

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

**LCB File No. R098-04**

Effective August 25, 2004

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

AUTHORITY: §1, NRS 391.019.

A REGULATION relating to educational personnel; revising the requirements for an endorsement to teach drivers' education; and providing other matters properly relating thereto.

**Section 1.** NAC 391.225 is hereby amended to read as follows:

391.225 ~~[(1)]~~ To receive an endorsement authorizing the teaching of a course in drivers' education, a person must:

~~[(a)]~~ **1.** Hold a bachelor's degree;

~~[(b)]~~ **2.** Hold a secondary license; and

~~[(c)]~~ **3.** Have completed ~~[an approved basic course in drivers' education.~~

~~—2.—To renew such an endorsement for the first time, the holder must show that he has earned 2 semester hours of credit in an advanced course in drivers' education during the term of the endorsement. After the first renewal, the endorsement will be automatically renewed upon the holder's renewal of his secondary license.]~~ **3 semester hours of credit in basic concepts of drivers' education and traffic safety from an accredited college or university.**

**NOTICE OF ADOPTION OF PROPOSED REGULATION**  
**LCB File No. R098-04**

The Commission on Professional Standards in Education adopted regulations assigned LCB File No. R098-04 which pertain to chapter 391 of the Nevada Administrative Code on July 16, 2004.

**Notice date:** 6/16/2004  
**Hearing date:** 7/16/2004

**Date of adoption by agency:** 7/16/2004  
**Filing date:** 8/25/2004

**INFORMATIONAL STATEMENT**

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.

Notice of Workshop to Solicit Comments on Proposed Regulations was sent to approximately 100 individuals and educational organizations. One workshop was held on July 16, 2004. There were no comments from the public.

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of the proposed revisions to NAC 391.305 were sent to approximately 100 individuals and educational organizations. The public hearing was conducted on July 16, 2004 to provide the opportunity for comments by affected parties and the public. There were no comments from the public. The Commission adopted the proposed regulation.

2. The Number of Persons Who:

- a) Attended Each Hearing: Workshop: 8 First Hearing: 8 Second Hearing: N/A
- b) Testified at Each Hearing: Workshop: 1 First Hearing: 0 Second Hearing: N/A
- c) Submitted Written Statements: Workshop: 0 First Hearing: 0 Second Hearing: N/A

A copy of any written comments may be obtained by calling Christina Harper, Administrative Assistant to the Commission on Professional Standards in Education, Nevada Department of Education, 775-687-9226, or by writing to the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

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.

Comments were solicited through the workshop notice of June 16, 2004, and the public hearing notice of June 16, 2004. At the July 16, 2004 Workshop to Solicit Comments, there were no public comments to the proposed language revisions. At the July 16, 2004 Public Hearing there were no public comments to the proposed language.

Summary of Comments:

Workshop/Public Hearing Comments:

Sue Reed, Washoe County School District, expressed support for the proposal and encouraged the Commission to adopt the proposed amendments. Ms. Reed stated that the school districts do not offer behind the wheel training for students. There were no public comments during the public hearing.

A copy of the summary and/or minutes of the public hearing may be obtained by calling Christina Harper, Administrative Assistant to the Commission on Professional Standards in Education, Nevada Department of Education, 775-687-9224, or by writing to the Nevada 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 Commission on Professional Standards in Public Education adopted the proposed regulation language at the public hearing held July 16, 2004. The reason for adopting the regulation is that the endorsement to teach drivers' education requires the completion of an approved basic course in drivers' education which, at that time, included behind the wheel. The current curriculum at the district level does not include behind the wheel. Also after revising various college/university websites for local, on line courses and/or distance education, this type of course is offered out of state only. In state this course is offered as a community services course, but college/university credit is not given.

5. The estimated economic effect of the adopted regulation on the business that it is to regulate and on the public. These must be stated separately and each case must include:

There is a beneficial economic effect is that it eliminates a required course that is no longer offered at the district level or college coursework. 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 governmental 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 governmental agency regulations will be overlapped or duplicated by the above noted regulation. 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 for a new fee or increase an existing fee.