

LCB File No. R057-03

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

(This proposed regulation was previously adopted as LCB File No. T049-03)

Explanation: Matter in Italics is new; matter in brackets ~~⌈~~ is material to be omitted.

Statutory Authority: NRS 391.019

Section 1. Chapter 391 of NAC is hereby amended as follows:

NAC 391.077 Extension of time prescribed for renewal of license or for validity of provisional license; time for filing request for extension; period of validity.

1. ~~⌈Except as otherwise provided in subsection 4, ⌋~~ *The* superintendent of public instruction may extend the time prescribed for renewal of a license or for the validity of a provisional license if:

(a) The licensee provides proof that a course or test required for renewal of his license or removal of the provision under which his provisional license was issued was not available during the time his license was valid.

(1) An extension of time may be approved if the licensee was issued the provisional license while living outside of the state of Nevada and did not have access to a testing site to remove the provision under which his license was issued.

(b) The department's file relating to the licensee contains adequate documentation that the licensee was misinformed about the requirements necessary to renew his license or remove the provision under which his provisional license was issued.

(c) The licensee took the wrong test or course necessary to renew his license or remove the provision under which his provisional license was issued.

(d) The licensee provides written proof from a representative of a religious denomination, sect or organization that a course or test necessary to renew his license or remove a provision under which his provisional license was issued was offered only during a time which conflicted with the religious beliefs of the licensee.

(e) The unemployment of the licensee or personal medical expenses incurred by the licensee which were not covered under a plan of health insurance caused financial debts in excess of the personal income of the licensee and prevented him from complying with the financial requirements for renewal of the license or removal of the provision under which his provisional licensed was issued.

(f) The licensee suffered a medical condition which prevented him from satisfying the requirements for renewal of his license or removal of the provision under which his provisional license was issued and he provides written proof:

(1) From a licensed physician that he suffered from such a medical condition, including the duration of the medical condition; and

(2) Of the number of days he worked during the time that his license was valid.

(g) The licensee suffered mental anxiety caused by a physical or mental condition which prevented him from passing the test or course required for renewal of his license or removal of the provision under which his provisional license was issued. The licensee must provide written proof from a licensed physician that he suffered such mental anxiety.

(h) A medical condition or administrative problem prevented the licensee from complying with the requirements for renewal of his license or removal of the provision under which his provisional license was issued and the superintendent of public instruction determines that the medical condition or administrative problem is adequate to justify the extension.

(i) The expiration date upon which the provisional license becomes invalid occurs during the school year and the removal of the licensee from the classroom would have a detrimental effect on the pupils being taught by the licensee.

(1) An extension of time approved under the conditions of Subsection 1(i) will be provided to coincide with the trimester, semester or end of school year break in the calendar schedule of the school at which the licensee teaches. The validity of the provisional license shall expire on the last day of school for the break in the school calendar schedule that falls within the limitations of time that an extension may be granted as identified in Subsection 3.

2. A request for an extension pursuant to subsection 1 must be received by the superintendent of public instruction no less than 15 working days before the expiration of the license or provisional license. If such a request is received less than 15 working days before the expiration of the license or provisional license, the licensee is not guaranteed a decision on the request before the license becomes invalid or expires. A request for an extension which is postmarked or received after the date of expiration of the license or provisional license will not be considered by the superintendent of public instruction.

3. The superintendent of public instruction may grant an extension for a period of not more than 6 months from the date the extension is granted. In no case may a further extension be granted.

~~[4. A provisional nonrenewable license issued pursuant to NAC 391.056 may not be granted an extension pursuant to this section.]~~