

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

LCB File No. R133-13

December 24, 2013

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

AUTHORITY: §§1-6, 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 ~~{5,}~~ *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 ~~{1}~~ *and, if applicable, the requirements of subsection 2;*

(c) Except as otherwise provided in subsection ~~{6,}~~ *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.~~

Sec. 6. NAC 391.058 is hereby amended to read as follows:

391.058 1. A school district, a charter school or a private school that is licensed pursuant to chapter 394 of NRS must apply to the Department before it employs a person who holds a conditional license that was issued pursuant to NAC 391.057. The application must be in writing and include:

(a) Proof that the school district, charter school or private school has advertised in good faith its desire to fill a vacancy in the position of, as applicable, an unconditionally licensed teacher to teach elementary education, an unconditionally licensed teacher to teach pupils in a program of early childhood education, an unconditionally licensed teacher to teach secondary education in the subject area and at the grade level in which there is a vacancy or an unconditionally licensed teacher to teach pupils in prekindergarten through grade 12 in a category described in subsection ~~9 of NAC 391.057;~~ *2 of section 2 of this regulation;*

(b) An affidavit stating that despite the required advertisement the school district, charter school or private school was not successful in hiring, as applicable, an unconditionally licensed teacher to teach elementary education, an unconditionally licensed teacher to teach pupils in a program of early childhood education, an unconditionally licensed teacher to teach secondary education in the subject area and at the grade level in which there is a vacancy or an unconditionally licensed teacher to teach pupils in prekindergarten through grade 12 in a category described in subsection ~~9 of NAC 391.057;~~ *2 of section 2 of this regulation;* and

(c) A written assurance that the school district, charter school or private school will, if required by statute or regulation, continue its efforts to hire unconditionally licensed educational personnel.

2. A superintendent of a school district, an administrator of a charter school or an administrator of a private school shall, for the duration of the conditional license, assign at least one postprobationary teacher who is unconditionally licensed to provide assistance, guidance and training to each person it hires to teach elementary education, to teach pupils in a program of early childhood education or to teach secondary education pursuant to this section. Each such person who is hired:

(a) Shall, within 1 year after he or she begins employment, complete a total of 120 hours of training and orientation with at least one postprobationary teacher who is unconditionally licensed and who has been assigned to assist him or her pursuant to this subsection.

(b) May begin teaching after completion of the first 80 hours of the required 120 hours of training and orientation.

3. A superintendent of a school district, an administrator of a charter school or an administrator of a private school shall, for the duration of the conditional license, assign at least one postprobationary teacher who is unconditionally licensed pursuant to NAC 391.343 to provide assistance, guidance and training to each person the school district, charter school or private school hires to teach pupils in prekindergarten through grade 12 in a category described in subsection ~~19 of NAC 391.057.~~ *2 of section 2 of this regulation.* Each such person who is hired:

(a) Shall, within 1 year after he or she begins employment, complete a total of 120 hours of training and orientation with the unconditionally licensed teacher who has been assigned to assist him or her pursuant to this subsection.

(b) May begin teaching after completion of the first 80 hours of the required 120 hours of training and orientation.

↪ A teacher who is assigned to the conditionally licensed teacher pursuant to this subsection must be present at each meeting concerning an individual education plan that the conditionally licensed teacher is required to attend during his or her probationary period of employment.

4. A school district, charter school or private school shall, in consultation with a postsecondary institution which is regionally accredited and which offers courses of study and training for the education of teachers, develop a plan for each person that it hires pursuant to this section which includes:

(a) Provisions for the evaluation of the person;

(b) A description of the courses of study and training that the person is required to complete within the 3 years that his or her conditional license is valid;

(c) A written assessment plan for the course of study and training, as described in paragraph (k) of subsection 1 of NAC 391.557; and

(d) Any other training that the school district, charter school or private school considers necessary.

5. Each school district, charter school or private school which employs a person pursuant to this section shall cooperate with the Commission and the Department in the evaluation of the effectiveness of this section and NAC 391.057.