

LCB File No. T038-99

**ADOPTED TEMPORARY REGULATION OF THE
COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION**

(Effective April 29, 1999)

Explanation: Matter in *Italics* is new; matter in brackets [] is material to be omitted.

NAC 391.057 Conditional licensure: Qualifications; validity; further education required.

1. The [board] *superintendent of public instruction* will issue a conditional license to teach elementary education to pupils who are enrolled in a program of bilingual education or a conditional license to teach secondary education *or a conditional special license to teach pupils in kindergarten through grade 12 pursuant to NAC 391.343 who have specific learning disabilities, emotional disturbances or mental retardation and mild to moderate needs for assistance and intervention* to a person who submits an application which is accompanied by proof satisfactory to the [board] *superintendent of instruction* that the applicant:

- (a) Holds a bachelor's degree with a major in a field other than education 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; and
- (c) Has a negative report of an X-ray film of his chest or a tuberculin test which was completed within the 12 months immediately preceding the date on which he submitted his application.

2. In addition to the requirements of subsection 1 an applicant for a conditional license:

- (a) To teach elementary education to pupils who are enrolled in a program of bilingual education, must pass the examination required by subsection 1 of NAC 391.242, if an examination is available.
- (b) To teach secondary education, must pass a competency test which has been approved by the commission in the subject matter of the area for which he will be employed to teach or provide to the department proof that he is eligible for an exemption from that test.
- (c) *To teach pupils in kindergarten through grade 12 who have specific learning disabilities, emotional disturbances or mental retardation and mild to moderate needs for assistance and intervention, must have earned 9 semester hours of credit of special education coursework from a regionally accredited postsecondary institution.*

3. A conditional license to teach elementary education to pupils who are enrolled in a program of bilingual education or to teach secondary education *or to teach pupils in kindergarten through grade 12 who have specific learning disabilities, emotional disturbances or mental retardation and mild to moderate needs for assistance and intervention:*

(a) Authorizes the holder of the license to teach in a county school district or a private school that is licensed pursuant to chapter 394 of NRS, if the school district or private school has received the approval of the department to hire the holder of the license pursuant to NAC 391.058;

(b) Becomes valid on the date on which the holder of the license is employed by a school district or private school pursuant to NAC 391.058;

(c) Is valid for 3 years; and

(d) Is not renewable.

4. A person who holds a conditional license to teach elementary education to pupils who are enrolled in a program of bilingual education shall, within 2 years after his employment with a school district or private school pursuant to NAC 391.058, provide to the school district or private school proof that he has completed at least 12 semester hours of credit which is necessary for the issuance of an initial license to teach elementary education with a bilingual endorsement, excluding any credit that he has received for student teaching.

5. A person who holds a conditional license to teach secondary education shall, within 2 years after his employment with a school district or private school pursuant to NAC 391.058, provide to the school district or private school proof that he has completed at least 9 semester hours of credit which is necessary for the issuance of an initial license to teach secondary education, excluding any credit that he has received for student teaching.

6. A person who holds a conditional special license to teach pupils in kindergarten through grade 12 who have specific learning disabilities, emotional disturbances or mental retardation and mild to moderate needs for assistance and intervention shall, within 2 years after his employment with a school district or private school pursuant to NAC 391.058, provide to the school district or private school proof that he has completed at least 18 semester hours of credit which is necessary for the issuance of an initial license to teach pupils in kindergarten through grade 12 who have specific learning disabilities, emotional disturbances or mental retardation and mild to moderate needs for assistance and intervention, excluding any credit that he has received for student teaching.

[6.] 7. A person who holds a conditional license must complete the requirements for the issuance of an initial license to teach elementary education with a bilingual endorsement or to

teach secondary education *or to teach pupils in kindergarten through grade 12 who have specific learning disabilities, emotional disturbances or mental retardation and mild to moderate needs for assistance and intervention* within the 3 years that his conditional license is valid. If the licensee submits to the department copies of at least five evaluations issued pursuant to NRS 391.3125 which indicate that his performance has been satisfactory, the holder of the conditional license is not required to complete the 8 semester hours of supervised teaching required for the issuance of an initial license and the department shall reduce the number of hours that he is required to complete for the issuance of an initial license accordingly.

(Added to NAC by Comm'n on Prof. Standards in Education, 12-13-96, eff. 1-1-97)

NAC 391.058 Conditional licensure: Application to department; assignment of unconditionally licensed teacher; training; development of plan for evaluation and training; cooperation with commission and department.

1. A school district or a private school that is licensed pursuant to chapter 394 of NRS must apply to the department before it employs a person who holds a conditional license that was issued pursuant to NAC 391.057. The application must be in writing and include:

(a) Proof that the school district or private school has advertised in good faith its desire to fill a vacancy in the position of an unconditionally licensed teacher to teach elementary education to pupils who are enrolled in a program of bilingual education or an unconditionally licensed teacher to teach secondary education in the subject area and at the grade level in which there is a vacancy *or an unconditionally licensed teacher to teach pupils in kindergarten through grade 12 pursuant to NAC 391.343 who have specific learning disabilities, emotional disturbances or mental retardation and mild to moderate needs for assistance and intervention*;

(b) An affidavit stating that despite the required advertisement the school district or private school was not successful in hiring an unconditionally licensed teacher to teach elementary education to pupils who are enrolled in a program of bilingual education or an unconditionally licensed teacher to teach secondary education in the subject area and at the grade level in which there is a vacancy *or an unconditionally licensed teacher to teach pupils in kindergarten through grade 12 who have specific learning disabilities, emotional disturbances or mental retardation and mild to moderate needs for assistance and intervention*; and

(c) A written assurance that the school district or private school will, if required by statute or regulation, continue its efforts to hire unconditionally licensed educational personnel.

2. A superintendent of a school district or an administrator of a private school shall assign an unconditionally licensed teacher to provide assistance, guidance and training to each person it hires *to teach elementary education to pupils who are enrolled in a program of bilingual education or to teach secondary education* pursuant to this section. Before a person who holds a conditional license may begin teaching, he must complete at least 3 weeks of training and

orientation under the supervision of the unconditionally licensed teacher who has been assigned to assist him pursuant to this subsection.

3. A superintendent of a school district or an administrator of a private school shall assign a postprobationary teacher who is unconditionally licensed pursuant to NAC 391.343 to provide assistance, guidance and training to each person it hires to teach pupils in kindergarten through grade 12 who have specific learning disabilities, emotional disturbances or mental retardation and mild to moderate needs for assistance and intervention. Before a person who holds a conditional license may begin teaching, he must complete at least 3 weeks of training and orientation under the supervision of the unconditionally licensed teacher who has been assigned to assist him pursuant to this subsection. A postprobationary teacher who is unconditionally licensed pursuant to NAC 391.343 shall be present at all Individual Education Plan (IEP) meetings in which the conditionally licensed teacher hired pursuant to this section is required to be present.

[3.] 4. A school district or private school shall, in consultation with a postsecondary institution which is regionally accredited and which offers courses of study and training for the education of teachers, develop a plan for each person that it hires pursuant to this section which includes:

- (a) Provisions for the evaluation of the person;
- (b) A description of the courses of study and training that the person is required to complete within the 3 years that his conditional license is valid; and
- (c) Any other training that the school district or private school considers necessary.

[4.] 5. Each school district or private school which employs a person pursuant to this section shall cooperate with the commission and the department in the evaluation of the effectiveness of this section and NAC 391.057.

(Added to NAC by Comm'n on Prof. Standards in Education, 12-13-96, eff. 1-1-97)

NEVADA DEPARTMENT OF EDUCATION

COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

**REPORT TO LEGISLATIVE COMMISSION ON
EFFECT OF ADMINISTRATIVE REGULATIONS**

1. Title of Regulation:

Special Education Generalist Endorsement to be Eligible for Alternative Route to Licensure.

NAC 391.057 Conditional Licensure: Qualification; validity; further education required.

NAC 391.058 Conditional Licensure: Application to department; assignment of unconditionally licensed teacher; training; development of plan for evaluation and training; cooperation with commission and department.

2. Opportunity for Comments by Affected Parties and the Public:

Notice of public hearing was sent to approximately 200 individuals and entities. Public hearings were conducted on December 4, 1998 and January 22, 1999. The Commission on Professional Standards in Education adopted the proposed amendments.

Mailing and postings occurred on November 3, 1998, and December 21, 1998, for the public hearings. The proposed amendments were posted at: Nevada Department of Education – Carson and Las Vegas Offices; the 17 Nevada County School District Offices; the Clark County Classroom Teachers Association – Carson and Las Vegas Offices; the 17 Nevada County Libraries; and the Nevada State Library and Archives.

3. The Number of Persons Who:

a) Attended Each hearing:	First Hearing: 17	Second Hearing: 31
b) Testified at Each hearing:	First Hearing: 2	Second Hearing: 5
c) Submitted Written Statements:	First Hearing: 0	Second Hearing: 0

4. Summary of Comments by Affected Parties and the Public:

Dr. Brian Cram, Superintendent, Dr. GeorgeAnn Rice, Assistant Superintendent, Mr. Brad Reitz, Executive Director of Student Support Services and Ms. Charlene Green, Assistant Superintendent, Clark County School District, discussed teacher shortages and a survey of special education teachers. They had individuals going through an alternative route program at University of Nevada, Las Vegas. Ms. Leslie Fritz, Nevada State Education Association, expressed concerns with regard to credits in special education and mentoring. Language would be reviewed again in 2001.

5. Summary Source:
A summary of comments may be obtained through the office of State Superintendent of Public Instruction, 700 East Fifth Street, Carson City, Nevada 89701-5096.
6. Estimated Economic Effect on Affected Parties and Public:
There is no economic effect for this regulation.
7. Estimated Cost to Agency for Enforcement:
None.
8. Regulations of Other State or Government Agencies Overlapped or Duplicated by These Regulations:

No other state or government agency regulations will be overlapped or duplicated by the above noted regulations.
9. Federal Regulations Overlapped or Duplicated by These Regulations:
(Name of Regulating Federal Agency/Federal Regulation Title)

There is no duplication or overlap of federal regulations.
10. Summary of Regulation Provisions that are More Stringent than Federal Regulation:
There are none.
11. Annual Anticipated Revenue from New Fee or Increase to Existing Fee and Manner in Which Fee will be Used:

No new fee or increase to existing fee providing revenue to the agency is affected by the above noted regulations.