

LCB File No. T002-02

**PROPOSED TEMPORARY REGULATION
OF THE STATE BOARD OF EDUCATION/
STATE BOARD FOR OCCUPATIONAL EDUCATION**

Explanation: Matter in italics is new; matter in brackets ~~omitted material~~ is material to be omitted.

Authority: NRS 391.037 and 391.038

Section 1. Chapter 391 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 through 4, inclusive, of this regulation to read as follows:

COURSES OF STUDY AND TRAINING FOR EDUCATIONAL PERSONNEL

Section 2. NAC 391.557 Requirements for application for approval of course; manual.

1. An institution which wishes to offer a course of study and training for the education of teachers or other educational personnel which is designed to provide the education required for the issuance of an elementary, secondary or special license, renewal of such a license or an endorsement in a field of specialization, must file with the superintendent of public instruction, at least 180 calendar days before the first date of instruction, an application for approval of the course of study and training. The application must include:

- (a) The name and location of the institution;
- (b) A copy of the articles of incorporation or charter for the institution;
- (c) Proof of the financial solvency of the institution, including financial resources available to the institution in this state;
- (d) If the institution is accredited, as that term is defined in NRS 394.006, information concerning the accreditation;
- (e) The proposed operating budget for the course of study and training;
- (f) A description of the governance of the institution, including the name of the chief administrative officer of the institution, and the system established for accountability of the course of study and training at the institution;
- (g) A description of the course of study and training, including a description of its compliance with:

(1) ~~[The standards adopted by the National Council for Accreditation of Teacher Education on March 31, 2000, and the curriculum guidelines for specific programs approved by the National Council for Accreditation of Teacher Education, if applicable]~~ *A teacher preparation program that employs performance based assessment of its candidates and meets the standards for new teachers developed by the Interstate New Teacher Assessment and Support Consortium. For the preparation of school personnel other than teachers, the standards of a nationally recognized specialty professional association of each program preparing other school personnel as applicable; ~~or~~ and, if applicable,*

(2) Subsection 9 of NAC 391.558;

(h) The qualifications a person must hold to provide instruction for the course of study and training;

(i) The proposed course work for the course of study and training;

(j) A written statement that describes the manner in which the course of study and training addresses the standards of content and performance established by the council to establish academic standards for public schools pursuant to NRS 389.520; and

(k) Except as otherwise provided in this paragraph, a written assessment plan that describes the:

(1) Conceptual framework for the course of study and training;

(2) Knowledge and skills that a student who is enrolled in the course of study and training must demonstrate;

(3) Manner by which the course of study and training will be assessed and evaluated;

(4) Field experience and clinical practice offered by the course of study and training;

(5) Diversity of the population of students who participate in the course of study and training; and

(6) Performance and development of the faculty who provide instruction for the course of study and training.

If an institution is accredited by the National Council for Accreditation of Teacher Education, the institution may submit written proof of such accreditation in lieu of the written assessment plan required by this paragraph.

2. Upon receipt of an application for approval of a course of study and training which is designed to provide the education required for issuance of an elementary, secondary or special

license, renewal of such a license or an endorsement in a field of specialization, the superintendent of public instruction shall notify the board that an application has been received.

3. The department shall develop a manual that:

(a) Assists in the development of a written assessment plan required by paragraph (k) of subsection 1;

(b) Describes the process for approval of a course of study and training; and

(c) Includes ~~[the standards adopted by the National Council for Accreditation of Teacher Education on March 31, 2000, and the curriculum guidelines for specific programs approved by the]~~ *procedures used and results of candidate assessment based upon the standards developed by the Interstate New Teacher Assessment and Support Consortium, the standards of other school personnel specialty professional associations, as applicable, or program standards adopted by* the National Council for Accreditation of Teacher Education.

The department shall maintain a copy of the manual and, upon the request of an institution, the department shall provide a copy of the manual to the institution.

Section 3. NAC 391.558 Appointment of review team; duties of review team; provisional approval of course; final approval by board and renewal of approval; report by school district; payment of expenses.

1. The board will appoint a review team to review each application received by the superintendent of public instruction. The superintendent of public instruction shall submit to the board a list of persons whom he recommends for membership on the review team. At least 2 months before the date of the visit required by subsection 5, the superintendent of public instruction shall send a list of his recommendations to the chief administrative officer of the institution that submitted the application. The list must include a description of the professional position, experience and areas of expertise of each person recommended by the superintendent of public instruction. If the chief administrative officer has concerns about any of the persons recommended by the superintendent of public instruction he shall, within 30 days after receipt of the list, provide to the superintendent of public instruction for transmittal to the board a written response which describes his concerns. The board will address the concerns of the chief administrative officer before it appoints members to the review team. Employees or other members of the institution shall not contact the persons recommended for membership on the review team before the board formally appoints members to the team.

2. Upon receipt of the recommendations and a written response, if one has been provided by the chief administrative officer, the board will appoint no more than seven members to the review team. The board may, for good cause, refuse to appoint any of the persons recommended by the superintendent of public instruction. If possible, members of the review team must reside in the area where the institution that submitted the application is located.

The review team must include, but is not limited to:

(a) One representative from a public educational institution in this state, other than the applicant, which offers a course of study and training for the education of teachers or other educational personnel;

(b) One representative from a private educational institution in this state, other than the applicant, which offers a course of study and training for the education of teachers or other educational personnel;

(c) At least one licensed teacher who has expertise in the course of study and training offered by the applicant;

(d) At least one representative of a local school district;

(e) One member of the board; and

(f) One member of the general public.

3. The review team shall:

(a) Examine the application submitted; and

(b) Decide whether to recommend that the board grant provisional approval of the course of study and training.

4. If the board grants provisional approval of a course of study and training, the applicant may offer the course of study and training to students pending final approval by the board. Members of the general public who inquire about the status of the course of study and training must be informed that it has been provisionally approved and that final approval is pending.

5. If the board grants provisional approval of a course of study and training, the review team shall, within 12 months after provisional approval has been granted, visit the site of instruction to verify the information provided by the institution pursuant to subsection 1 of NAC 391.557. The visit must not exceed 5 days.

6. Within 30 days after the visit, the chairman of the review team shall send to the applicant a draft report which summarizes the results of the review conducted by the review team. Within 30 days after receipt of the draft report by the applicant, the applicant may file a reply to the draft

report with the superintendent of public instruction for transmittal to the board and the review team which describes the resolution of any deficiencies in the application that were addressed in the draft report. If the applicant files a reply, the review team shall consider the reply in deciding whether to recommend approval of the course of study and training.

7. Within 60 days after the visit, the review team shall decide whether to recommend approval of the course of study and training and shall submit a final report to the superintendent of public instruction for transmittal to the board. The final report must state whether the review team recommends approval of the course of study and training. Upon transmittal of the final report to the board, the superintendent of public instruction shall inform the applicant of the recommendation of the review team. The review team shall recommend approval of the course of study and training if the applicant complies with the:

(a) Requirements of NAC 391.557;

(b) Standards ~~[adopted]~~ *developed* by the ~~[National Council for Accreditation of Teacher Education on March 31, 2000; and]~~ *Interstate New Teacher Assessment and Support Consortium, and the specialty professional associations of other school personnel, as applicable; or*

(c) ~~[Curriculum guidelines for specific programs]~~ *Program standards* approved by the National Council for Accreditation of Teacher Education ~~[, if applicable].~~

8. Upon receipt of the final report, the board will grant approval of the course of study and training if the applicant complies with the:

(a) Requirements of NAC 391.557;

(b) Standards ~~[adopted]~~ *developed* by the ~~[National Council for Accreditation of Teacher Education on March 31, 2000; and]~~ *Interstate New Teacher Assessment and Support Consortium, and the specialty professional associations of other school personnel, as applicable; or*

(c) ~~[Curriculum guidelines for specific programs]~~ *Program standards* approved by the National Council for Accreditation of Teacher Education ~~[, if applicable].~~

If the board denies approval, the applicant may appear before the board, and is entitled to a hearing and judicial review pursuant to subsection 5 of NRS 391.038.

9. In addition to the standards of approval set forth in subsections 7 and 8, the review team shall recommend approval, and the board will approve, a course of study and training for the education of teachers and other educational personnel for teaching in the secondary grades if:

(a) Enrollment in the course of study and training is restricted to persons who hold a bachelor's degree in a field recognized by the commission pursuant to NAC 391.1301; and

(b) The course of study and training includes course work described in subsection 3 of NAC 391.120.

10. Except as otherwise provided in subsection 11, approval of a course of study and training pursuant to this section is valid for 5 years. During the 5-year period of approval, the institution shall notify the superintendent of public instruction of any changes in the information that it provided in its application pursuant to subsection 1 of NAC 391.557, except for a change in the information required by paragraph (e) of that subsection. Upon expiration of each 5-year period of approval, or during a regularly scheduled review of the institution by the National Council of Accreditation of Teacher Education, the superintendent of public instruction may recommend to the board that approval of the course of study and training be renewed for an additional 5 years.

11. The board may require a review of a course of study and training before the expiration of the 5-year period of approval if:

(a) During 1 year, 10 or more students who are enrolled in the course of study and training take specialty or pedagogy competency tests, or both, that are required by this state and the percentage of those students who pass the tests is:

(1) Before January 1, 2004, less than 90 percent; and

(2) On or after January 1, 2004, less than 95 percent;

(b) Pursuant to the information collected by the department pursuant to subsection 12, the percentage of probationary licensed educational personnel employed by school districts in this state who completed the course of study and training and who are terminated from employment or who are not reemployed:

(1) Before January 1, 2004, is 10 percent or greater for 1 year; and

(2) On or after January 1, 2004, is 5 percent or greater for 1 year; or

(c) The board requests a review.

Based upon a review conducted pursuant to this subsection, the board may renew the approval of a course of study and training or revoke the approval of a course of study and training.

12. On or before July 1 of each year, each school district in this state shall report to the department the:

(a) Number of probationary licensed educational personnel that the school district terminated from employment or did not reemploy for another school year; and

(b) For each licensee who is reported pursuant to paragraph (a) the:

- (1) Subject area taught by the licensee, if applicable;
- (2) Educational institution that the licensee attended;
- (3) Course of study and training completed by the licensee; and
- (4) Reason that the school district terminated the licensee from employment or did not reemploy the licensee.

Each school district shall report the information required by this subsection without disclosing the identity of an individual licensee or otherwise violating the confidentiality of a licensee.

13. The applicant shall pay to the board a fee equal to:

(a) The expenses incurred on behalf of the review team for preparation of the documentation required by this section; and

(b) The travel expenses and per diem allowances to which the review team is entitled which are related to the visit of the site of instruction.

Section 4. *Adoption of Teacher Education Program Standards by Reference.*

The state board of education hereby adopts by reference the “Model Standards for Beginning Teacher Licensing and Development” developed by the Interstate New Teacher Assessment and Support Consortium (INTASC), 1992, which is available free of charge from the Council of Chief State School Officers, One Massachusetts Avenue, NW, Suite 700, Washington, D.C. 20001-1431.

INFORMATIONAL STATEMENT

**NEVADA DEPARTMENT OF EDUCATION
NEVADA STATE BOARD OF EDUCATION
NEVADA STATE BOARD FOR OCCUPATIONAL EDUCATION**

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED
BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066
NAC 391, Courses of Study and Training for
Educational Personnel (Temporary)**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) 391:

1. A description of how public comment was solicited, a summary of public response, and explanation how other interested persons may obtain a copy of the summary.

The Notice of Workshop to Solicit Comments on Proposed Regulations was sent to approximately one-hundred and fifty individuals and educational organizations. The workshop was conducted by the Nevada State Board of Education on July 26, 2002. Comments from the public were received.

The Notice of Intent to Act Upon a Regulation for public hearing for Board adoption of the proposed revisions to NAC 391, Courses of Study and Training for Educational Personnel, was sent to approximately one-hundred and fifty individuals and educational organizations. A one-time only public hearing was conducted by the Nevada State Board of Education on July 26, 2002, to provide the opportunity for comments by affected parties and the public. There were no comments from the public. The Board adopted the temporary language as revised.

2. The Number of Persons Who:

a) Attended Each Hearing: Workshop: 5 Hearing: 10

b) Testified at Each Hearing; Workshop: 2 Hearing: 0

and,

c) Submitted Written Statements: Workshop: 0 Hearing: 0

No written comments were submitted.

3. A description of how comment was solicited from affected businesses, a summary of the response and an explanation how other interested parties may obtain a copy of the summary.

Comment was solicited through the workshop notice of June 19, 2002. Comments by members of the public at the workshop came from two individuals who spoke in support of the

proposed revisions: Dr. Gene Hall, Dean, College of Education, University of Nevada, Las Vegas, and Dr. Bill Sparkman, Dean, College of Education, University of Nevada, Reno.

Comment was solicited through the public hearing notice of June 19, 2002. No comments were made by members of the public at the July 26, 2002, public hearing.

A copy of the summary and/or minutes of the public hearing may be obtained by calling LaDonna Byrd, Assistant to the Board, at the Department of Education (775) 687-9225, or by writing to the Department of Education at 700 East Fifth Street, Carson City, Nevada 89701-5096.

4. If the regulation was adopted with or without change to any part of the proposed regulation, a summary of the reasons for adopting.

The temporary regulation language was adopted by the Nevada State Board of Education at the public hearing held March 2, 2002, with revision.

5. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public.

There is no economic effect on the business which is regulated. There is no estimated economic effect on the public, either adversely or beneficially, nor immediate or long term.

6. The estimated cost to the agency for enforcement of the adopted regulation.

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

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

No other state or government agency regulations will be overlapped or duplicated by the above noted regulations. There is no duplication or overlap of federal regulations.

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

There are none.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

This regulation does not provide or involve a new fee.