

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

**LCB File No. R003-05**

Effective October 31, 2005

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

AUTHORITY: §§1 and 2, NRS 391.019.

A REGULATION relating to educational personnel; designating a physical education elementary license; and providing other matters properly relating thereto.

**Section 1.** NAC 391.056 is hereby amended to read as follows:

391.056 1. Except as otherwise provided in subsection 4, the Superintendent of Public Instruction may issue a provisional nonrenewable license to an applicant applying for a license pursuant to NAC 391.045 if he otherwise meets the requirements for a license pursuant to NAC 391.045, but:

(a) Has a deficiency in credits of 6 semester hours or less for all areas of licensure or endorsement, unless the provision is for an endorsement as a substitute teacher;

(b) Has not completed the courses or passed the examination required by NAC 391.030 and is not exempt from the requirements of that section;

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

(1) Has completed all necessary course work requirements for the school counseling endorsement;

(2) Has completed 200 hours of the practicum or internship through a regionally accredited college or university, including, without limitation, a minimum of 100 hours in a school setting at the time of his application for licensure; and

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

(d) Has not passed the tests required by NAC 391.036 and is not exempt from taking such tests; or

(e) Has not completed the course required by paragraph (b) of subsection 1 of NAC 391.045.

2. A license issued pursuant to this section becomes invalid 3 years after the date on which the license is issued.

3. The holder of a license issued pursuant to this section may add endorsements with provisions to the license during the first year in which the license is valid. Endorsements without provisions may be added to the license at any time during the period in which the license is valid. If an endorsement is added to the license, the endorsement does not affect the date on which the license becomes invalid.

4. The Superintendent of Public Instruction may not issue a provisional nonrenewable license pursuant to paragraph (a), (c) or (d) of subsection 1 on or after July 1, 2005, to a person who is applying for an elementary license pursuant to *paragraph (b) of* subsection ~~2~~ 1 of NAC 391.095 or to a person who is applying for a secondary license with an endorsement in one or more of the following major or minor fields:

(a) Art.

(b) Biological science.

(c) Chemistry.

- (d) English.
- (e) French.
- (f) General science.
- (g) History.
- (h) Mathematics.
- (i) Music.
- (j) Physical science.
- (k) Reading.
- (l) Social studies.
- (m) Spanish.
- (n) Speech and drama.

**Sec. 2.** NAC 391.095 is hereby amended to read as follows:

391.095 **1.** To receive an elementary license, a person must hold a bachelor's degree from an accredited college or university and **must** have completed:

~~[(1)]~~ **(a)** A program of preparation for teaching in the elementary grades which is approved by the Board;

~~[(2)]~~ **or**

**(b)** Thirty-two semester hours of courses in elementary professional education consisting of:

~~[(a)]~~ **(1)** Eight semester hours in supervised student teaching in kindergarten through eighth grade;

~~[(b)]~~ **(2)** Nine semester hours in methods of teaching elementary subjects, including, but not limited to, mathematics, science and social studies;

~~[(c)]~~ **(3)** Nine semester hours in the teaching of literacy or language arts; and

~~[(4)]~~ (4) Six semester hours of professional education course work in any of the following subjects:

~~[(1)]~~ (I) Classroom management;

~~[(2)]~~ (II) English as a second language;

~~[(3)] Technology;~~

~~[(4)]~~ (III) *Technology*;

(IV) Evaluation of pupils;

~~[(5)]~~ (V) Child development;

~~[(6)]~~ (VI) Special education; or

~~[(7)]~~ (VII) Social and cultural issues . ~~}; or~~

~~3. Forty four]~~

*2. To receive a license designated as a physical education elementary license, a person must hold a bachelor's degree from an accredited college or university and must have completed 44 semester hours of courses in professional studies in physical education for kindergarten through eighth grade consisting of:*

(a) Eight semester hours in supervised student teaching of physical education for kindergarten through eighth grade;

(b) Fifteen semester hours which includes course work in each of the following areas of study:

(1) Anatomical kinesiology or mechanical kinesiology, or both;

(2) The physiology of exercise;

(3) The psychological or social aspects of physical education, or both;

(4) Motor development; and

(5) Testing and measuring skills and abilities in physical education; and

(c) Twenty-one semester hours in teaching elementary physical education, including, but not limited to, teaching:

- (1) Adapted physical education;
- (2) Methods and techniques of teaching elementary physical education;
- (3) Rhythmic activities for pupils in elementary grades;
- (4) Movement experiences for pupils in preschool and primary grades;
- (5) Movement experiences for pupils in intermediate grades; and
- (6) Advanced first aid or an equivalent course.

↪ A ~~[person who qualifies for an]~~ *physical education* elementary license ~~[by complying]~~ *issued in accordance* with the requirements of this subsection ~~[may]~~ *authorizes the holder of the license to* teach only physical education in kindergarten through eighth grade.

**NOTICE OF ADOPTION OF PROPOSED REGULATION**  
**LCB File No. R003-05**

The Commission on Professional Standards in Education adopted regulations assigned LCB File No. R003-05 which pertain to chapter 391 of the Nevada Administrative Code on September 22, 2005.

**Notice date:** 8/16/2005  
**Hearing date:** 9/22/2005

**Date of adoption by agency:** 9/22/2005  
**Filing date:** 10/31/2005

**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 22, 2005. There were no comments from the public.

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of the proposed endorsement and revisions to NAC 391.095 were sent to approximately 100 individuals and educational organizations. The public hearing was conducted on September 22, 2005, to provide the opportunity for comments by affected parties and the public. There were no comments from the public. The Commission adopted the proposed regulation and amendments to NAC 391.056 and NAC 391.095.

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: 0 First Hearing: 0 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 contacting Christina Harper, Administrative Assistant to the Commission on Professional Standards in Education, (775) 687-9226, 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 16, 2005 and the public hearing notice of August 16, 2005. At the September 22, 2005 Workshop to Solicit Comments, there was no public comments to the proposed language. At the September 22, 2005 public hearing there were no public comments to the proposed language.

Summary of Comments:

Workshop Comments:

None

Public Hearing Comments:

None

A copy of the summary and/or minutes of the public hearing may be obtained by contacting Christina Harper, Administrative Assistant to the Commission on Professional Standards in Education, (775) 687-9226, 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 with amendments at the public hearing held September 22, 2005. The reason for adopting the proposed regulation is to clean up the language. Currently the language would allow an individual with only a K-8 Elementary PE license to also qualify for a regulation elementary license. The elimination of the word “or” corrects this language.

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.