

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

LCB FILE NO. R028-21I

**The following document is the initial draft regulation proposed
by the agency submitted on 08/06/2021**

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

NAC 391.0896 is hereby amended to read as follows:

391.0896

1. To receive a special license as an emergency substitute teacher, a person must earn a high school diploma or its equivalent.

2. A special license as an emergency substitute teacher is valid for 1 year after the date of issuance.

3. Except as otherwise provided in this subsection *and in subsection 10*, a person who holds or has held a special license as an emergency substitute teacher may apply for such a special license not more than two times after the expiration of his or her original special license as an emergency substitute teacher. The Superintendent of Public Instruction may authorize such a person to apply for a special license as an emergency substitute teacher more than two times after the expiration of his or her original special license as an emergency substitute teacher at the written request of the school district or charter school that employs the applicant.

4. A school district whose enrollment is less than 9,000 pupils or a charter school located within the geographic boundaries of such a school district may, in an emergency, hire an emergency substitute teacher to serve as a teacher in kindergarten through grade 12, as needed.

5. Upon the written request of a school district whose enrollment is 9,000 pupils or more, the Department may, in an emergency, authorize the school district to hire an emergency substitute teacher to serve as a teacher in kindergarten through grade 12 in a school that is located in a rural area of the school district.

6. Upon the written request of a charter school located in a rural area within the geographic boundaries of a school district whose enrollment is 9,000 pupils or more, the Department may, in an emergency, authorize the charter school to hire an emergency substitute teacher to serve as a teacher in kindergarten through grade 12 in the charter school.

7. ~~[A]~~ *A school district or charter school employing a person pursuant to subsection 4, 5 or 6 must, before that person serves as a teacher in a classroom, provide that person with training including, without limitation, not less than one hour of training in classroom management and behavior management.*

8. *Except as otherwise provided in subsection 12, a* person employed pursuant to subsection 4, 5 or 6 may not serve as a teacher in one classroom for more than 5 days in any 20-day period. Except in an emergency, a school district or charter school shall not allow a person solely holding a special license as an emergency substitute teacher to serve as a teacher.

~~[8-]~~ 9. An applicant for a special license as an emergency substitute teacher is exempt from the provisions of:

(a) NAC 391.036; and

(b) NAC 391.065.

~~[9.]~~ **10.** As used in this section, “in an emergency” means the occurrence of an unforeseen circumstance which requires immediate action, including any period during which a licensed teacher or substitute teacher, other than an emergency substitute teacher, is not immediately available.

11. During a state of emergency declared pursuant to NRS 414.070:

(a) The provisions of subsections 5 and 6 notwithstanding, a school district having an enrollment of 9,000 pupils or more, or a charter school located within such a school district, may hire an emergency substitute teacher to serve as a teacher in kindergarten through grade 12; and

(b) The Superintendent of Public Instruction may grant an application for a special license as an emergency substitute teacher to an individual who would normally be ineligible for such a license pursuant to subsection 3.

12. The provisions of subsection 8 notwithstanding, an emergency substitute teacher hired pursuant to subsection 11 may remain employed as an emergency substitute teacher through the end of the school year in session at the time the state of emergency is terminated.