS [(Education)] and, to the extent that it conflicts with subsection 1 of this section, regarding compliance with NRS 391.090 on the subjects of the federal and state constitutions;

(b) NAC 391.036; and

(c) NAC 391.065.

[4.] 5. As used in subsection [2,] 3, “in an emergency” means [when] *the occurrence of* an unforeseen circumstance [exists] which requires immediate action [and includes the circumstance when] , *including any period during which* a licensed teacher or substitute teacher is not immediately available.

Sec. 10. NAC 391.053 and 391.142 are hereby repealed.

TEXT OF REPEALED SECTIONS

391.053 Licensure of person licensed or certified in another state: Nonrenewable license.

1. The superintendent of public instruction may issue a license for 3 years to a person who is licensed or certified in another state and who is applying for licensure in Nevada if the applicant has:

(a) A license or certificate that is current in the issuing state at the time he makes application for a license in Nevada; and

(b) A bachelor's degree from an institution accredited by a regional accrediting association.

A license issued pursuant to this subsection is not renewable. A temporary permit or an emergency license or certificate that does not require a bachelor's degree and is issued by a state, county, city or a school district, or a document such as an approval letter or entitlement card from an institution for the training of teachers, a state department of education, a state, county, city or a school district does not meet the requirements of this subsection.

2. The license or certificate and the area of endorsement from the issuing state must be at the same grade level and in a subject area approved by the commission pursuant to the provisions of this chapter.

3. An endorsement in an area that requires a master's degree in Nevada will be issued only to an applicant who has a master's degree from an institution accredited by a regional accrediting association.

4. The superintendent of public instruction may issue an appropriate renewable license to the holder of a license issued pursuant to subsection 1 after the holder completes the requirements for the endorsement.

**391.142 Endorsement as substitute secondary teacher of occupational education:
Qualifications; authorized activities of holder; renewal.**

1. The superintendent of public instruction shall issue an endorsement as a substitute secondary teacher of occupational education to an applicant who:

(a) Has completed 62 semester hours of credit from an accredited college or university in the area of occupational education; or

(b) Has met the requirements of NAC 391.140 for an endorsement as a substitute secondary teacher.

2. A person who holds an endorsement as a substitute secondary teacher of occupational education may provide instruction, on a temporary basis, to pupils who have been admitted to kindergarten or a higher class, pursuant to the provisions of subsection 3 of NAC 391.110.

3. A person who holds an endorsement as a substitute secondary teacher of occupational education may renew his endorsement by submitting an application and the appropriate fee to the department.

4. A provisional endorsement as a substitute secondary teacher of occupational education may not be issued.