

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

**LCB File No. R056-03**

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 391.237 is hereby amended to read as follows:

391.237 1. To receive an endorsement to teach English as a second language, a person must have:

- (a) A valid elementary, secondary or special license; and
- (b) Completed at least 12 semester hours of credit in a course of study that includes any of

the following:

- (1) Methods and materials for teaching English as a second language;
- (2) Theories for the acquisition of a second language;
- (3) Testing and evaluation of pupils studying English as a second language; or
- (4) Developing a curriculum for pupils studying English as a second language.

2. To receive an endorsement as a professional teacher of English as a second language, a person must have completed the requirements for an endorsement to teach English as a second language and:

- (a) Hold a master's degree; and
- (b) Have 3 years of experience as a teacher.

3. Requirements for the successful completion of a course of study in which a person is enrolled are in addition to the requirements to receive an endorsement.

*4. The Superintendent of Public Instruction may issue a provisional 1-year endorsement to teach English as a second language to a person who has a deficiency in credits of more than 6 semester hours if the school district or private school that will employ the person provides a written assurance to the Superintendent of Public Instruction that the person will complete the courses of study necessary to ensure that he has a deficiency in credits of 6 semester hours or less by the end of the 1-year period for which the endorsement is valid. The written assurance must also identify the courses of study that will be completed.*

*5. Upon expiration of an endorsement issued pursuant to subsection 4, a person may apply for another provisional endorsement pursuant to NAC 391.055 if he satisfies the requirements of that section.*

**Sec. 2.** NAC 391.242 is hereby amended to read as follows:

391.242 1. To teach pupils enrolled in a program of bilingual education, a person must:

(a) Hold an endorsement issued pursuant to this section; and

(b) Within 2 years after the issuance of an endorsement, pass an examination approved by the Commission which demonstrates his oral and written proficiency in the native language, if such an examination is available.

2. To receive an endorsement to teach pupils in a program of bilingual education, a person must hold a bachelor's degree with a major in bilingual education or an elementary, secondary or special license and have completed:

(a) A bilingual program of preparation for teaching pupils who are identified as having limited proficiency in English which has been approved by the Board for this purpose; or

(b) At least 12 semester hours of credit in a course of study which includes theories for the acquisition of a second language and at least three of the following other areas of study:

- (1) Methods of teaching language arts or reading in the native language;
- (2) Methods of teaching math, science and social studies in the native language;
- (3) Testing and evaluating pupils of a second language in English and the native language;
- (4) Development of curriculum, materials and teaching methods for bilingual education;
- (5) Native language and culture; or
- (6) Bilingual education, history, philosophy and theory.

*3. The Superintendent of Public Instruction may issue a provisional 1-year endorsement to teach a program of bilingual education to a person who has a deficiency in credits of more than 6 semester hours if the school district or private school that will employ the person provides a written assurance to the Superintendent of Public Instruction that the person will complete the courses of study necessary to ensure that he has a deficiency in credits of 6 semester hours or less by the end of the 1-year period for which the endorsement is valid. The written assurance must also identify the courses of study that will be completed.*

*4. Upon expiration of an endorsement issued pursuant to subsection 3, a person may apply for another provisional endorsement pursuant to NAC 391.055 if he satisfies the requirements of that section.*

**NOTICE OF ADOPTION OF PROPOSED REGULATION**  
**LCB File No. R056-03**

The Commission on Professional Standards in Education adopted regulations assigned LCB File No. R056-03 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.