

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

LCB File No. R055-03

Effective October 21, 2003

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

AUTHORITY: §§1 and 2, NRS 391.019.

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 received, from an accredited postsecondary institution, credit for 12 semester hours~~

~~in courses which include:~~

~~— (1) Six semester hours in professional occupational courses;~~

~~— (2) Three semester hours in a course involving teaching methodology; and~~

~~— (3) Three semester hours in a course on cooperative occupational education;~~

~~(c)~~ Have been employed for at least 5 years after 16 years of age in a position which relates to the program for which he is applying for endorsement; and

~~(d)~~ (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 ~~in paragraph (c)~~ *by paragraph (b)* of subsection 1 may be fulfilled by the completion of courses or training in an occupational area 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. In addition to the requirements set forth in subsections 1 and 2, 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; 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 he has retired to teach pupils in the Junior Reserve Officers' Training Corps Program developed pursuant to 10 U.S.C. § 2031.

4. A person who desires to renew for the first time an endorsement issued pursuant to this section must provide proof that he has received, from an accredited postsecondary institution, credit for 12 semester hours as follows:

(a) Six semester hours in professional occupational courses;

(b) Three semester hours in a course involving teaching methodology; and

(c) Three semester hours in a course on cooperative occupational education.

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

Sec. 2. NAC 391.430 is hereby amended to read as follows:

391.430 A person who holds a business and industry endorsement ~~for a limited business and industry endorsement~~ may:

1. Provide instruction in the occupations included in the specific program stated in his endorsement to any person who has been admitted to kindergarten or a higher class; and
2. Teach an academic subject if it is:
 - (a) Related to an occupation which his endorsement allows him to teach; and
 - (b) Necessary to the success of the instruction of that occupation.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R055-03

The Commission on Professional Standards in Education adopted regulations assigned LCB File No. R055-03 which pertain to chapter 391 of the Nevada Administrative Code on September 12, 2003.

Notice date: 8/7/2003
Hearing date: 9/12/2003

Date of adoption by agency: 9/12/2003
Filing date: 10/21/2003

INFORMATIONAL STATEMENT

1. A description of how public comment was solicited, a summary of public response, and explanation how other interested persons may obtain a copy of the summary.

Notice of Workshop to Solicit Comments on Proposed Regulations was sent to approximately 100 individuals and educational organizations. Workshops were held on August 15, 2002 and September 12, 2003. There were comments from the public.

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of the proposed revisions to NAC 391.13043, were sent to approximately 100 individuals and educational organizations. Public hearings were conducted on August 15, 2002 and September 12, 2003, to provide the opportunity for comments by affected parties and the public. There were comments from the public. The Commission adopted amended regulation NAC 391.425.

2. The Number of Persons Who:

- a) Attended Each Hearing: First Workshop: 8 First Hearing: 8 Second Workshop: 11
Second Hearing: 11
- b) Testified at Each Hearing: First Workshop: 4 First Hearing: 2 Second Workshop: 0
Second Hearing: 0
- c) Submitted Written Statements: Workshops: 0 First Hearing: 0 Second Hearing: 0

A copy of any written comments may be obtained by calling Keith Rheault, Deputy Superintendent at the Nevada Department of Education, (775) 687-9224, or by writing to the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

3. A description of how comment was solicited from affected businesses, a summary of the response and an explanation how other interested parties may obtain a copy of the summary.

Comments were solicited through workshop notices of July 14, 2002 and August 7, 2003, and public hearing notices of July 14, 2002 and August 7, 2003.

At the August 15, 2002, Workshop to Solicit Comments, 4 individuals from the public spoke to the proposed language revisions.

At the August 15, 2002, public hearing 4 individuals spoke to the proposed language for temporary adoption.

Summary of Comments:

Workshop Comments:

- a) Kathleen Frosini, Clark County School District, strongly supported the proposed regulations and urged the Commission to adopt the regulations.
- b) Dr. Vern Luft, University of Nevada, Reno, commented that the proposed regulations were appropriate and that the University works closely with Business & Industry endorsed teachers in providing the necessary coursework.
- c) Lena Gutierrez, Clark County School District, commented that seven teaching positions would be vacant at the start of the school year if the regulations are not adopted.
- d) Jan Garrett, Clark County School District, supported the adoption of the regulations.
- e) Commission Member Ries expressed concern with the three-year time frame to earn the 12 credits of coursework.

Public Hearing Comments:

- a) Marcia Neal, Clark County School District, supported the changes as the school district utilized the endorsements in specialized music fields.
- b) Darryl Grove, President of the NV Association of Career and Technical Education, supported the proposed regulations.
- c) Commission Member Ries commented that she would request an amendment to the regulation that would require three semester hours of credit to be earned during the first year of licensure by individuals holding the business and industry endorsement.

There were no comments at the workshop or public hearing for permanent adoption on September 12, 2003.

A copy of the summary and/or minutes of the public hearings may be obtained by calling Keith Rheault, Deputy Superintendent at the Nevada Department of Education, (775) 687-9224, or by writing to the Nevada Department of Education at 700 East Fifth Street, Carson City, Nevada 89701-5096.

4. 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 regulation language at the public hearing held August 15, 2002 as a temporary regulation and adopted the permanent regulation language at the public hearing held September 12, 2003,

without revision to the proposed language. The reason for adopting the regulation was to allow individuals who qualify for Business and Industry endorsements to complete the required pedagogy coursework during the first three years of the provisional license. The adopted regulation will allow school districts to recruit and hire individuals with high technical skills in heard to fill positions without a delay while coursework requirements are being met.

5. 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 is no economic effect on the business, which is regulated. There is no estimated economic effect on the public, either adversely or beneficially, nor immediate or long term.

6. 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.

7. A description of any regulations of other state or governmental agencies which the proposed 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.

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

There are none.

9. 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 or involve a new fee.