

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

LCB File No. R007-05

Effective October 31, 2005

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

AUTHORITY: §1, NRS 391.019.

A REGULATION relating to educational personnel; revising the provisions governing the qualifications for teaching pupils who have autism; and providing other matters properly relating thereto.

Section 1. Section 6 of LCB File No. R103-03, which was adopted by the Commission on Professional Standards in Education and was filed with the Secretary of State on September 24, 2003, is hereby amended to read as follows:

Sec. 6. 1. This section and sections 1 ~~[, 2 and 3]~~ *to 4, inclusive*, 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.]~~ *2008*.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R007-05**

The Commission on Professional Standards in Education adopted regulations assigned LCB File No. R007-05 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 was one public comment.

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of the proposed revisions to NAC 391.350, 391.356, 391.360 and 391.378 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 comments from the public. The Commission adopted the proposed regulation.

2. The Number of Persons Who:

- a) Attended Each Hearing: Workshop: 13 First Hearing: 13 Second Hearing: N/A
- b) Testified at Each Hearing: Workshop: 1 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, Nevada Department of 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 13, 2005, and the public hearing notice of August 13, 2005. At the September 22, 2005 Workshop to Solicit Comments, there were 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/Public Hearing Comments:

Mary Ann Gibbs, Clark County School District, indicated that there is a shortage of autism teachers and the Autism Option Program will sunset on June 30, 2005 and encouraged the Commission to extend the date for the Autism Option Program to 2008. Ms. Gibbs stated that there is high need for the Autism Option Program.

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, 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 22, 2005. The reason for adopting the amendment to the regulation was to extend the sunset date to June 30, 2008 to continue the Option Program for 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:

The beneficial economic effect allows school districts to continue to hire teachers and place them in a Option Program for Autism and this allows licensed teachers to remain in those classrooms. 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.