

(Reprinted with amendments adopted on April 24, 2023)

FIRST REPRINT

A.B. 323

ASSEMBLY BILL NO. 323—ASSEMBLYMEN TORRES, MOSCA, D’SILVA, GONZÁLEZ, BILBRAY-AXELROD; ANDERSON, GORELOW, HANSEN, KOENIG, LA RUE HATCH, MARZOLA, NEWBY, ORENTLICHER, TAYLOR, THOMAS AND WATTS

MARCH 16, 2023

JOINT SPONSORS: SENATORS DONATE, BUCK;
FLORES AND NGUYEN

Referred to Committee on Education

SUMMARY—Revises provisions relating to education.
(BDR 34-114)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 6)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to education; requiring the Superintendent of Public Instruction to develop a strategic plan for the recruitment of teachers and other licensed educational personnel; requiring the Commission on Professional Standards in Education to adopt certain regulations concerning the licensing of teachers and other educational personnel; authorizing a school district or governing body of a charter school or university school for profoundly gifted pupils to compensate a student who is assigned for training purposes as a student teacher, counselor, student social worker or trainee in a library; authorizing a school district and the governing body of a charter school to provide certain professional development training; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Existing law prescribes the duties of the Superintendent of Public Instruction.
2 (NRS 385.175) **Section 1** of this bill requires the Superintendent to develop a
3 strategic plan for the recruitment of teachers and other licensed educational
4 personnel and establishes requirements for the contents of the strategic plan.

5 Existing law requires the Commission on Professional Standards in Education
6 to adopt regulations prescribing the qualifications for licensing teachers and other
7 educational personnel, including regulations governing examinations for the initial
8 licensing of teachers and other educational personnel and the procedures for the
9 issuance and renewal of those licenses. (NRS 391.019, 391.021) **Section 3** of this
10 bill requires the Commission to adopt regulations that authorize an applicant to be
11 exempt from any requirement to pass a competency test in basic reading, writing
12 and mathematics prescribed by the Commission if the applicant completes a course
13 of study approved by the Department of Education with a grade of B or better in
14 each subject area of the competency test that the applicant previously did not pass.

15 Existing law requires the Commission to adopt regulations prescribing course
16 work on parental involvement and family engagement and multicultural education.
17 (NRS 391.019, 391.0347) **Sections 2 and 4.5** of this bill require the Commission to
18 establish standards for professional development training which may be used to
19 satisfy such course work requirements. **Section 6** of this bill requires a school
20 district and the governing body of a charter school to provide professional
21 development training on: (1) parental involvement and family engagement in
22 accordance with the standards adopted by the Commission; and (2) multicultural
23 education in accordance with the standards adopted by the Commission. **Section 6**
24 requires that such training be provided at no cost to the employee. **Section 7** of this
25 bill makes a conforming change to indicate the proper placement of **section 6** in the
26 Nevada Revised Statutes.

27 Existing law requires the Commission to adopt regulations which provide for
28 the issuance of provisional licenses to teachers and other educational personnel
29 before completion of all courses of study or other requirements for a license in this
30 State. (NRS 391.032) **Section 4** of this bill requires the Commission to adopt
31 regulations that require the Superintendent of Public Instruction to issue a
32 provisional license to teach pending receipt of academic transcripts of certain
33 applicants who are otherwise qualified for a license.

34 Existing law requires the Board of Regents of the University of Nevada to
35 establish a program of student teaching and practicum which allows students to be
36 assigned to a school district as student teachers, counselors or trainees in a library.
37 (NRS 396.519) Existing law authorizes school districts to enter into agreements
38 with certain institutions of higher education for the assignment of students to
39 schools as student teachers, counselors or trainees in a library. (NRS 391.095)
40 **Section 5** of this bill authorizes: (1) a governing body of a charter school or
41 university school for profoundly gifted pupils to similarly enter into agreements;
42 and (2) a school district or governing body of a charter school or university school
43 for profoundly gifted pupils to compensate a student who is assigned within the
44 school district for training purposes as a student teacher, counselor, student social
45 worker or trainee in a library.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 385.175 is hereby amended to read as follows:

2 385.175 The Superintendent of Public Instruction is the
3 educational leader for the system of K-12 public education in this
4 State. The Superintendent of Public Instruction shall:

5 1. Execute, direct or supervise all administrative, technical and
6 procedural activities of the Department in accordance with policies
7 prescribed by the State Board.

8 2. Employ personnel for the positions approved by the State
9 Board and necessary for the efficient operation of the Department.

10 3. Organize the Department in a manner which will assure
11 efficient operation and service.

12 4. Maintain liaison and coordinate activities with other state
13 agencies performing educational functions.

14 5. Enforce the observance of this title and all other statutes and
15 regulations governing K-12 public education.

16 6. Request a plan of corrective action from the board of
17 trustees of a school district or the governing body of a charter school
18 if the Superintendent of Public Instruction determines that the
19 school district or charter school, or any other entity which provides
20 education to a pupil with a disability for a school district or charter
21 school, has not complied with a requirement of this title or any other
22 statute or regulation governing K-12 public education. The plan of
23 corrective action must provide a timeline approved by the
24 Superintendent of Public Instruction for compliance with the statute or
25 regulation.

26 7. Report to the State Board on a regular basis the data on the
27 discipline of pupils and trends in the data on the discipline of pupils
28 collected pursuant to NRS 385A.840.

29 8. *Develop a strategic plan for the recruitment of teachers
30 and other licensed educational personnel which includes, without
31 limitation:*

32 *(a) A strategy to decrease the processing times of applications
33 for licensure pursuant to chapter 391 of NRS.*

34 *(b) A plan to provide for the translation of academic
35 transcripts which are in a language other than English of
36 applicants for licensure pursuant to chapter 391 of NRS. The
37 Department shall post the process for the translation of academic
38 transcripts on its Internet website.*

39 9. Perform such other duties as are prescribed by law.

40 **Sec. 2.** NRS 391.019 is hereby amended to read as follows:

41 391.019 1. Except as otherwise provided in NRS 391.027,
42 the Commission shall adopt regulations:



1 (a) Prescribing the qualifications for licensing teachers and other
2 educational personnel and the procedures for the issuance and
3 renewal of those licenses. The regulations:

4 (1) Must include, without limitation, the qualifications for
5 licensing teachers and administrators pursuant to an alternative route
6 to licensure which provides that the required education and training
7 may be provided by any qualified provider which has been approved
8 by the Commission, including, without limitation, institutions of
9 higher education and other providers that operate independently of
10 an institution of higher education. The regulations adopted pursuant
11 to this subparagraph must:

12 (I) Establish the requirements for approval as a qualified
13 provider;

14 (II) Require a qualified provider to be selective in its
15 acceptance of students;

16 (III) Require a qualified provider to provide in-person or
17 virtual supervised, school-based experiences and ongoing support
18 for its students, such as mentoring and coaching;

19 (IV) Significantly limit the amount of course work
20 required or provide for the waiver of required course work for
21 students who achieve certain scores on tests;

22 (V) Allow for the completion in 2 years or less of the
23 education and training required under the alternative route to
24 licensure;

25 (VI) Provide that a person who has completed the
26 education and training required under the alternative route to
27 licensure and who has satisfied all other requirements for licensure
28 may apply for a regular license pursuant to sub-subparagraph (VII)
29 regardless of whether the person has received an offer of
30 employment from a school district, charter school or private school;
31 and

32 (VII) Upon the completion by a person of the education
33 and training required under the alternative route to licensure and the
34 satisfaction of all other requirements for licensure, provide for the
35 issuance of a regular license to the person pursuant to the provisions
36 of this chapter and the regulations adopted pursuant to this chapter.

37 (2) Must require an applicant for a license to teach middle
38 school or junior high school education or secondary education to
39 demonstrate proficiency in a field of specialization or area of
40 concentration by successfully completing course work prescribed by
41 the Department or completing a subject matter competency
42 examination prescribed by the Department with a score deemed
43 satisfactory.

44 (3) Must not prescribe qualifications which are more
45 stringent than the qualifications set forth in NRS 391.0315 for a



1 licensed teacher who applies for an additional license in accordance
2 with that section.

3 (b) Identifying fields of specialization in teaching which require
4 the specialized training of teachers.

5 (c) Except as otherwise provided in NRS 391.125, requiring
6 teachers to obtain from the Department an endorsement in a field of
7 specialization to be eligible to teach in that field of specialization.

8 (d) Setting forth the educational requirements a teacher must
9 satisfy to qualify for an endorsement in each field of specialization.

10 (e) Setting forth the qualifications and requirements for
11 obtaining a license or endorsement to teach American Sign
12 Language, including, without limitation, being registered with the
13 Aging and Disability Services Division of the Department of Health
14 and Human Services pursuant to NRS 656A.100 to engage in the
15 practice of sign language interpreting in a primary or secondary
16 educational setting.

17 (f) Requiring teachers and other educational personnel to be
18 registered with the Aging and Disability Services Division pursuant
19 to NRS 656A.100 to engage in the practice of sign language
20 interpreting in a primary or secondary educational setting if they:

21 (1) Provide instruction or other educational services; and

22 (2) Concurrently engage in the practice of sign language
23 interpreting, as defined in NRS 656A.060.

24 (g) Prescribing course work on parental involvement and family
25 engagement. The Commission shall ~~work~~:

26 (1) *Work* in cooperation with the Office of Parental
27 Involvement and Family Engagement created by NRS 385.630 in
28 developing the regulations required by this paragraph.

29 (2) *Establish standards for professional development*
30 *training which may be used to satisfy any course work*
31 *requirement prescribed pursuant to this paragraph.*

32 (h) Establishing the requirements for obtaining an endorsement
33 on the license of a teacher, administrator or other educational
34 personnel in cultural competency.

35 (i) Authorizing the Superintendent of Public Instruction to issue
36 a license by endorsement to an applicant who holds an equivalent
37 license or authorization issued by a governmental entity in another
38 country if the Superintendent determines that the qualifications for
39 the equivalent license or authorization are substantially similar to
40 those prescribed pursuant to paragraph (a).

41 (j) Establishing the requirements for obtaining an endorsement
42 on the license of a teacher, administrator or other educational
43 personnel in teaching courses relating to financial literacy.

44 (k) Authorizing a person who is employed as a paraprofessional
45 and enrolled in a program to become a teacher to complete an



1 accelerated program of student teaching in the same or a
2 substantially similar area in which the person is employed as a
3 paraprofessional while remaining employed as a paraprofessional.

4 (l) Requiring the Department to accept a program of student
5 teaching or other teaching experience completed in another state or
6 foreign country by an applicant for a license if the Department
7 determines that the program or experience substantially fulfills the
8 standards of a program of student teaching in this State.

9 (m) Authorizing a person who is employed by a public school to
10 provide support or other services relating to school psychology, if
11 the person does not hold a license or endorsement as a school
12 psychologist but is enrolled in a program that would allow the
13 person to obtain such a license or endorsement, to complete a
14 program of internship in school psychology while remaining
15 employed in such a position.

16 2. Except as otherwise provided in NRS 391.027, the
17 Commission may adopt such other regulations as it deems necessary
18 for its own government or to carry out its duties.

19 3. Any regulation which increases the amount of education,
20 training or experience required for licensing:

21 (a) Must, in addition to the requirements for publication in
22 chapter 233B of NRS, be publicized before its adoption in a manner
23 reasonably calculated to inform those persons affected by the
24 change.

25 (b) Must not become effective until at least 1 year after the date
26 it is adopted by the Commission.

27 (c) Is not applicable to a license in effect on the date the
28 regulation becomes effective.

29 **Sec. 3.** NRS 391.021 is hereby amended to read as follows:

30 391.021 1. Except as otherwise provided in NRS 391.027,
31 the Commission shall adopt regulations governing examinations for
32 the initial licensing of teachers and other educational personnel. The
33 regulations adopted by the Commission must ensure that the
34 examinations test the ability of the applicant to teach and the
35 applicant's knowledge of each specific subject he or she proposes to
36 teach.

37 2. When adopting regulations pursuant to subsection 1, the
38 Commission shall consider including any alternative means of
39 demonstrating competency for persons with a disability or health-
40 related need that the Commission determines are necessary and
41 appropriate.

42 3. *The regulations adopted by the Commission pursuant to*
43 *subsection 1 must authorize an applicant to be exempt from any*
44 *requirement to pass a competency test in basic reading, writing*
45 *and mathematics if the applicant submits to the Department*



1 *evidence that, after not passing a competency test in basic reading,*
2 *writing and mathematics at the level of competence specified by*
3 *the Commission, the applicant began and completed, with a grade*
4 *of B or better, a course of study approved by the Department in*
5 *each subject area of the competency test that the applicant did not*
6 *pass at the level of competence specified by the Commission.*

7 **4.** Teachers and educational personnel from another state who
8 obtain a reciprocal license pursuant to NRS 391.032 are not required
9 to take the examinations for the initial licensing of teachers and
10 other educational personnel described in this section or any other
11 examination for initial licensing required by the regulations adopted
12 by the Commission.

13 **Sec. 4.** NRS 391.032 is hereby amended to read as follows:

14 391.032 1. Except as otherwise provided in NRS 391.027,
15 the Commission shall:

16 (a) Adopt regulations which provide for the issuance of
17 provisional licenses to teachers and other educational personnel
18 before completion of all courses of study or other requirements for a
19 license in this State.

20 (b) Adopt regulations which provide for the reciprocal licensure
21 of educational personnel from other states including, without
22 limitation, for the reciprocal licensure of persons who hold a license
23 to teach special education. Such regulations must include, without
24 limitation, provisions for the reciprocal licensure of persons who
25 obtained a license pursuant to an alternative route to licensure which
26 the Department determines is as rigorous or more rigorous than the
27 alternative route to licensure prescribed pursuant to subparagraph
28 (1) of paragraph (a) of subsection 1 of NRS 391.019.

29 2. A person who is a member of the Armed Forces of the
30 United States, a veteran of the Armed Forces of the United States or
31 the spouse of such a member or veteran of the Armed Forces of the
32 United States and who has completed the equivalent of an
33 alternative route to licensure program in another state may obtain a
34 license as if such person has completed the alternative route to
35 licensure program of this State.

36 3. *The Commission shall adopt regulations requiring the*
37 *Superintendent of Public Instruction to issue a provisional license*
38 *to teach pending receipt of any academic transcripts of an*
39 *applicant if:*

40 (a) *The Superintendent determines that the applicant is*
41 *otherwise qualified for the license; and*

42 (b) *The applicant:*

43 (1) *Holds a valid license or certificate to teach issued by*
44 *another state for which completion of a bachelor's or higher*
45 *degree and professional education course work through a college*



1 *or university accredited by a regional accrediting association is*
2 *necessary; or*

3 *(2) Satisfies the requirements for conditional licensure*
4 *through an alternative route to licensure.*

5 4. A person who is issued a provisional license must complete
6 all courses of study and other requirements for a license in this State
7 which is not provisional within 3 years after the date on which a
8 provisional license is issued.

9 **Sec. 4.5.** NRS 391.0347 is hereby amended to read as follows:

10 391.0347 1. Any licensed teacher who is initially licensed on
11 or after July 1, 2019, except for a teacher who is licensed only as a
12 substitute teacher, must submit with his or her first application for
13 renewal of his or her license to teach proof of the completion of a
14 course in multicultural education. If the licensed teacher is initially
15 issued a nonrenewable license, he or she must submit such proof
16 with his or her first application for a renewable license to teach.

17 2. The Commission shall adopt regulations:

18 (a) That prescribe the required contents of a course in
19 multicultural education which must be completed pursuant to this
20 section;

21 (b) That prescribe the number of credits which must be earned
22 by a licensed teacher in a course in multicultural education; ~~and~~

23 (c) *That establish standards for professional development*
24 *training which may be used to satisfy any course work*
25 *requirement prescribed pursuant to this section; and*

26 (d) As otherwise necessary to carry out the requirements of this
27 section.

28 **Sec. 5.** NRS 391.095 is hereby amended to read as follows:

29 391.095 1. A school district *or a governing body of a charter*
30 *school or university school for profoundly gifted pupils* may enter
31 into an agreement with a branch of the Nevada System of Higher
32 Education or an accredited postsecondary educational institution
33 which is licensed by the Commission on Postsecondary Education
34 and which offers courses of study and training for the education of
35 teachers which are approved or recognized by the Commission
36 pursuant to NRS 391.038, for the assignment of students for training
37 purposes as student teachers, counselors or trainees in a library, or
38 for experience in a teaching laboratory. Students so assigned within
39 the school district , *charter school or university school for*
40 *profoundly gifted pupils, as applicable,* for training purposes may,
41 under the direction and supervision of a licensed teacher, instruct
42 and supervise pupils in the school, on the school grounds or on
43 authorized field trips. The students so assigned are employees of the
44 school district *or governing body of a charter school or university*
45 *school for profoundly gifted pupils, as applicable,* for purposes of



1 NRS 41.038 and 41.039, while performing such authorized duties,
2 whether or not the duties are performed entirely in the presence of
3 the licensed teacher.

4 2. *Except as otherwise provided in the agreement entered into*
5 *pursuant to subsection 1 and to the extent not inconsistent with*
6 *NRS 391.096, a school district or governing body of a charter*
7 *school or university school for profoundly gifted pupils, as*
8 *applicable, may compensate a student assigned within the school*
9 *district charter school or university school for profoundly gifted*
10 *pupils for training purposes as a student teacher, counselor,*
11 *student social worker or trainee in a library.*

12 3. As used in this section:

13 (a) "Accredited" has the meaning ascribed to it in NRS 394.006.

14 (b) "Postsecondary educational institution" has the meaning
15 ascribed to it in NRS 394.099.

16 **Sec. 6.** Chapter 391A of NRS is hereby amended by adding
17 thereto a new section to read as follows:

18 1. *A school district and the governing body of a charter*
19 *school shall provide professional development training on:*

20 (a) *Parental involvement and family engagement that meets*
21 *the standards established by the Commission on Professional*
22 *Standards in Education pursuant to NRS 391.019 to teachers who*
23 *have not yet completed the course work on parental involvement*
24 *and family engagement prescribed by NRS 391.019.*

25 (b) *Multicultural education that meets the standards*
26 *established by the Commission on Professional Standards in*
27 *Education pursuant to NRS 391.0347 to teachers who have not yet*
28 *completed the course work on multicultural education prescribed*
29 *by NRS 391.0347.*

30 2. *Any professional development training provided pursuant*
31 *to subsection 1:*

32 (a) *May be provided by the school district or governing body or*
33 *through an agreement with an institution of higher education or a*
34 *regional training program for the professional development of*
35 *teachers and administrators.*

36 (b) *Must be provided at no cost to the employee.*

37 **Sec. 7.** NRS 391A.345 is hereby amended to read as follows:

38 391A.345 As used in NRS 391A.345 to 391A.385, inclusive,
39 *and section 6 of this act*, unless the context otherwise requires,
40 "professional development training" has the meaning ascribed to
41 "professional development" in 20 U.S.C. § 7801(42).

42 **Sec. 8.** (Deleted by amendment.)

43 **Sec. 9.** (Deleted by amendment.)

44 **Sec. 10.** (Deleted by amendment.)



1 **Sec. 10.3.** The Commission on Professional Standards in
2 Education shall:

3 1. Conduct a study during the 2023-2024 interim concerning
4 the Praxis II and pedagogy examinations;

5 2. Present its recommendations to the Standing Committee on
6 Education during the 83rd Session of the Nevada Legislature; and

7 3. Adopt regulations pursuant to NRS 391.019, 391.021 and
8 391.023 as it deems necessary and appropriate based on its findings
9 and recommendations as they relate to the Praxis II and pedagogy
10 examinations.

11 **Sec. 10.6.** The Department of Education and the Nevada
12 System of Higher Education shall jointly:

13 1. Develop a plan to expand awareness of and eliminate
14 barriers for access to any scholarship programs that are intended to
15 increase the number of persons licensed pursuant to chapter 391 of
16 NRS; and

17 2. Present the plan to the Joint Interim Standing Committee on
18 Education on or before June 30, 2024.

19 **Sec. 11.** 1. This section becomes effective upon passage and
20 approval.

21 2. Sections 1 to 10.6, inclusive, of this act become effective:

22 (a) Upon passage and approval for the purpose of adopting any
23 regulations and performing any other preparatory administrative
24 tasks that are necessary to carry out the provisions of this act; and

25 (b) On July 1, 2024, for all other purposes.

