

Chapter 391 of NAC

LCB File No. T030-05

**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 ~~{}~~ is material to be omitted.

AUTHORITY: NRS 391.019

NAC 391.378 Qualifications for Teaching Pupils Who Have Autism. (NRS 391.109, 391.032) ~~[[Effective through June 30, 2005.]]~~ *Effective through June 30, 2008.*

1. Before teaching pupils, ages 3 to 21, inclusive, who have autism, a person must hold:
 - (a) An endorsement issued pursuant to this section; or
 - (b) A special license with an endorsement in special education prescribed in NAC 391.343, 391.350, 391.356, 391.360, 391.363, or 391.370 and must complete a program of preparation leading to licensing in this field within 3 years after beginning to teach such pupils.
2. To receive the endorsement, the person must:
 - (a) Have completed a program of preparation for teaching pupils who have autism, which has been approved by the Board;
 - (b) Hold a license or certificate, issued by another state, with an endorsement to teach pupils who have autism;
 - (c) Hold a bachelor's or master's degree in the education of pupils who have autism and have completed 8 semester hours of student teaching, equivalent field experience or 1 year of verifiable teaching experience in special education; or
 - (d) Have:
 - (1) Met the requirements for endorsement prescribed in NAC 391.343, 391.350, 391.356, 391.360, 391.363, or 391.370;
 - (2) One year of verifiable teaching experience with pupils who have autism; and
 - (3) Completed course work in the following areas:
 - (I) Behavior management;
 - (II) Speech and language development;
 - (III) Assistive technology, or alternative or augmentative communication;
 - (IV) Characteristics of pupils who have autism; and
 - (V) Curriculum development or methods and strategies for teaching pupils who have autism.

Delete Entire Section: ~~[NAC 391.378 Qualifications for Teaching Pupils Who Have Autism. (NAC 391.019, 391.032) Effective July 1, 2005]~~

~~[1. Before teaching pupils, ages 3 to 21, inclusive, who have autism, a person must hold an endorsement issued pursuant to this section.]~~

~~2. To receive the endorsement, the person must:~~

~~(a) Have completed a program of preparation for teaching pupils who have autism, which has been approved by the Board;~~

~~(b) Hold a license or certificate, issued by another state, with an endorsement to teach pupils who have autism;~~

~~(c) Hold a bachelor's or master's degree in the education of pupils who have autism and have completed 8 semester hours of student teaching, equivalent field experience or 1 year of verifiable teaching experience in special education; or~~

~~(d) Have:~~

~~(1) Met the requirements for endorsement prescribed in NAC 391.343, 391.350, 391.356, 391.360, 391.363, or 391.370;~~

~~(2) One year of verifiable teaching experience with pupils who have autism; and~~

~~(3) Completed course work in the following areas:~~

~~(I) Behavior management;~~

~~(II) Speech and language development;~~

~~(III) Assistive technology, or alternative or augmentative communication;~~

~~(IV) Characteristics of pupils who have autism; and~~

~~(V) Curriculum development or methods and strategies for teaching pupils who have autism.]~~

NOTICE OF ADOPTION OF TEMPORARY REGULATION
LCB File No. T030-05

The Commission on Professional Standards in Education adopted temporary regulations assigned LCB File No. T030-05 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

The following statement is submitted for adopted amendments to Nevada Administrative Code 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.

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 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 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: 2 First Hearing: 2 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 contacting 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 public comments to the proposed language revisions. At the March 10, 2005 Public Hearing there were public comments to the proposed language.

Summary of Comments:

Workshop/Public Hearing Comments:

- a) Mary Ann Gibbs, Clark County School District, indicated that there is a shortage of autism teachers and the Autism Option Program will sunset on June 30, 2005 and encouraged the Commission to extend the date for the Autism Option Program. Ms. Gibbs stated that there is high need for the Autism Option Program. Ms. Gibbs stated that the Option Program is working well in Clark County.
- b) Gloria Dopf, Deputy Superintendent for the Nevada Department of Education, on behalf of the Special Education Advisory Committee (SEAC) requested that the Commission consider an extension of the sunset clause until June 30, 2008 and then to review how the Program is impacting the Districts.
- c) Kyle Higgins, Special Education Program at UNLV, stated that licensed teachers who have a resource room license are then enrolled in the Autism Option Program. In the past three years, 94 individuals have completed the Autism Option Program. The Program is a one year program and individuals are mentored during that period.

A copy of the summary and/or minutes of the public hearing may be obtained by contacting 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 sunset date to June 30, 2008 to continue the Option Program for Autism.

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 and place them in a Option Program for Autism and this allows licensed teachers to remain in those classrooms. 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.