

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

LCB File No. R133-13

Effective February 26, 2014

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

AUTHORITY: §§1-5, NRS 391.019, 391.021 and 391.032.

A REGULATION relating to educational personnel; revising provisions relating to the issuance of an initial license to certain persons who have been issued a conditional license; and providing other matters properly relating thereto.

Section 1. Chapter 391 of NAC is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this regulation.

Sec. 2. 1. *The specific areas for which the Superintendent of Public Instruction may issue a conditional license to teach pupils in prekindergarten through grade 12 pursuant to NAC 391.057 include, without limitation:*

(a) Music;

(b) Art;

(c) Physical education; and

(d) Any other specific area approved by the Superintendent of Public Instruction.

2. *The categories for which the Superintendent of Public Instruction may issue a conditional license to teach special education to pupils in prekindergarten through grade 12 pursuant to NAC 391.057 are:*

(a) Hearing impairments;

(b) Specific learning disabilities, emotional disturbances, mild to moderate intellectual disabilities, orthopedic impairments, health impairments or traumatic brain injuries;

- (c) Intellectual disabilities and moderate to intense needs for assistance and intervention;*
- (d) Pupils who have disabilities and who are under 8 years of age;*
- (e) Adapted physical education to pupils who have disabilities;*
- (f) Speech and language impairments;*
- (g) Autism; and*
- (h) Visual impairments.*

Sec. 3. A person who is issued a conditional license pursuant to NAC 391.057 may apply for an initial license to teach elementary education, to teach pupils in a program of early childhood education or to teach special education to pupils in prekindergarten through grade 12 in a category listed in subsection 2 of section 2 of this regulation, as applicable, if the applicant:

1. Successfully completes the education and training required by the qualified provider for the program for an alternative route to licensure, including, without limitation, the supervised, school-based experience provided by the qualified provider;

2. Submits proof satisfactory to the Superintendent of Public Instruction that the applicant passed the competency test in basic reading, writing and mathematics that is required by NAC 391.036 or is eligible for an exemption from that test; and

3. Pays the fee required pursuant to NAC 391.045.

Sec. 4. A person who is issued a conditional license pursuant to NAC 391.057 may apply for an initial license to teach secondary education or to teach pupils in prekindergarten through grade 12 in a specific area listed in subsection 1 of section 2 of this regulation, as applicable, if the applicant:

1. Successfully completes at least 18 semester credits of course work in pedagogy provided by a qualified provider for a program for an alternative route to licensure, consisting of at least:

(a) Three semester credits in a course of study regarding classroom management, which may include, without limitation, instruction concerning adolescent growth and development;

(b) Three semester credits in a course of study regarding English as a second language, which may include, without limitation, instruction concerning methods and materials for teaching English as a second language, theories for the acquisition of a second language, testing and evaluation of pupils studying English as a second language and developing a curriculum for pupils studying English as a second language;

(c) Three semester credits in a course of study regarding curriculum and instruction, which may include, without limitation, multicultural education and instruction concerning the use of technology in education, methods for teaching the integration of technology in secondary education, pedagogy and the teaching of literacy and language arts;

(d) Three semester credits in a course of study regarding assessment, which may include, without limitation, instruction concerning educational psychology and tests and measurement;

(e) Three semester credits in a course of study regarding education or curricular adaptation for pupils with disabilities; and

(f) Three semester credits in the methods and materials:

(1) For teaching in the applicant's desired area of licensure at the secondary grade level; or

(2) For teaching pupils in prekindergarten through grade 12 in a specific area listed in subsection 1 of section 2 of this regulation;

2. Submits proof satisfactory to the Superintendent of Public Instruction that the applicant passed the competency test in basic reading, writing and mathematics that is required by NAC 391.036 or is eligible for an exemption from that test; and

3. Pays the required fee pursuant to NAC 391.045.

Sec. 5. NAC 391.057 is hereby amended to read as follows:

1. The Superintendent of Public Instruction shall issue a conditional license to teach elementary education, a conditional license to teach pupils in a program of early childhood education, a conditional license to teach secondary education, a conditional license to teach pupils in prekindergarten through grade 12 in a specific area described in subsection ~~4~~ *1 of section 2 of this regulation* or a conditional license to teach special education to pupils in prekindergarten through grade 12 in a category described in subsection ~~5~~ *2 of section 2 of this regulation* to a person who submits an application which is accompanied by proof satisfactory to the Superintendent of Public Instruction that the applicant:

- (a) Holds a bachelor's degree from a postsecondary institution that is regionally accredited;
- (b) Passed the competency test in basic reading, writing and mathematics that is required by NAC 391.036 or is eligible for an exemption from that test;
- (c) Has been accepted by a qualified provider for enrollment in a program for an alternative route to licensure; and
- (d) Complies with the instructional and training policies and procedures of the qualified provider.

2. In addition to the requirements of subsection 1, an applicant for a conditional license to teach secondary education or to teach pupils in prekindergarten through grade 12 in a specific area described in subsection ~~4~~ *1 of section 2 of this regulation*, other than an applicant to

teach pupils special education in a category described in subsection ~~15.1~~ *2 of section 2 of this regulation*, must:

- (a) Hold a major or minor in the applicant's desired area of licensure; or
- (b) Pass a competency test required by the Commission in the subject matter of the area for which the applicant is seeking a conditional license or provide to the Department proof that he or she is eligible for an exemption from that test.

3. A conditional license issued pursuant to this section:

- (a) Authorizes the holder of the license to teach in a county school district, a charter school or a private school;
- (b) Becomes valid on the date on which the holder of the license satisfies all the requirements of subsection 1 ~~15.1~~ *and, if applicable, the requirements of subsection 2;*
- (c) Except as otherwise provided in subsection ~~16.1~~ *4*, is valid for not more than 3 years; and
- (d) Is not renewable.

4. ~~The specific areas for which the Superintendent of Public Instruction may issue a conditional license to teach pupils in prekindergarten through grade 12 include, without limitation:~~

- ~~—(a) Music;~~
- ~~—(b) Art;~~
- ~~—(c) Physical education; and~~
- ~~—(d) Any other specific area approved by the Superintendent of Public Instruction.~~
- ~~5. The categories for which the Superintendent of Public Instruction may issue a conditional license to teach special education to pupils in prekindergarten through grade 12 are:~~
 - ~~—(a) Hearing impairments;~~

- ~~—(b) Specific learning disabilities, emotional disturbances, mild to moderate intellectual disabilities, orthopedic impairments, health impairments or traumatic brain injuries;~~
- ~~—(c) Intellectual disabilities and moderate to intense needs for assistance and intervention;~~
- ~~—(d) Pupils who have disabilities and who are under 8 years of age;~~
- ~~—(e) Adapted physical education to pupils who have disabilities;~~
- ~~—(f) Speech and language impairments;~~
- ~~—(g) Autism; or~~
- ~~—(h) Visual impairments.~~

~~—6.} A conditional license issued pursuant to this section is automatically revoked if the holder of the conditional license withdraws from or is no longer enrolled in a program for an alternative route to licensure.~~

~~{7.—A person who is issued a conditional license pursuant to this section may apply for an initial license to teach elementary education, to teach pupils in a program of early childhood education, to teach secondary education, to teach pupils in prekindergarten through grade 12 in a specific area described in subsection 4 or to teach special education to pupils in prekindergarten through grade 12 in a category described in subsection 5, as applicable, if the applicant:~~

- ~~—(a) Successfully completes the education and training required by the qualified provider for the program for an alternative route to licensure, including, without limitation, the supervised, school-based experience provided by the qualified provider;~~
- ~~—(b) Satisfies the requirements for initial licensure pursuant to NAC 391.036; and~~
- ~~—(c) Pays the appropriate fee.}~~

NEVADA DEPARTMENT OF EDUCATION

COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED
BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066
LCB File No. R133-13**

New section revising provisions relating to the issuance of an initial license to certain person who have been issued a conditional license and amendments to NAC 391.057 – Conditional licensure: categories; qualifications; terms of validity; approval of Department for school district, charter school or private school to hire licensee; requirements of licensee following issuance

INFORMATIONAL STATEMENT

The following statement is submitted for adopted amendments to Nevada Administrative Code 391:

1. A clear and concise explanation of the need for the adopted regulation.

The need for adopting the regulation is to create pedagogy requirements in four specific areas for an alternative route to licensure applicants in the secondary licensure area. This recommendation protects the integrity of the teaching profession, is consistent with legislative intent, and reduces requirements in a way that provides additional avenues for qualified individuals to enter the teaching force.

2. Description of how public comment was solicited, a summary of public response, and explanation of how other interested persons may obtain a copy of the summary.

Notice of Workshop to Solicit Comments on Proposed Regulations was sent to approximately 200 individuals and educational organizations. A workshop was held on October 17, 2013; with public comment.

The Notice of Intent to Act Upon a Regulation for public hearing and adoption was sent to approximately 200 individuals and educational organization. A public hearing was conducted on January 29, 2014 to provide the opportunity for comments by affected parties and the public. There was public comment. The Commission on Professional Standards in Education adopted the proposed regulation with amendments.

Summary of Comments:

Workshop comments:

- (a) Dr. Tom Pierce, University of Nevada, Las Vegas, expressed support for the proposed inclusion of pedagogy requirements and stated that ARL candidates are not required

to perform student teaching, which could be 8-12 credits depending on the institution. Dr. Pierce stated that the task force reviewed and thoroughly discussed the inclusion of the pedagogy coursework, which included ARL providers, and unanimously agreed that the 18 credit hour pedagogy requirement is less than the current requirements and this proposal requires less pedagogy, than a traditionally licensed teacher, anywhere from 4 to 8 credits. Dr. Pierce added that a special education teacher need to have 30 credits plus 8 credits in student teaching for a total of 38 credits, which is much different than the 18 credits being proposed for ARL candidates. Dr. Pierce stated that it is the responsibility of the Commission to meet the needs of students and ensure that teachers have the tools necessary to be successful in the classroom.

- (b) Dena Durish, Clark County School District – human resources and ARL program coordinator, reiterated that the proposal is the task force’s recommendations with specific areas outlined for clarity and the proposal reflects less pedagogy requirements than for a traditionally licensed teacher.

Public hearing comments:

- (a) Dr. Tom Pierce, University of Nevada, Las Vegas, questioned why the proposed language only applies the 18 credits in pedagogy to secondary licensure and not elementary and special education.
- (b) Dr. Emily Lin, University of Nevada, Las Vegas, stated that the discussion for the 18 credits in pedagogy only included secondary licensure, but feels that there should be pedagogy requirements for both elementary and special education alternative route to licensure.

A copy of the summary and/or minutes of the public hearing may be obtained by contacting Christina Harper, Administrative Assistant, Nevada Department of Education, 775-687-9226, or by writing to the Nevada Department of Education at 700 East Fifth Street, Carson City, Nevada 89701-5096.

3. The Number of Persons Who:

- a) Attended Each Hearing: First Workshop: 11; First Hearing: 8
- b) Testified at Each Hearing: First Workshop: 2; First Hearing: 2
- c) Submitted Written Statements: First Workshop: 0; Second Workshop: 0

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing: (a) name; (b) telephone number; (c) business address; (d) business telephone number; (e) electronic mail address; and (f) name of entity or organization represented.

- (a) Dr. Tom Pierce, University of Nevada, Las Vegas, Nevada
- (b) Dena Durish, Clark County School District, Las Vegas, Nevada
- (c) Dr. Emily Lin, University of Nevada, Las Vegas, Nevada

5. A description of how comment was solicited from affected businesses, a summary of the response and an explanation of how other interested persons may obtain a copy of the summary.

Comments were solicited through the workshop notice of September 25, 2013, and a public hearing notice of December 26, 2013. At the October 17, 2013 Workshop to Solicit Comments, there was public comments to the proposed regulation. At the January 29, 2014 public hearing there was public comment to the proposed regulation.

A copy of the summary and/or minutes of the public hearing may be obtained by contacting Christina Harper, Administrative Assistant, Nevada Department of Education, 775-687-9226, or by writing to the Nevada Department of Education at 700 East Fifth Street, Carson City, Nevada 89701-5096.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The Commission on Professional Standards in Education adopted the proposed regulation language at the public hearing held January 29, 2014 with amendments for the inclusion the requirement of a school based experience for secondary ARL applicants, which was inadvertently deleted in the LCB version. The past and present discussions of the Commission support the inclusion of the school based experience for all areas of licensure.

7. The estimated economic effect of the regulation on the business which it is to regulate and on the public.

- (a) Estimated economic effect on the business which they are to regulate.

There could be an economic effect on the business it regulates as the courses will be incorporated into the alternative route to licensure program.

- (b) Estimated economic effect on the public which they are to regulate.

There could be an economic effect on the public if the ARL provider passes along the cost of the pedagogy course to the individuals in the ARL program.

8. The estimated cost to the agency for enforcement of the proposed regulation.

There is no additional cost to the agency for enforcement of this regulation.

9. A description of any regulations of other State or governmental agencies which the proposed regulation overlaps or a statement explaining why the duplication or overlap 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.

There is no federal law affecting the proposed regulations.

10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The regulation does not include provisions that are more stringent than federal regulation.

11. 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.