

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

LCB File No. R107-17

November 8, 2017

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

AUTHORITY: §§1-5, NRS 391.019 and 391.032, as amended by section 22 of Assembly Bill No. 77, chapter 341, Statutes of Nevada 2017, at page 2120.

A REGULATION relating to educational personnel; revising certain terminology; adding to the areas for which the Superintendent of Public Instruction may issue a provisional license; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

During the 2017 Legislative Session, the Nevada Legislature replaced the term “conditional license” with “provisional license” in the law requiring the adoption of regulations by the Commission on Professional Standards in Education to allow for the issuance of such a license to teachers and other educational personnel before they have completed certain requirements for a license. (NRS 391.032, as amended by section 22 of Assembly Bill No. 77, chapter 341, Statutes of Nevada 2017, at page 2120) **Sections 1-5** of this regulation similarly replace the term “conditional license” with “provisional license” in regulations in accordance with that change.

During the 2017 Legislative Session, the Nevada Legislature also added to the types of licenses that may be issued to teachers and other educational personnel a license to teach pupils in a program of early childhood education. (NRS 391.031, as amended by section 21 of Assembly Bill No. 77, chapter 341, Statutes of Nevada 2017, at page 2120) Existing law requires such licenses to be granted by the Superintendent of Public Instruction pursuant to regulations adopted by the Commission. (NRS 391.033) This regulation adds a provisional license to teach early childhood education and a provisional license to teach special education to pupils enrolled in a program of early childhood education to the types of licenses that the Superintendent may grant in conformance with those statutory changes.

During the 2017 Legislative Session, the Nevada Legislature replaced the term “prekindergarten” with “program of early childhood education.” **Sections 2-5** make conforming changes.

Section 1. NAC 391.054 is hereby amended to read as follows:

391.054 1. Except as otherwise provided in subsection 2, the Superintendent of Public Instruction may issue a license to teach special education to a person who is licensed and endorsed to teach special education in any other state and may issue a license with any other endorsement to a person who is licensed or certified in a state that has entered into an interstate certification contract with the State of Nevada through the National Association of State Directors of Teacher Education and Certification if:

(a) The applicant holds a license or certificate issued by the other state;

(b) The applicant holds a bachelor's degree from an institution accredited by a regional accrediting association and has completed any postbaccalaureate studies required in this State for the issuance of a license;

(c) The license or certificate issued by the other state is not:

(1) A temporary permit, an emergency, alternative or ~~conditional~~ *provisional* license or a credential to teach multiple subjects;

(2) A license or certificate for which completion of a bachelor's or higher degree is unnecessary;

(3) A license or certificate for which completion of professional education course work through a college or university accredited by a regional accrediting association is unnecessary; or

(4) A letter or other form of authorization from another state or a county, city, school district or department of education in another state which entitles the person to teach in the same capacity as a licensed teacher on a temporary basis;

(d) The grade levels and subject areas covered by the license or certificate issued by the other state are the same as the grade levels and subject areas for which the applicant is seeking licensure in this State; and

(e) The applicant has satisfactorily taught in the other state, in an assignment similar to the assignment for which licensure is sought in this State, during at least 3 out of the 5 years immediately preceding the application for licensure in Nevada.

2. If the applicant has not complied with the requirements of NAC 391.030 or 391.036 at the time he or she applies for a license pursuant to this section, the Superintendent of Public Instruction may only issue a provisional license to the applicant. The provisional license is not renewable.

Sec. 2. NAC 391.057 is hereby amended to read as follows:

391.057 1. The Superintendent of Public Instruction shall issue a ~~conditional~~ *provisional* license to teach elementary education, a ~~conditional~~ *provisional* license to teach pupils in a program of early childhood education, a ~~conditional~~ *provisional* license to teach secondary education, a ~~conditional~~ *provisional* license to teach pupils *enrolled* in ~~prekindergarten through grade~~ *a program of early childhood education or in kindergarten and grades 1 to 12*, *inclusive*, in a specific area described in subsection 1 of NAC 391.0573 or a ~~conditional~~ *provisional* license to teach special education to pupils *enrolled* in ~~prekindergarten through grade~~ *a program of early childhood education or in kindergarten and grades 1 to 12*, *inclusive*, in a category described in subsection 2 of NAC 391.0573 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~~ *provisional* license to teach secondary education or to teach pupils *enrolled* in ~~prekindergarten through grade~~ *a program of early childhood education or in kindergarten and grades 1 to 12*, *inclusive*, in a specific area described in subsection 1 of NAC 391.0573, other than an applicant to teach pupils special education in a category described in subsection 2 of NAC 391.0573, 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~~ *provisional* license or provide to the Department proof that he or she is eligible for an exemption from that test.

3. A ~~conditional~~ *provisional* 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 and, if applicable, the requirements of subsection 2;

(c) Except as otherwise provided in subsection 4, is valid for not more than 3 years; and

(d) Is not renewable.

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

Sec. 3. NAC 391.0573 is hereby amended to read as follows:

391.0573 1. The specific areas for which the Superintendent of Public Instruction may issue a ~~conditional~~ *provisional* license to teach pupils *enrolled* in ~~prekindergarten through grade~~ *a program of early childhood education or in kindergarten and grades 1 to 12* , *inclusive*, 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~~ *provisional* license to teach special education to pupils *enrolled* in ~~prekindergarten through grade~~ *a program of early childhood education or in kindergarten and grades 1 to 12* , *inclusive*, 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;~~ *Special education generalist;*
- (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;~~ *enrolled in a program of early childhood education;*
- (e) Adapted physical education to pupils who have disabilities;
- (f) Speech and language impairments;
- (g) Autism; and

(h) Visual impairments.

Sec. 4. NAC 391.0575 is hereby amended to read as follows:

391.0575 A person who is issued a ~~conditional~~ *provisional* license pursuant to NAC 391.057 may apply for an initial license to teach secondary education or to teach pupils *enrolled* in ~~prekindergarten through grade~~ *a program of early childhood education or in kindergarten and grades 1 to 12 , inclusive*, in a specific area listed in subsection 1 of NAC 391.0573, 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 *enrolled* in ~~prekindergarten through grade~~ *a program of early childhood education or in kindergarten and grades 1 to 12 , inclusive*, in a specific area listed in subsection 1 of NAC 391.0573;

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 391.0577 is hereby amended to read as follows:

391.0577 A person who is issued a ~~conditional~~ *provisional* 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 *enrolled* in ~~prekindergarten through grade~~ *a program of early childhood education or in kindergarten and grades 1 to 12 , inclusive*, in a category listed in subsection 2 of NAC 391.0573, 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.