

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

**LCB File No. R025-16**

April 8, 2016

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 education; repealing the provision for determining whether a person has obtained “full state certification” for purposes of the No Child Left Behind Act; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law authorizes the Commission on Professional Standards in Education to adopt any regulations it deems necessary for its own government or to carry out its duties. (NRS 391.019) Pursuant to this authority, the Commission adopted a regulation prescribing the qualifications required for a person to obtain “full state certification” for the purposes of the No Child Left Behind Act of 2001, 20 U.S.C. § 7801(23). (NAC 391.013) In 2015, Congress passed the Every Student Succeeds Act of 2015, Public Law 114-95, which reauthorized the Elementary and Secondary Education Act of 1965, Public Law 89-10, and replaced the previous version of the law, the No Child Left Behind Act. The Every Student Succeeds Act of 2015 replaced the requirement for “full state certification” with other requirements concerning certification. Public Law 114-95. On February 5, 2016, the Governor approved an emergency regulation, LCB File No. E001-16, which repeals the regulation that provided the manner of determining whether a person had obtained “full state certification” because changes in federal law made the provision unnecessary. An emergency regulation becomes effective immediately upon filing with the Secretary of State but may only be effective for a period of not longer than 120 days and may not be readopted as an emergency regulation. This regulation would permanently repeal the definition of “full state certification.”

**Section 1.** NAC 391.013 is hereby repealed.

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**TEXT OF REPEALED SECTION**

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**391.013 Determination of “full state certification” for purposes of federal No Child Left Behind Act. (NRS 391.019)** The Commission determines that a person has obtained “full state certification” for purposes of the No Child Left Behind Act of 2001, 20 U.S.C. § 7801(23), if the person satisfies all the requirements for the issuance of a renewable license to teach in this State, regardless of whether the person has:

1. Submitted his or her fingerprints pursuant to subsection 3 of NRS 391.033; or
2. Complied with the requirements prescribed by NRS 391.090.