

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

LCB File No. R103-03

§§1-4 and 6 effective September 24, 2003

§5 effective July 1, 2005

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

AUTHORITY: §§1-6, NRS 391.019.

Section 1. NAC 391.350 is hereby amended to read as follows:

391.350 1. Before teaching pupils who have serious emotional disturbances and moderate to intense needs for assistance and intervention in their educational processes, a person must hold:

(a) An endorsement issued pursuant to this section; or

(b) A teacher's elementary, secondary or special license with an endorsement in special education or a bachelor's or master's degree with a major or minor in special education, must have completed 6 semester hours from the course work prescribed in subparagraph (2) of paragraph (e) of subsection 2 and must complete a program of preparation leading to licensing in this field within 3 years after beginning to teach such pupils.

2. To receive the endorsement, the person must:

(a) Have completed a program of preparation for teaching pupils who have serious emotional disturbances, which has been approved by the Board;

(b) Hold a license or certificate, issued by another state, with an endorsement to teach pupils who have serious emotional disturbances;

(c) Hold a bachelor's or master's degree in the education of pupils who have serious emotional disturbances and have completed 8 semester hours of student teaching, equivalent field experience or 1 year of verifiable teaching experience in special education;

(d) Have ~~met~~:

(1) *Met* the requirements *for an endorsement* prescribed in ~~subsection 2 of~~ NAC 391.343, ~~have 3 years~~ *391.356, 391.360 or 391.370*;

(2) *One year* of verifiable teaching experience with pupils who have serious emotional disturbances ; and ~~have~~

(3) *Completed* 9 semester hours of the course work prescribed in sub-subparagraphs (IV), (V) and (VI) of subparagraph (2) of paragraph (e) ; ~~of this subsection;~~ or

(e) Hold a bachelor's or master's degree and:

(1) Have completed 8 semester hours of student teaching of pupils who have serious emotional disturbances, equivalent field experience with such pupils or 1 year of verifiable teaching experience with such pupils; and

(2) Have completed 24 semester hours of course work, including course work in the following areas:

(I) Educational psychology;

(II) Human growth and development;

(III) Introduction to special education or the education of pupils who have disabilities;

(IV) The assessment of pupils who have disabilities;

(V) Characteristics of pupils who have emotional disturbances;

(VI) Curriculum development or methods and strategies for teaching pupils who have emotional disturbances;

(VII) Education or planning for the transition of pupils who have disabilities from their current placement to placement in additional educational programs, employment and living independently as an adult;

(VIII) Behavior management; and

(IX) Parental involvement in programs for pupils who have disabilities.

↪The requirement for course work in two of these areas may be satisfied by completing one course, of at least 3 semester hours, that encompasses both subject matters.

Sec. 2. NAC 391.356 is hereby amended to read as follows:

391.356 1. Before teaching pupils who have specific learning disabilities and moderate to intense needs for assistance and intervention in their educational processes, a person must hold:

(a) An endorsement issued pursuant to this section; or

(b) A teacher's elementary, secondary or special license with an endorsement in special education, or a bachelor's or master's degree with a major or minor in special education, must have completed 6 semester hours from the courses prescribed in subparagraph (2) of paragraph (e) of subsection 2 and must complete a program of preparation leading to licensing in this field within 3 years after beginning to teach such pupils.

2. To receive the endorsement, the person must:

(a) Have completed a program of preparation for teaching pupils who have learning disabilities which has been approved by the Board;

(b) Hold a license or certificate, issued by another state, with an endorsement to teach pupils who have specific learning disabilities;

(c) Hold a bachelor's or master's degree in special education in the area of learning disabilities and have completed 8 semester hours of student teaching, equivalent field experience or 1 year of verifiable teaching experience in special education;

(d) Have ~~met~~:

(1) *Met* the requirements *for an endorsement* prescribed in ~~subsection 2 of~~ NAC 391.343, ~~have 3 years~~ *391.350, 391.360 or 391.370*;

(2) *One year* of verifiable teaching experience with pupils who have specific learning disabilities ; and ~~have completed~~

(3) *Completed* 9 semester hours of the course work prescribed in sub-subparagraphs (IV), (V) and (VI) of subparagraph (2) of paragraph (e) ; ~~of this subsection;~~ or

(e) Hold a bachelor's or master's degree and:

(1) Have completed 8 semester hours of student teaching of pupils who have specific learning disabilities, equivalent field experience with such pupils or 1 year of verifiable teaching experience with such pupils; and

(2) Have completed 24 semester hours of course work, including course work in the following areas:

(I) Educational psychology;

(II) Human growth and development;

(III) Introduction to special education or the education of pupils who have disabilities;

(IV) The assessment of pupils who have disabilities;

(V) Characteristics of pupils who have learning disabilities;

(VI) Curriculum development or methods and strategies for teaching pupils who have learning disabilities;

(VII) Education or planning for the transition of pupils who have disabilities from their current placement to placement in additional educational programs, employment and living independently as an adult;

(VIII) Behavior management; and

(IX) Parental involvement in programs for pupils who have disabilities.

↪The requirement for course work in two of these areas may be satisfied by completing one course, of at least 3 semester hours, that encompasses both subject matters.

Sec. 3. NAC 391.360 is hereby amended to read as follows:

391.360 1. Before teaching pupils who have mental retardation and have moderate to intense needs for assistance and intervention in their educational processes, a person must hold:

(a) An endorsement issued pursuant to this section; or

(b) A teacher's elementary, secondary or special license with an endorsement in special education, or a bachelor's or master's degree with a major or minor in special education, must have completed 6 semester hours from the courses prescribed in subparagraph (2) of paragraph (e) of subsection 2 and must complete a program of preparation leading to licensing in this field within 3 years after beginning to teach such pupils.

2. To receive the endorsement, the person must:

(a) Have completed a program of preparation for teaching pupils who have mental retardation, which has been approved by the Board;

(b) Hold a license or certificate, issued by another state, with an endorsement to teach pupils who have mental retardation;

(c) Hold a bachelor's or master's degree in special education in the area of mental retardation and have completed 8 semester hours of student teaching, equivalent field experience or 1 year of verifiable teaching experience in special education;

(d) Have ~~met~~:

(1) *Met* the requirements *for an endorsement* prescribed in ~~subsection 2 of~~ NAC 391.343, ~~have 3 years~~ *391.350, 391.356 or 391.370*;

(2) *One year* of verifiable teaching experience with pupils who have mental retardation and moderate to intense needs of assistance and intervention in their educational processes ; and ~~have completed~~

(3) *Completed* 12 semester hours of the course work prescribed in sub-subparagraphs (IV) to (IX), inclusive, of subparagraph (2) of paragraph (e) ; ~~of this subsection;~~ or

(e) Hold a bachelor's or master's degree and:

(1) Have completed 8 semester hours of student teaching of pupils who have mental retardation, equivalent field experience with such pupils or 1 year of verifiable teaching experience with such pupils; and

(2) Have completed 30 semester hours of course work, including course work in the following areas:

(I) Educational psychology;

(II) Human growth and development;

(III) Introduction to special education or the education of pupils who have disabilities;

(IV) The assessment of pupils who have disabilities;

(V) Characteristics of pupils who have mental retardation;

(VI) Curriculum development or methods and strategies for teaching pupils who have mental retardation;

(VII) Behavior management;

(VIII) Communication programming for pupils who have mental retardation;

(IX) Medical aspects of pupils who have disabilities;

(X) Education or planning for the transition of pupils who have disabilities from their current placement to additional educational programs, employment and living as an adult; and

(XI) Parental involvement in programs for pupils who have disabilities.

↪ The requirement for course work in two of these areas may be satisfied by completing one course, of at least 3 semester hours, that encompasses both subject matters.

Sec. 4. NAC 391.378 is hereby amended to read as follows:

FIRST
PARALLEL
SECTION

391.378 1. Before teaching pupils, ages 3 to 21, inclusive, who have autism, a person must hold ~~an~~ :

(a) *An endorsement issued pursuant to this section ~~[-]~~; or*

(b) *A special license with an endorsement in special education prescribed in NAC 391.343, 391.350, 391.356, 391.360, 391.363 or 391.370 and must complete a program of preparation leading to licensing in this field within 3 years after beginning to teach such pupils.*

2. To receive the endorsement, the person must:

(a) Have completed a program of preparation for teaching pupils who have autism, which has been approved by the Board;

(b) Hold a license or certificate, issued by another state, with an endorsement to teach pupils who have autism;

(c) Hold a bachelor's or master's degree in the education of pupils who have autism and have completed 8 semester hours of student teaching, equivalent field experience or 1 year of verifiable teaching experience in special education; or

(d) ~~Hold one of the endorsements described~~ *Have:*

(1) Met the requirements for an endorsement prescribed in NAC 391.343, 391.350, 391.356, 391.360, 391.363 ~~[, 391.370 or 391.376 and have completed]~~ *or 391.370;*

(2) One year of verifiable teaching experience with pupils who have autism; and

(3) Completed course work in the following areas:

~~(1)~~ *(I)* Behavior management;

~~(2)~~ *(II)* Speech and language development; ~~and~~

~~(3)~~ *(III)* Assistive technology, or alternative or augmentative communication ~~;~~;

(IV) Characteristics of pupils who have autism; and

(V) Curriculum development or methods and strategies for teaching pupils who have autism.

Sec. 5. NAC 391.378 is hereby amended to read as follows:

SECOND
PARALLEL
SECTION

391.378 1. Before teaching pupils, ages 3 to 21, inclusive, who have autism, a person must hold ~~;~~

~~—(a) An~~ *an* endorsement issued pursuant to this section . ~~;~~ ~~or~~

~~—(b) A special license with an endorsement in special education prescribed in NAC 391.343, 391.350, 391.356, 391.360, 391.363 or 391.370 and must complete a program of preparation leading to licensing in this field within 3 years after beginning to teach such pupils.]~~

2. To receive the endorsement, the person must:

(a) Have completed a program of preparation for teaching pupils who have autism, which has been approved by the Board;

(b) Hold a license or certificate, issued by another state, with an endorsement to teach pupils who have autism;

(c) Hold a bachelor's or master's degree in the education of pupils who have autism and have completed 8 semester hours of student teaching, equivalent field experience or 1 year of verifiable teaching experience in special education; or

(d) Have:

(1) Met the requirements for an endorsement prescribed in NAC 391.343, 391.350, 391.356, 391.360, 391.363 or 391.370;

(2) One year of verifiable teaching experience with pupils who have autism; and

(3) Completed course work in the following areas:

(I) Behavior management;

(II) Speech and language development;

(III) Assistive technology, or alternative or augmentative communication;

(IV) Characteristics of pupils who have autism; and

(V) Curriculum development or methods and strategies for teaching pupils who have autism.

Sec. 6. 1. This section and sections 1, 2 and 3 of this regulation become effective on September 24, 2003.

2. Section 4 of this regulation becomes effective on September 24, 2003.

3. Section 5 of this regulation becomes effective on July 1, 2005.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R103-03

The Commission on Professional Standards in Education adopted regulations assigned LCB File No. R103-03 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: 9/24/2003

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. One workshop was held on 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 391.036 were sent to approximately 100 individuals and educational organizations. The public hearing was conducted on September 12, 2003, to provide the opportunity for comments by affected parties and the public. There were comments from the public. The Commission adopted the proposed regulations.

2. The Number of Persons Who:

a) Attended Each Hearing: Workshop: 11 First Hearing: 11 Second Hearing: N/A
b) Testified at Each Hearing: Workshop: 1 First Hearing: 3 Second Hearing: N/A
c) Submitted Written Statements: Workshop: 0 First Hearing: 0 Second Hearing: N/A

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 the workshop notice of August 7, 2003, and the public hearing notice of August 7, 2003. At the September 12, 2003, Workshop to Solicit Comments, there were public comments to the proposed language revisions. At the September 12, 2003, public hearing there was public comments to the proposed language.

Summary of Comments:

Workshop/Public Hearing Comments:

- a) Gloria Dopf, Assistant Superintendent for the Nevada Department of Education, stated that the State Special Education Advisory Committee made the three following recommendations:
- 1) The Special Education Advisory Committee requests that the Commission consider revising NAC 391.378, 2(d) by incorporating additional course work requirements in (4) Characteristics of Pupils with Autism; (5) Curriculum Development or Methods and Strategies for Teaching Pupils Who Have Autism.
 - 2) The Special Education Advisory Committee supports the inclusion of the Option Program for Autism and recommends that a sunset clause be incorporated to eliminate the Option Program for Autism as of June 30, 2005.
 - 3) The Special Education Advisory Committee supports the proposed changes in NAC, Section 391.350, 391.356, 391.360, and 391.378 from three (3) years to one (1) year of verifiable teaching experience.

Public Hearing Comments:

- b) Dr. Tom Pierce, University of Nevada, Las Vegas, stated that he supports all of the three recommended changes by the Special Education Advisory Committee and stated that it is important to have coursework.
- c) Mary Ann Gibbs, Clark County School District, stated that the School District does not support the inclusion of the sunset clause for the Autism Option Program. Ms. Gibbs stated that they do not feel that the needs will be any less in five years.

A copy of the summary and/or minutes of the public hearing 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 proposed regulation language at the public hearing held September 12, 2003. The reason for adopting the regulations was to change the three years of verifiable teaching experience requirement to one year and to allow an Option Program in the area of Autism.

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 for a new fee or increase an existing fee.