

Senate Bill No. 442–Senator Dondero Loop

CHAPTER.....

AN ACT relating to education; enacting the Interstate Teacher Mobility Compact; requiring the Commission on Professional Standards in Education to adopt regulations to carry out the provisions of the Compact; exempting an applicant for a license as a teacher pursuant to the Compact from certain examination and training requirements; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law creates the Commission on Professional Standards in Education and requires the Commission to prescribe regulations for licensing teachers and other educational personnel, including regulations which provide for the reciprocal licensure of educational personnel from other states. (NRS 391.011, 391.019, 391.032) Existing law requires the Superintendent of Public Instruction to grant licenses for teachers and other educational personnel pursuant to regulations adopted by the Commission and as provided by law. (NRS 391.033) **Section 1** of this bill enacts the Interstate Teacher Mobility Compact which, among other things, establishes requirements for: (1) the issuance of a license as a teacher to an applicant for such a license who holds an equivalent license from another state that is a member of the Compact; and (2) the sharing of files and information regarding the investigation and discipline of a teacher between member states. **Sections 2 and 4** of this bill require the Commission on Professional Standards in Education to adopt regulations: (1) to carry out the provisions of the Interstate Teacher Mobility Compact; and (2) which provide for the licensure of persons pursuant to the Compact.

Existing law requires the Commission on Professional Standards in Education to adopt regulations governing examinations for the initial licensing of teachers and other educational personnel. Existing law exempts teachers and educational personnel from another state who obtain a reciprocal license from the requirement to take any examination for initial licensing required by the regulations adopted by the Commission. (NRS 391.021) **Section 3** of this bill also exempts a person who obtains a license pursuant to the Interstate Teacher Mobility Compact from such examination requirements.

Existing law requires an applicant for a license as a teacher to submit with his or her application proof that the applicant has satisfactorily completed a course of study and training approved by the Commission on Professional Standards in Education. Existing law exempts a person who received education and training pursuant to an alternate route to licensure from this requirement. (NRS 391.037) **Section 5** of this bill also exempts a person who applies for a license pursuant to the Interstate Teacher Mobility Compact from that requirement. The Interstate Teacher Mobility Compact becomes effective upon ratification from 10 states. Currently, only Colorado, Kentucky and Utah have ratified the Compact.



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

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

Section 1. Title 34 of NRS is hereby amended by adding thereto a new chapter to read as follows:

The Interstate Teacher Mobility Compact is hereby ratified, enacted into law and entered into with all jurisdictions legally joining in the Compact, in substantially the form set forth in this section:

ARTICLE I—Purpose

The purpose of this Compact is to facilitate the mobility of teachers across the member states, with the goal of supporting teachers through a new pathway to licensure. Through this Compact, the member states seek to establish a collective regulatory framework that expedites and enhances the ability of teachers to move across state lines.

This Compact is intended to achieve the following objectives and should be interpreted accordingly. The member states hereby ratify the same intentions by subscribing hereto:

- 1. Create a streamlined pathway to licensure mobility for teachers;*
- 2. Support the relocation of eligible military spouses;*
- 3. Facilitate and enhance the exchange of licensure, investigative and disciplinary information between the member states;*
- 4. Enhance the power of state and district level education officials to hire qualified, competent teachers by removing barriers to the employment of out-of-state teachers;*
- 5. Support the retention of teachers in the profession by removing barriers to relicensure in a new state; and*
- 6. Maintain state sovereignty in the regulation of the teaching profession.*

ARTICLE II—Definitions

As used in this Compact, and except as otherwise provided, the following definitions shall govern the terms herein:



1. *“Active military member” means any person with full-time duty status in the uniformed service of the United States, including a member of the National Guard and Reserve.*

2. *“Adverse action” means any limitation or restriction imposed by the licensing authority of a member state, such as revocation, suspension, reprimand, probation or limitation on the ability of a licensee to work as a teacher.*

3. *“Bylaws” means those bylaws established by the Commission.*

4. *“Career and technical education license” means a current, valid authorization issued by a licensing authority of a member state, allowing a person to serve as a teacher in K-12 public educational settings in a specific career and technical education area.*

5. *“Charter member states” means a member state that has enacted legislation to adopt this Compact where such legislation predates the initial meeting of the Commission after the effective date of the Compact.*

6. *“Commission” means the interstate administrative body which membership consists of delegates of all states that have enacted this Compact and which is known as the Interstate Teacher Mobility Compact Commission.*

7. *“Commissioner” means the delegate of a member state.*

8. *“Eligible license” means a license to engage in the teaching profession which requires at least a bachelor’s degree and the completion of a state approved program for teacher licensure.*

9. *“Eligible military spouse” means:*

(a) *The spouse of any person in full-time duty status in the active uniformed service of the United States, including a member of the National Guard and Reserve on active duty, who is:*

(1) *Moving as a result of a military mission or military career progression requirements; or*

(2) *On a terminal move as a result of separation or retirement.*

(b) *The surviving spouse of a deceased member of the uniformed service of the United States, including a member of the National Guard and Reserve.*

10. *“Executive committee” means a group of commissioners elected or appointed to act on behalf of, and within the powers granted to them by, the Commission as provided for herein.*

11. *“Licensing authority” means an official, agency, board or other entity of a state that is responsible for the licensing and*



regulation of teachers authorized to teach in K-12 public educational settings.

12. "Member state" means any state that has adopted this Compact, including all agencies and officials of such a state.

13. "Receiving state" means any state where a teacher has applied for licensure under this Compact.

14. "Rule" means any regulation promulgated by the Commission under this Compact, which shall have the force of law in each member state.

15. "State" means a state, territory or possession of the United States and the District of Columbia.

16. "State practice laws" means the laws, rules and regulations of a member state that govern the teaching profession, define the scope of such profession and create the methods and grounds for imposing discipline.

17. "State specific requirements" means a requirement for licensure covered in coursework or examination that includes content of unique interest to the state.

18. "Teacher" means a person who currently holds an authorization from a member state that forms the basis for employment in the K-12 public schools of the state to provide instruction in a specific subject area, at a specific grade level or to a specific student population.

19. "Unencumbered license" means a current, valid authorization issued by the licensing authority of a member state which allows a person to serve as a teacher in K-12 public educational settings. The term does not include a restricted, probationary, provisional, substitute or temporary credential.

ARTICLE III—Licensure under the Compact

1. Licensure under this Compact pertains only to the initial grant of a license by the receiving state. Nothing herein applies to any subsequent or ongoing compliance requirements that a receiving state might require for teachers.

2. Each member state shall, in accordance with the rules of the Commission, define, compile and update as necessary a list of eligible licenses and career and technical education licenses that the member state is willing to consider for equivalency under this Compact and provide the list to the Commission. The list shall include those licenses that a receiving state is willing to grant to teachers from other member states, pending a determination of equivalency by the licensing authority of the receiving state.



3. *Upon the receipt of an application for licensure by a teacher holding an eligible license that is an unencumbered license, the receiving state shall determine which of the eligible licenses of the receiving state the teacher is qualified to hold and shall grant such a license or licenses to the applicant. Such a determination shall be made in the sole discretion of the licensing authority of the receiving state and may include a determination that the applicant is not eligible for any of the eligible licenses of the receiving state. For all teachers who hold an unencumbered license, the receiving state shall grant one or more unencumbered licenses that, in the sole discretion of the receiving state, are equivalent to the license or licenses held by the teacher in any other member state.*

4. *For an active military member or eligible military spouse who holds a license that is not an unencumbered license, the receiving state shall grant one or more equivalent licenses that, in the sole discretion of the receiving state, are equivalent to the license or licenses held by the teacher in any other member state, except where the receiving state does not have an equivalent license.*

5. *For a teacher who holds a career and technical education license that is an unencumbered license, the receiving state shall grant an unencumbered license that is equivalent to the career and technical education license held by the applying teacher and issued by another member state, as determined by the receiving state in its sole discretion, except where a teacher of career and technical education does not hold a bachelor's degree and the receiving state requires a bachelor's degree for licenses to teach career and technical education. A receiving state may require a teacher of career and technical education to meet state industry-recognized requirements if required by law in the receiving state.*

ARTICLE IV—Licensure not under the Compact

1. *Except as otherwise provided in Article III, nothing in this Compact shall be construed to limit or inhibit the power of a member state to regulate licensure or endorsements overseen by the licensing authority of a member state.*

2. *When a teacher is required to renew a license received pursuant to this Compact, the state granting such a license may require the teacher to complete state specific requirements as a condition of licensure renewal or advancement in that state.*



3. *For the purposes of determining compensation, a receiving state may require additional information from teachers receiving a license under the provisions of this Compact.*

4. *Nothing in this Compact shall be construed to limit:*

(a) *The power of a member state to control and maintain ownership of its information pertaining to teachers; or*

(b) *The application of a member state’s laws or regulations governing the ownership, use or dissemination of information pertaining to teachers.*

5. *Nothing in this Compact shall be construed to:*

(a) *Invalidate or alter any existing agreement or other cooperative arrangement to which a member state may already be a party; or*

(b) *Limit the ability of a member state to participate in any future agreement or other cooperative arrangement, to:*

(1) *Award teaching licenses or other benefits based on additional professional credentials, including, without limitation, certification by the National Board for Professional Teaching Standards;*

(2) *Participate in the exchange of names of teachers whose licenses have been subject to adverse action by a member state; or*

(3) *Participate in any agreement or cooperative arrangement with a state that is not a member state.*

ARTICLE V—Teacher Qualifications and Requirements for Licensure under the Compact

1. *Except as otherwise provided for an active military member or eligible military spouse pursuant to subsection 4 of Article III, a teacher may only be eligible to receive a license under this Compact if the teacher holds an unencumbered license in a member state.*

2. *A teacher who is eligible to receive a license under this Compact shall, unless otherwise provided for herein:*

(a) *Upon his or her application to receive a license under this Compact, undergo a criminal background check in the receiving state in accordance with the laws and regulations of the receiving state; and*

(b) *In addition to providing the receiving state with any information required for licensure, provide the receiving state with information for the purposes of determining compensation, if applicable.*



ARTICLE VI—Discipline and Adverse Actions

1. *Nothing in this Compact shall be deemed or construed to limit the authority of a member state to investigate or impose disciplinary measures on teachers according to the state practice laws thereof.*

2. *Member states shall be authorized to receive, and shall provide, files and information regarding the investigation and discipline, if any, of teachers in other member states upon request. Any member state receiving such files or information shall protect and maintain the security and confidentiality thereof in at least the same manner that it maintains its own investigatory and disciplinary files and information. Before disclosing any investigatory or disciplinary information received from another member state, the disclosing state shall communicate its intention and purpose for such disclosure to the member state which originally provided that information.*

ARTICLE VII—Establishment of the Interstate Teacher Mobility Compact Commission

1. *The member states of the Compact hereby create and establish a joint public agency known as the Interstate Teacher Mobility Compact Commission. The Commission is a joint interstate governmental agency comprised of states that have enacted the Interstate Teacher Mobility Compact.*

2. *Nothing in this Compact shall be construed to be a waiver of sovereign immunity.*

3. *Membership, Voting and Meetings*

(a) *Each member state shall have and be limited to one delegate to the Commission who shall be given the title of "Commissioner."*

(b) *The commissioner shall be the primary administrative officer of the state licensing authority or his or her designee.*

(c) *Any commissioner may be removed or suspended from office as provided by the law of the state from which the commissioner is appointed.*

(d) *A member state shall fill any vacancy occurring in the Commission within 90 days.*

(e) *Each commissioner shall be entitled to one vote in the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the Commission. A commissioner shall vote in person or by such*



other means as provided in the bylaws. The bylaws may provide for commissioners to participate in meetings by telephone or other means of communication.

(f) The Commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

(g) The Commission shall establish by rule a term of office for commissioners.

4. The Commission shall have the following powers and duties:

(a) Establish a code of ethics for the Commission.

(b) Establish the fiscal year of the Commission.

(c) Establish bylaws for the Commission.

(d) Maintain the financial records of the Commission in accordance with the bylaws.

(e) Meet and take such actions as are consistent with the provisions of this Compact and the bylaws and rules.

(f) Promulgate uniform rules to implement and administer this Compact. The rules shall have the force and effect of law and shall be binding in all member states. In the event the Commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of the Compact or the powers granted hereunder, then such an action by the Commission shall be invalid and have no force and effect of law.

(g) Bring and prosecute legal proceedings or actions in the name of the Commission, provided that the standing of the state licensing authority of a member state to sue or be sued under applicable law shall not be affected.

(h) Purchase and maintain insurance and bonds.

(i) Borrow, accept or contract for services of personnel, including, without limitation, employees of a member state, or an associated non-governmental organization that is open to membership by all states.

(j) Hire employees and elect or appoint officers, grant such employees and officers appropriate authority to carry out the purposes of the Compact, fix compensation, define duties and establish the Commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel and other related personnel matters.

(k) Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve or use, any property, real, personal or mixed, provided that at all times the Commission shall avoid any appearance of impropriety.



(l) Sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of any property, real, personal or mixed.

(m) Establish a budget and make expenditures.

(n) Borrow money.

(o) Appoint committees, including standing committees composed of members of the Commission and such other interested persons as may be designated in this Compact or the rules or bylaws.

(p) Provide information to, receive information from and cooperate with law enforcement agencies.

(q) Establish and elect an Executive Committee.

(r) Establish and develop a charter for an Executive Information Governance Committee to advise on facilitating the exchange of information, the use of information, data privacy and technical support needs and provide reports as needed.

(s) Perform such other functions as may be necessary or appropriate to achieve the purposes of this Compact, consistent with the state regulation of the licensure of teachers.

(t) Determine whether a state's adopted language is materially different from the language of the model Interstate Teacher Mobility Compact such that the state would not qualify for participation in the Compact.

5. The Executive Committee of the Interstate Teacher Mobility Compact Commission

(a) The Executive Committee shall have the power to act on behalf of the Commission according to the terms of the Compact.

(b) The Executive Committee shall be composed of eight voting members, as follows:

(1) The chair of the Commission;

(2) The vice chair of the Commission;

(3) The treasurer of the Commission; and

(4) Five members of the Commission who are elected by the Commission from the current membership of the Commission, as follows:

(I) Four voting members representing geographic regions in accordance with the rules; and

(II) One at-large voting member in accordance with the rules.

(c) The Commission may add or remove members of the Executive Committee as provided in the rules.

(d) The Executive Committee shall meet at least once annually.



(e) The Executive Committee shall have the following duties and responsibilities:

(1) Recommend to the entire Commission:

(I) Changes to the rules or bylaws;

(II) Changes to Compact legislation;

(III) Fees paid by member states, such as annual dues;

and

(IV) Any Compact fee charged by the member states on behalf of the Commission.

(2) Ensure that services for the administration of the Commission are appropriately provided, contractually or otherwise.

(3) Prepare and recommend the budget.

(4) Maintain financial records on behalf of the Commission.

(5) Monitor compliance of member states and provide reports to the Commission.

(6) Perform other duties as provided in the rules and bylaws.

6. Meetings of the Commission

(a) All meetings of the Commission shall be open to the public and public notice of meetings shall be given in accordance with the bylaws.

(b) The Commission, the Executive Committee or other committees of the Commission may convene in a closed, non-public meeting if the Commission, Executive Committee or other committee, as applicable, must discuss:

(1) Non-compliance of a member state with its obligations under the Compact.

(2) The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the Commission's internal personnel practices and procedures.

(3) Current, threatened or reasonably anticipated litigation.

(4) The negotiation of contracts for the purchase, lease or sale of goods, services or real estate.

(5) Accusing any person of a crime or formally censuring any person.

(6) The disclosure of:

(I) Trade secrets or commercial or financial information that is privileged or confidential.



(II) Information of a personal nature where such disclosure would constitute a clearly unwarranted invasion of personal privacy.

(III) Investigative records compiled for law enforcement purposes.

(IV) Information related to any investigative reports prepared by, on behalf of or for the use of the Commission or other committee charged with the responsibility of the investigation or determination of compliance issues pursuant to the Compact.

(7) Matters specifically exempted from disclosure by federal or member state statute.

(8) Other matters as set forth by the bylaws or rules.

(c) If a meeting or portion of a meeting is closed pursuant to paragraph (b) of subsection 6 of Article VII, legal counsel for the Commission or his or her designee shall:

(1) Certify that the meeting may be closed; and

(2) Reference each relevant provision that exempts the meeting or portion of a meeting from the requirement that meetings be open to the public pursuant to paragraph (a) of subsection 6 of Article VII.

(d) The Commission shall keep minutes of meetings of the Commission and provide a full and accurate summary of actions taken and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting or portion of a meeting shall remain under seal, subject to release by a majority vote of the Commission or order of a court of competent jurisdiction.

7. Financing of the Commission

(a) The Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization and ongoing activities.

(b) The Commission may accept all appropriate donations and grants of money, equipment, supplies, materials and services, and receive, utilize and dispose of the same, provided that at all times the Commission shall avoid any appearance of impropriety or conflict of interest.

(c) The Commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the Commission, in accordance with the rules.



(d) The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same, nor shall the Commission pledge the credit of any of the member states except by and with the authority of the member state.

(e) The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to accounting procedures established under the bylaws. All receipts and disbursements of funds of the Commission shall be reviewed annually in accordance with the bylaws, and a report of the review shall be included in and become part of the annual report of the Commission.

8. *Qualified Immunity, Defense and Indemnification*

(a) The members, officers, executive director, employees and representatives of the Commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities, provided that nothing in this paragraph shall be construed to protect any such person from suit or liability for any damage, loss, injury or liability caused by the intentional, willful or wanton misconduct of that person.

(b) The Commission shall defend any member, officer, executive director, employee or representative of the Commission in any civil action seeking to impose liability arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities, provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel, and provided further that the actual or alleged act, error or omission did not result from that person's intentional, willful or wanton misconduct.

(c) The Commission shall indemnify and hold harmless any member, officer, executive director, employee or representative of the Commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties or responsibilities, or that such person had a reasonable basis for believing occurred within the



scope of Commission employment, duties or responsibilities, provided that the actual or alleged act, error or omission did not result from the intentional, willful or wanton misconduct of that person.

ARTICLE VIII—Rulemaking

1. The Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this Compact and the rules adopted hereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

2. The Commission shall promulgate reasonable rules to achieve the intent and purpose of this Compact. If the Commission exercises its rulemaking authority in a manner that is beyond the purpose and intent of this Compact, or the powers granted hereunder, then such an action by the Commission shall be invalid and have no force and effect of law in the member states.

3. If a majority of the legislatures of the member states rejects the rule, by enactment of a statute or resolution in the same manner used to adopt this Compact within 4 years of the date of adoption of the rule, then such rule shall have no further force or effect in any member state.

4. Rules and amendments to the rules shall be adopted or ratified at a regular or special meeting of the Commission in accordance with the rules and bylaws.

5. Upon determination that an emergency exists, the Commission may consider and adopt an emergency rule with 48 hours' notice, with opportunity to comment, provided that the usual rulemaking procedures shall be retroactively applied to the rule as soon as reasonably possible, but in no event later than 90 days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

(a) Meet an imminent threat to public health, safety or welfare;

(b) Prevent a loss of funds of the Commission or funds of a member state;

(c) Meet a deadline for the promulgation of an administrative rule of the Commission that is established by federal law or a federal rule; or

(d) Protect public health and safety.



ARTICLE IX—Facilitating Information Exchange

1. The Commission shall provide for facilitating the exchange of information to administer and implement the provisions of this Compact in accordance with the rules and consistent with generally accepted data protection principles.

2. Nothing in this Compact shall be deemed or construed to alter, limit or inhibit the power of a member state to control and maintain ownership of its licensee information or alter, limit or inhibit the laws or regulation governing licensee information in the member state.

ARTICLE X—Oversight, Dispute Resolution and Enforcement

1. Oversight

(a) The executive and judicial branches of state government in each member state shall enforce this Compact and take all actions necessary and appropriate to effectuate the purposes and intent of the Compact. The provisions of this Compact shall have standing as statutory law.

(b) Venue is proper and judicial proceedings by or against the Commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the Commission is located. The Commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct or any such similar matter.

(c) All courts and administrative agencies shall take judicial notice of the Compact, the rules and any information provided to a member state pursuant thereto in any judicial or quasi-judicial proceeding in a member state pertaining to the subject matter of this Compact or which may affect the powers, responsibilities or actions of the Commission.

(d) The Commission shall be entitled to receive service of process in any proceeding regarding the enforcement or interpretation of the Compact and shall have standing to intervene in such a proceeding for all purposes. Failure to provide the Commission service of process shall render a judgment or order void as to the Commission, this Compact or promulgated rules.

2. Default, Technical Assistance and Termination



(a) If the Commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this Compact or the promulgated rules, the Commission shall provide:

(1) Written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default or any other action to be taken by the Commission; and

(2) Remedial training and specific technical assistance regarding the default.

3. If a state in default fails to cure the default, the defaulting state may be terminated from the Compact upon an affirmative vote of a majority of the Commissioners of the member states, and all rights, privileges and benefits conferred on that state by this Compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

4. Termination of membership in the Compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the Commission to:

(a) The governor of the defaulting state;

(b) The majority and minority leaders of the legislature of the defaulting state;

(c) The state licensing authority of the defaulting state; and

(d) Each of the member states.

5. A state that has been terminated is responsible for all assessments, obligations and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

6. The Commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the Compact, unless agreed upon in writing between the Commission and the defaulting state.

7. The defaulting state may appeal the action of the Commission by petitioning the United States District Court for the District of Columbia or the federal district where the Commission has its principal offices. The prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees.

8. Dispute Resolution

(a) Upon request by a member state, the Commission shall attempt to resolve disputes related to the Compact that arise among member states and between member states and states that are not member states.



(b) The Commission shall promulgate a rule providing for both binding and nonbinding alternative dispute resolution for disputes, as appropriate.

9. Enforcement

(a) The Commission, in the reasonable exercise of its discretion, shall enforce the provisions of this Compact and its rules.

(b) By majority vote, the Commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the Commission has its principal offices against a member state in default to enforce compliance with the provisions of the Compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. If judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees. The remedies herein shall not be the exclusive remedies of the Commission. The Commission may pursue other remedies available under federal or state law.

ARTICLE XI—Effectuation, Withdrawal and Amendment

1. The Compact shall come into effect on the date on which the Compact statute is enacted into law in the tenth member state. On or after the effective date of the Compact, the Commission shall convene and review the enactment of each of the charter member states to determine if the statute enacted by each such charter member state is materially different from the model Compact statute. A charter member state whose enactment is found to be materially different from the model Compact statute shall be entitled to the default process set forth in Article X. Each member state enacting the Compact after the charter member states shall be subject to the process set forth in paragraph (t) of subsection 4 of Article VII to determine if the enactment by that state is materially different from the model Compact statute and whether that state qualifies for participation in the Compact.

2. If a member state is later found to be in default or is terminated or withdraws from the Compact, the Commission shall remain in existence and the Compact shall remain in effect even if the number of member states should be less than ten.

3. Any state that joins the Compact after the Commission's initial adoption of the rules and bylaws shall be subject to the rules and bylaws as they exist on the date on which the Compact becomes law in that state. Any rule that has been previously



adopted by the Commission shall have the full force and effect of law on the day the Compact becomes law in that state, as the rules and bylaws may be amended as provided in this Compact.

4. Any member state may withdraw from this Compact by enacting a statute repealing the same. The withdrawal of a member state shall not take effect until 6 months after the enactment of the repealing statute. Withdrawal shall not affect the continuing requirement of the licensing authority of the withdrawing state to comply with the investigative and adverse action reporting requirements of this Compact prior to the effective date of withdrawal.

5. This Compact may be amended by the member states. No amendment to this Compact shall become effective and binding upon any member state until the amendment is enacted into the laws of all member states.

ARTICLE XII—Construction and Severability

The Compact shall be liberally construed to effectuate the purposes thereof. The provisions of this Compact shall be severable and if any phrase, clause, sentence or provision of this Compact is declared to be contrary to the constitution of any member state or state seeking membership in the Compact or the Constitution of the United States or the applicability thereof to any other government, agency, person or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any other government, agency, person or circumstance shall not be affected thereby. If this Compact is held contrary to the constitution of any member state, the Compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

ARTICLE XIII—Consistent Effect and Conflict with Other State Laws

1. Nothing herein shall prevent or inhibit the enforcement of any other law of a member state that is not inconsistent with this Compact.

2. Any laws, statutes, regulations or other legal requirements of a member state which conflict with this Compact are superseded to the extent of the conflict.



3. All permissible agreements between the Commission and the member states are binding in accordance with the terms of those agreements.

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

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

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

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

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

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

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

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

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

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

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



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

(3) Must not prescribe qualifications which are more stringent than the qualifications set forth in NRS 391.0315 for a licensed teacher who applies for an additional license in accordance with that section.

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

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

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

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

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

(1) Provide instruction or other educational services; and

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

(g) Prescribing course work on parental involvement and family engagement. The Commission shall work in cooperation with the Office of Parental Involvement and Family Engagement created by NRS 385.630 in developing the regulations required by this paragraph.

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

(i) Authorizing the Superintendent of Public Instruction to issue a license by endorsement to an applicant who holds an equivalent license or authorization issued by a governmental entity in another



country if the Superintendent determines that the qualifications for the equivalent license or authorization are substantially similar to those prescribed pursuant to paragraph (a).

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

(k) Authorizing a person who is employed as a paraprofessional and enrolled in a program to become a teacher to complete an accelerated program of student teaching in the same or a substantially similar area in which the person is employed as a paraprofessional while remaining employed as a paraprofessional.

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

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

(n) To carry out the provisions of section 1 of this act.

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

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

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

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

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

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

391.021 1. Except as otherwise provided in NRS 391.027, the Commission shall adopt regulations governing examinations for the initial licensing of teachers and other educational personnel. The regulations adopted by the Commission must ensure that the examinations test the ability of the applicant to teach and the



applicant's knowledge of each specific subject he or she proposes to teach.

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

3. Teachers and educational personnel from another state who obtain a reciprocal license pursuant to NRS 391.032 *or section 1 of this act* are not required to take the examinations for the initial licensing of teachers and other educational personnel described in this section or any other examination for initial licensing required by the regulations adopted by the Commission.

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

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

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

(b) Adopt regulations which provide for the reciprocal licensure of educational personnel from other states including, without limitation, for the reciprocal licensure of persons who hold a license to teach special education. Such regulations must include, without limitation, provisions ~~for~~:

(1) *For* the reciprocal licensure of persons who obtained a license pursuant to an alternative route to licensure which the Department determines is as rigorous or more rigorous than the alternative route to licensure prescribed pursuant to subparagraph (1) of paragraph (a) of subsection 1 of NRS 391.019.

(2) *Which provide for the licensure of persons pursuant to the Interstate Teacher Mobility Compact enacted in section 1 of this act.*

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

3. A person who is issued a provisional license must complete all courses of study and other requirements for a license in this State



which is not provisional within 3 years after the date on which a provisional license is issued.

Sec. 5. NRS 391.037 is hereby amended to read as follows:

391.037 1. The Commission shall:

(a) Prescribe by regulation the standards for approval of a course of study or training offered by an educational institution to qualify a person to be a teacher or administrator or to perform other educational functions. The regulations prescribed pursuant to this paragraph must include, without limitation, training on how to identify a pupil who is at risk for dyslexia or related disorders.

(b) Maintain descriptions of the approved courses of study required to qualify for endorsements in fields of specialization and provide to an applicant, upon request, the approved course of study for a particular endorsement.

2. Except for an applicant who submits an application for the issuance of a license pursuant to subparagraph (1) of paragraph (a) of subsection 1 of NRS 391.019 ~~or~~ *or section 1 of this act*, an applicant for a license as a teacher or administrator or to perform some other educational function must submit with his or her application, in the form prescribed by the Superintendent of Public Instruction, proof that the applicant has satisfactorily completed a course of study and training approved by the Commission pursuant to subsection 1.

Sec. 6. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 5, inclusive, of this act become effective:

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

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



