

Chapter 391 of NAC

LCB File No. T029-05

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

Filed with the Secretary of State on March 23, 2005

**Explanation:** Matter in *Italics* is new; matter in brackets ~~⌈~~ to be omitted.

**Statutory Authority:** NRS 391.019

**NAC 391.056 Provisional Nonrenewable Licensure: Qualifications; Period of Validity; Addition of Endorsement; Restrictions.**

1. Except as otherwise provided in subsection 4, the Superintendent of Public Instruction may issue a provisional nonrenewable license to an applicant applying for a license pursuant to NAC 391.045 if he otherwise meets the requirements for a license pursuant to NAC 391.045, but:

(a) Has a deficiency in credits of 6 semester hours or less for all areas of licensure or endorsement, unless the provision is for an endorsement as a substitute teacher;

(b) Has not completed the courses or passed the examination required by NAC 391.030 and is not exempt from the requirements of that section;

(c) Lacks confirmation from a college that he has student teaching experience if he is applying for a teaching license, or that he has completed a school counseling practicum or internship if he is applying for a school counseling endorsement, but:

(1) Has completed all necessary course work requirements for the school counseling endorsement;

(2) Has completed 200 hours of the practicum or internship through a regionally accredited college or university, including, without limitation, a minimum of 100 hours in a school setting at the time of his application for licensure; and

(3) Is currently and continuously enrolled in a regionally accredited college or university school counseling practicum or internship program;

(d) Has not passed the tests required by NAC 391.036 and is not exempt from taking such tests; or

(e) Has not completed the course required by paragraph (c) of subsection 1 of NAC 391.045.

2. A license issued pursuant to this section becomes invalid 3 years after the date on which the license is issued.

3. The holder of a license issued pursuant to this section may add endorsements with provisions to the license during the first year in which the license is valid. Endorsements without provisions may be added to the license at any time during the period in which the license is valid. If an endorsement is added to the license, the endorsement does not affect the date on which the license becomes invalid.

4. The Superintendent of Public Instruction may not issue a provisional nonrenewable license pursuant to paragraph (a), (c) or (d) of subsection 1 on or after ~~July 1, 2005~~ *July 1, 2006*, to a person who is applying for an elementary license pursuant to subsection 2 of NAC 391.095 or to

a person who is applying for a secondary license with an endorsement in one or more of the following major or minor fields:

- (a) Art.
- (b) Biological science.
- (c) Chemistry.
- (d) English.
- (e) French.
- (f) General science.
- (g) History.
- (h) Mathematics.
- (i) Music.
- (j) Physical science.
- (k) Reading.
- (l) Social studies.
- (m) Spanish.
- (n) Speech and drama.

**NOTICE OF ADOPTION OF TEMPORARY REGULATION**  
**LCB File No. T029-05**

The Commission on Professional Standards in Education adopted temporary regulations assigned LCB File No. T029-05 which pertain to chapter 391 of the Nevada Administrative Code on March 10, 2005.

**Notice date:** 2/3/2005  
**Hearing date:** 3/10/2005

**Date of adoption by agency:** 3/10/2005  
**Filing date:** 3/23/2005

**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 March 10, 2005. 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 391.036 were sent to approximately 100 individuals and educational organizations. The public hearing was conducted on March 10, 2005, 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: 15 First Hearing: 15 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 February 3, 2005, and the public hearing notice of February 3, 2005. At the March 10, 2005 Workshop to Solicit Comments, there were no public comments to the proposed language revisions. At the March 10, 2005 Public Hearing there were no public comments to the proposed language.

Summary of Comments:

Workshop/Public Hearing Comments:

There were no public comments for either the workshop or public hearing.

- a) Chopin Kiang, Director of Teacher Licensure for the Nevada Department of Education, recommended that the Commission support the amendment of the date to July 1, 2006. This amendment would bring Nevada in line with No Child Left Behind and would help the school districts.

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 March 10, 2005. The reason for adopting the amendment to the regulation was to extend the date to allow provisional licenses until July 1, 2006 to be in line with the dates of No Child Left Behind.

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:

The beneficial economic effect allows school districts to continue to hire teachers until July 1, 2006 with a provisional license. 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.