

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

**LCB File No. R101-00**

Effective January 22, 2001

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

AUTHORITY: §1, NRS 391.019.

**Section 1.** Chapter 391 of NAC is hereby amended by adding thereto a new section to read as follows:

*1. A school district which has a program of bilingual education shall select or develop, and administer, an appropriate test or other means of assessment to ascertain that the language proficiency of each teacher assigned to teach pupils enrolled in a program of bilingual education in the school district is sufficient to provide instruction to those pupils in a language other than English.*

*2. Passage of a test or other means of assessment administered by a school district pursuant to this section does not exempt a teacher from any other requirement of Title 34 of NRS and any regulations adopted pursuant thereto relating to licensure, endorsements or other required qualifications.*

*3. A school district that has a program of bilingual education shall:*

*(a) Maintain records of the testing or assessment conducted pursuant to this section of teachers assigned to teach pupils enrolled in a program of bilingual education in the school district; and*

*(b) Annually report to the department the results of that testing or assessment conducted during the previous year.*

**LCB File No. R101-00**

**NOTICE OF ADOPTION OF REGULATION**

December 14, 2000

Brenda J. Erdoes, Legislative Counsel  
Legislative Counsel Bureau  
Legislative Building  
Capitol Complex  
Carson City, Nevada 89710

Re: LCB File No. R101-00

Dear Ms. Erdoes:

Enclosed please find the above referenced regulation and Informational Impact Statement. This regulation was permanently adopted by the Commission on Professional Standards in Education at their meeting on December 1, 2000.

If you have any questions, please do not hesitate to call me.

Sincerely,

Sharon Bohling  
Management Assistant

slb  
Enclosure

**LCB File No. R101-00**

**INFORMATIONAL STATEMENT**

**NEVADA DEPARTMENT OF EDUCATION**

**COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION**

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

1. Title of Regulation:

Amendments to NAC regarding a program of bilingual education.

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

Petition was noticed September 27, 1999, November 3, 1999 and June 2, 2000 for public hearing. The proposed amendments were posted at: Nevada Department of Education, Carson and Las Vegas; 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:

Attended hearing:                      First Hearing: 7      Second Hearing: 5      Third Hearing: 2

Testified at hearing:                      First Hearing: 2      Second Hearing: 3      Third Hearing: 1

4. How Comments were Solicited, Summary of Comments by Affected Parties and the Public, How Interested Persons May Obtain a Copy of the Minutes of the Meeting.

Comments were solicited from approximately 200 individuals and entities subscribing to the Commission's Mailing List (includes news and radio media). Public hearing was conducted on October 29, 1999 and December 3, 1999.

At the July 23, 1999 workshop, Dr. Rice, Clark County School District reported that elementary bilingual teachers were having problems passing the Praxis that was chosen for demonstrating language proficiency. Dr. Snow, Department of Education, testified that the test went into effect in 1996, noting how the test was evaluated. At the October 29, 1999 meeting, Commissioner Grupe motioned that the language for bilingual is suspended until an appropriate test can be located and validated. The tests suspended were Spanish: Content Knowledge (0191) and Spanish: Productive language Skills (0192). At the December 3, 1999 meeting, the bilingual requirements were discussed at part of the Alternative Route program. President Cawley asked that Dr. Wenda read the language with recommended changes. Commissioner Lamping moved that the Commission accept the language with the changes, which included the deletion of regulations for elementary licensure with technology emphasis throughout the document, as read by Dr. Wenda. Changes to NAC 391.057 and NAC 391.058 were filed with the Secretary of State

on January 26 2000. Having researched alternative bilingual tests, the Department recommended remanding the bilingual testing to the districts at the March 24, 2000 meeting. July 7, 2000 the Commission held another workshop and public hearing with proposed language changes. At the December 1, 2000 meeting the Commission approved LCB File No. R101-00.

A summary of comments may be obtained through Commission on Professional Standards in Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

5. Estimated Economic Effect on Affected Parties and Public:

There is no economic effect on affected parties and public.

6. Estimated Cost to Agency for Enforcement:

There is no additional cost to the agency for enforcement of this regulation.

7. Regulations of Other State or Government Agencies Overlapped or Duplicated by These Regulations:

There is no other state or government agency regulation that the proposed amendments duplicate.

8. 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.

9. Summary of Regulation Provisions that are More Stringent than Federal Regulation:

There are none.

10. 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.