

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

**LCB File No. R048-17**

August 30, 2017

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 education; making certain clarifications concerning the requirement to pass competency tests before obtaining a license or endorsement from the Superintendent of Public Instruction; revising provisions governing exemptions from the requirement to pass such tests; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Commission on Professional Standards in Education to adopt regulations prescribing the qualifications for licensing teachers and other educational personnel. (NRS 391.019) Existing regulations require an applicant for a license to pass competency tests in basic reading, writing and mathematics, the principles and methods of teaching and the subject matter of the initial area of endorsement, except in certain cases. (NAC 391.036) **Section 1** of this regulation clarifies that: (1) an applicant must pass such competency tests each time he or she applies for a license; and (2) a licensee who is applying for an additional endorsement must pass a competency test only in the subject matter of the additional endorsement. **Section 2** of this regulation makes a conforming change.

Existing regulations authorize the Superintendent of Public Instruction to exempt from the requirement to pass such competency tests an applicant who: (1) has retired from teaching in this State; (2) held a license to teach certain subjects that expired within the 3 years immediately preceding the date on which the application was submitted; and (3) meets certain other criteria. (NAC 391.036) **Section 1** provides that the Superintendent may only exempt such an applicant who held a license that expired within the year immediately preceding the date on which the application was made. This regulation also adds a license to teach pupils in a program of early childhood education to the types of licenses that an applicant seeking such an exemption may have held.

Existing regulations provide that an applicant is exempt from the requirement to pass a competency test if the applicant has passed certain tests. (NAC 391.036) **Section 1**: (1) provides that an applicant is only exempt from that requirement if the applicant has passed such a test within the 5 years immediately preceding the date on which the application is submitted; and (2) revises the tests that an applicant must have passed to receive an exemption.

**Section 1.** NAC 391.036 is hereby amended to read as follows:

391.036 1. Except as otherwise provided in this section, paragraph (h) of subsection 1 of NRS 391.019, *as amended by section 19 of Assembly Bill No. 77, chapter 341, Statutes of Nevada 2017, at page 2116*, NAC 391.0545, subsection 2 of NAC 391.0585, paragraph (b) of subsection 3 of NAC 391.233, paragraph (b) of subsection 6 of NAC 391.330, subsection 5 of NAC 391.363, paragraph (b) of subsection 4 of NAC 391.425 and subsection 7 of NAC 391.436, an applicant who applies for ~~an initial~~ :

(a) A license must pass a competency test that has been approved by the Commission, at the level of competence specified by the Commission, in:

~~(a)~~ (1) Basic reading, writing and mathematics;

~~(b)~~ (2) The principles and methods of teaching; and

~~(c)~~ (3) The subject matter of the ~~initial~~ area of endorsement on the license or the area of endorsement necessary for the applicant's area of assignment.

*(b) An additional endorsement on a license held by the applicant must pass a competency test that has been approved by the Commission, at the level of competence specified by the Commission, in the subject matter of the area of endorsement for which the applicant is applying.*

2. The Superintendent of Public Instruction may exempt an applicant from any of the tests required by subsection 1 if the applicant:

(a) Submits to the Department evidence that he or she:

(1) Has retired from teaching in this State;

(2) Held a special license, a license to teach elementary or secondary education, a license to teach special education, *a license to teach pupils in a program of early childhood education* or a license to teach middle school or junior high school education, which:

(I) Has expired within the ~~{3 years}~~ *year* immediately preceding the date on which his or her application was submitted;

(II) Was free from any conditions that the applicant pass a competency test; and

(III) Authorized the applicant to teach in the same grade level and subject area for which he or she is applying to receive ~~{an initial}~~ *a* license;

(3) Was required, for the issuance of the applicant's expired license, to complete courses of study and experience which are substantially equivalent to the courses of study and experience required for the issuance of ~~{an initial}~~ *the* license ~~{}~~ *for which he or she is applying*; and

(4) Otherwise satisfies the requirements for the issuance of ~~{an initial}~~ *a* license;

(b) Submits to the Department evidence that the applicant has passed, as part of a teacher education program approved by a state and offered through a regionally accredited college or university, competency examinations equivalent to those required of the applicant by subsection 1 ~~{}~~, *as determined by the Department*; or

(c) Submits to the Department evidence that the applicant holds a license to teach issued by another state which is ~~{not a provisional license, and the Commission determines that the examinations required for licensure in that state are comparable to the competency tests required by subsection 1.}~~ *acceptable to the Department for purposes of reciprocity.*

3. An applicant is exempt from the requirement to pass a competency test in basic reading, writing and mathematics if the applicant submits to the Department:

(a) Official documentation which indicates that he or she passed, *within the 5 years immediately preceding the date on which his or her application was submitted and* at the level of competency specified by the Commission:

(1) The ~~“Pre-Professional Skills Tests”~~ *“Praxis Core Academic Skills for Educators”* in reading, mathematics and writing, prepared and administered by the Educational Testing Service; or

(2) ~~“The “California Basic Educational Skills Test,” prepared and administered by the California Commission on Teacher Credentialing;”~~ *A test of basic skills that is determined by the Department to be equivalent to the test prescribed by subparagraph 1; or*

(b) Evidence that the applicant has ~~received~~ :

(1) *Received* a master’s or more advanced degree from a regionally accredited college or university ~~the receipt of which required the passage of the~~ ; and

(2) *Completed, within the 5 years immediately preceding the date on which his or her application was submitted, the* “Graduate Record Examinations,” prepared and administered by the Educational Testing Service, or its equivalent ~~;~~

~~(c) An official transcript which indicates that the applicant achieved at least a 3.0 grade point average in his or her undergraduate studies and evidence that he or she has taken the “Graduate Record Examinations,” prepared and administered by the Educational Testing Service, and received a score of:~~

~~—— (1) At least 420 on the verbal portion of the examination;~~

~~—— (2) At least 460 on the quantitative portion of the examination; and~~

~~—— (3) At least 430 on the analytical portion of the examination or at least 3.5 on the analytical writing portion of the examination, as applicable; or~~

~~—(d) Evidence that:~~

~~—(1) The applicant did not pass, at the level of competency specified by the Commission, the “Pre-Professional Skills Tests” in reading, mathematics and writing, prepared and administered by the Educational Testing Service; and~~

~~—(2) After not passing the test described in subparagraph (1), the applicant began and completed, with a grade of B or better, a course of study in a subject area approved by the Commission or the Director of Licensure for the Department.], and received a score which was at or above the midpoint of the score range in effect at the time the examination was administered.~~

4. An applicant is exempt from the requirement to pass a competency test in the principles and methods of teaching if he or she:

(a) Submits to the Department official documentation which indicates that the applicant passed, at the level of competency specified by the Commission, the ~~["Professional Knowledge Test,"]~~ *“Principles of Learning and Teaching Test”* prepared and administered by the Educational Testing Service; *or*

(b) Is applying for a license with an endorsement in an area for which training in the principles and methods of teaching is not required. ~~;~~ ~~or~~

~~—(c) Is applying for an elementary endorsement and submits to the Department evidence that the applicant passed, at the level of competency specified by the Commission, the “Elementary Education: Curriculum, Instruction, and Assessment Test” and the “Elementary Education: Content Area Exercises Test,” both prepared and administered by the Educational Testing Service.]~~

5. An applicant is exempt from the requirement to pass a competency test in the subject matter of *the area of* endorsement if he or she:

(a) Submits to the Department official documentation which indicates that the applicant ~~previously~~ passed, *within the 5 years immediately preceding the date on which his or her application was submitted and* at the level of competency specified by the Commission, the competency test in that subject matter;

(b) Is applying for ~~an initial~~ a license ~~with an~~ or endorsement in an area for which no competency tests have been approved by the Commission;

(c) Is applying for an endorsement to teach pupils who have speech and language impairments and submits to the Department official documentation which indicates that he or she has received a certificate of clinical competence from the American Speech-Language-Hearing Association; or

(d) Is applying for an endorsement in family and consumer sciences and submits to the Department official documentation which indicates that the applicant satisfactorily completed the ~~“National”~~ “Family and Consumer Sciences Certification Examination,” prepared and administered by the American Association of Family and Consumer Sciences.

~~6. If a competency test in a subject matter has been reviewed by the Commission for less than 1 year but is not yet approved, an applicant must take the test, but is not required to pass the test at a level of competence specified by the Commission.~~

~~7.~~ An applicant who fails to comply with the provisions of this section may not apply for a renewable license.

~~8. The tests required by subsection 1 will be administered three times each year at locations and times established by the Commission.~~

**Sec. 2.** NAC 391.363 is hereby amended to read as follows:

391.363 1. Except as otherwise provided in subsection 4, before teaching pupils who have disabilities and who are under 8 years of age in a program of early childhood special education, a person must:

(a) Hold an endorsement issued pursuant to this section; or

(b) Hold a teacher's elementary or secondary license, a license to teach special education, or a license to teach middle school or junior high school education, complete 6 semester hours from the courses prescribed in paragraph (b) of subsection 3 within 1 year after beginning that teaching and complete a program of preparation leading to licensing in early childhood special education within 3 years after beginning that teaching. The Department may grant a person an extension of up to 2 years in which to complete a program of preparation leading to licensing in early childhood special education upon receipt of:

(1) Documentation which shows that the courses prescribed in paragraph (b) of subsection 3 were not offered at times or locations available to the person; or

(2) Verification that the person's medical condition prevented the person from enrolling in or completing the courses prescribed in paragraph (b) of subsection 3.

2. To receive the endorsement, a person must:

(a) Have completed a program of special education, approved by the Board, for children who have disabilities and who are under 8 years of age;

(b) Hold a current license or certificate with a similar endorsement issued by another state;

(c) Hold a master's degree in early childhood special education and have completed 8 semester hours of student teaching, equivalent field experience or 1 year of verifiable teaching experience in early childhood special education; or

(d) Satisfy the requirements of subsection 3.

3. A person may also receive the endorsement if he or she:

(a) Holds an elementary or secondary license, a license to teach special education, a license to teach middle school or junior high school education, or a bachelor's or master's degree in early childhood special education, special education, education for early childhood, child development or a related field that customarily involves providing service to children who have disabilities and who are under 8 years of age, such as counseling of children or families, educational or developmental psychology, speech-language pathology, physical or occupational therapy, elementary education, social work, or nursing if the person has at least 1 year of experience in pediatric nursing.

(b) Has completed at least 18 semester hours which included a course in each subject listed in subparagraphs (1) to (5), inclusive, with any remaining hours completed by courses in any of the subjects listed in subparagraphs (6) to (9), inclusive:

- (1) Foundations or overview of early childhood special education;
- (2) Typical and atypical development of children who are under 8 years of age;
- (3) Assessment of children who have disabilities and who are under 8 years of age;
- (4) Strategies for intervention or development of curriculum for children who have disabilities and who are under 8 years of age;
- (5) Working with families of children who have disabilities and who are under 8 years of age;
- (6) Issues regarding physical and medical management of children who have disabilities and who are under 8 years of age;



(7) Development of language and strategies for intervention for children who have disabilities and who are under 8 years of age;

(8) Social and emotional development and strategies for intervention for children who have disabilities and who are under 8 years of age; and

(9) Coordination and collaboration of services among other agencies and disciplines which serve children who have disabilities and who are under 8 years of age.

↪ For the purpose of completing the requirements for the subjects listed in subparagraphs (1) to (5), inclusive, a single course of 3 semester hours may be applied to satisfy the required course work in no more than two of those subjects.

(c) Has completed student teaching of pupils who have disabilities or developmental delays and who are under 8 years of age or has 1 year of verifiable experience, at the conclusion of which the person is eligible for reemployment, working as a teacher in a program of early childhood special education in a public or private agency that is licensed by the State or that has been approved by a national organization and which serves such pupils and their families or has completed equivalent field experience with such pupils through a regionally accredited college or university.

4. A person may teach in a class in which the majority of the children have developmental delays and are the age of pupils in kindergarten if the person:

(a) On or before September 1, 1994, has at least 3 years of experience teaching pupils who have developmental delays and are the age of pupils in kindergarten in a program of early childhood special education at a public or private agency that is licensed by the State or that has been approved by a national organization; and

(b) Holds a license to teach special education for kindergarten through grade 12 with an endorsement issued pursuant to NAC 391.343, 391.347, 391.360, 391.370 or 391.376.

5. Testing in the principles and methods of teaching pupils in kindergarten through grade 6 is not required to receive a license to teach special education with an endorsement to teach pupils who have disabilities and who are under 8 years of age. A person who, on December 13, 1999, holds a provisional special license to teach pupils who have disabilities and who are under 8 years of age that was provisioned on passing the competency test required by *subparagraph 2 of* paragraph ~~(b)~~ (a) of subsection 1 of NAC 391.036 is exempt from the requirement to pass that test to receive a special license.