

**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. R090-19

Amendments to NAC 391.015 Location of state offices; acquisitions of forms for licensure, NAC 391.057 Provisional licensure: Qualifications; authorized employment; term of validity; automatic invalidity; reinstatement, NAC 391.0577 Provisional licensure: Requirements to apply for initial license to teach elementary education, to teach pupils in program of early childhood education or to teach special education to pupils of early childhood education or in kindergarten and grades 1 through 12 in certain categories, NAC 391.0583 Special qualifications licensure: Qualifications; areas of endorsement; duties of employing school district or private school; requirements of licensee following issuance; validity, NAC 391.089 Qualifications for license to teach pupils in program of early childhood education, NAC 391.095 Qualifications for elementary license, NAC 391.1301 Comprehensive majors and minors recognized by Commission

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 and purpose of the proposed amendments to NAC Chapter 391 are based on recommendations from the Nevada Department of Education. Existing law authorizes the Commission on Professional Standards in Education to adopt regulations it deems necessary to carry out its duties. (NRS 391.019)

Section 1 of this regulation authorizes the holder of a provisional license to teach in certain areas or to serve as a substitute teacher. **Section 2** of this regulation authorizes: (1) a member of the Armed Forces of the United States; (2) the spouse of the member of the Armed Forces; (3) a veteran of the Armed Forces; or (4) the spouse of a veteran of the Armed Forces to obtain a license as if the person has completed an alternative route to licensure program in this State if the person has completed an alternative route to licensure program in another state. **Section 3** of this regulation revises certain requirements to obtain a license to teach pupils in a program of early childhood education. **Section 4** of this regulation outlines various requirements to obtain an elementary license.

Section 5 of this regulation removes from the list of recognized comprehensive majors or minors for the purposes of obtaining a secondary license the subject area of recreational physical education.

Existing regulations list the location of the state offices where administrative services are provided for persons desiring licensure. (NAC 391.015) Existing regulations also outline requirements to obtain a special qualifications license. (NAC 391.0583) **Section 6** of this regulation repeals those provisions.

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

Persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education were advised of their right to appear at the scheduled public hearing and their right to address comments, data, views or arguments, in written form, to the Commission Secretary, Nevada Department of Education, 2080 E. Flamingo Road, Suite 210, Las Vegas, NV 89119. The Department of Education must have received written submissions **on or before December 3, 2019**. No persons who are directly affected by the proposed action appeared to request time to make an oral presentation; the Commission on Professional Standards in Education heard and documented the public comment.

A copy of this notice and the regulation to be amended/adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended/adopted will be available at the Nevada Department of Education, 2080 E. Flamingo Road, Suite 210, Las Vegas, NV 89119, and in all counties at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 17 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

The public response can be summarized as no individuals testified at the workshop or the hearing and no one provided written statements regarding this regulatory change. A copy of the summary and/or minutes of the public workshop and/or hearing are available upon request.

3. The Number of Persons Who:

- a) Attended Hearing: Workshop: 23; Hearing: 43;
- b) Testified at Workshop: 0; Hearing: 0
- c) Submitted Written Statements: Workshop: 0; Hearing: 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. (people who may have testified)

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

Comments were solicited through the public hearing notice of November 18, 2019. At the workshop persons wishing to comment upon the proposed action of the Commission on Professional Standards in Education were advised of their right appear at the scheduled public hearing and their

right to address comments, data, views or arguments, in written form, to the Commission Secretary, Nevada Department of Education, 2080 E. Flamingo Road, Suite 210, Las Vegas, Nevada 89119. The Department of Education must have received written submissions **on or before December 3, 2019**. No person who is directly affected by the proposed action appeared to request time to make an oral presentation; the Commission on Professional Standards in Education proceeded.

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This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 17 Nevada Public Libraries; Clark County Classroom Teachers Association; Washoe County Teachers Association; Nevada State Education Association, both locations; and Nevada State Library and Archives.

The response from affected businesses can be summarized as non-existent as no businesses testified at the workshop or the hearing and none provided written statements regarding this regulatory change. A copy of the summary and/or minutes of the public hearing may be obtained by contacting Jolene Borges, Assistant to the Commission on Professional Standards in Education, Nevada Department of Education, 702-668-4317, or by writing to the Nevada Department of Education at 2080 East Flamingo Road, Suite 210, Las Vegas, NV 89119.

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

The Commission on Professional Standards in Public Education adopted the proposed regulation language at the public hearing held on December 18, 2019 as presented. There were no further amendments that needed to be made proposed regulation.

7. The estimated economic effect of the adopted regulation on the business that it is to regulate and on the public. These must be stated separately and each case must include:

There will be no economic effect of the regulation on the business that it regulates.
There is no estimated economic effect on the public.

8. The estimated cost to the agency for enforcement of the adopted 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 regulation overlaps or duplicates and a statement explaining why the duplication or overlapping 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.

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

There are none.

- 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.