

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

LCB File No. R070-06

May 4, 2006

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

AUTHORITY: §1, NRS 391.019, 391.021 and 391.032; §§2 and 6, NRS 391.019 and 391.032; §§3-5 and 7, NRS 391.019.

A REGULATION relating to educational personnel; revising the general provisions governing a conditional license to teach; revising the provisions regarding licensure to teach certain students with learning disabilities, emotional disturbances or mild to moderate mental retardation; revising the provisions governing the employment of conditionally licensed persons by a school district, charter school or private school; and providing other matters properly relating thereto.

Section 1. NAC 391.057 is hereby amended to read as follows:

391.057 1. The Superintendent of Public Instruction shall issue a conditional license to teach elementary education, a conditional license to teach children in a program of early childhood education, a conditional license to teach secondary education or a conditional license to teach pupils in kindergarten through grade 12 who ~~have specific learning disabilities, emotional disturbances or mild to moderate mental retardation~~ *are eligible to receive special education services* to a person who submits an application which is accompanied by proof satisfactory to the Superintendent of Public Instruction that the applicant:

(a) Holds a bachelor's degree from a postsecondary institution that is regionally accredited; and

(b) Passed the competency test in basic reading, writing and mathematics that is required by NAC 391.036 or is eligible for an exemption from that test.

2. In addition to the requirements of subsection 1, an applicant for a conditional license:

(a) To teach elementary education must ~~[, before he teaches pupils who are enrolled in a program of bilingual education, pass the examination required by subsection 1 of NAC 391.242, if an examination is available.]~~ *have earned at least 9 semester hours of credit in courses relating to elementary education from a regionally accredited postsecondary institution.*

(b) To teach secondary education must ~~[pass]~~ :

(1) Have declared a major or minor in the applicant's field of specialization; or

(2) Pass a competency test which has been approved by the Commission in the subject matter of the area for which he will be employed to teach or provide to the Department proof that he is eligible for an exemption from that test.

(c) To teach pupils in a program of early childhood education must have earned ~~[~~

~~—(1) At least 6 semester hours of credit in courses relating to early childhood education from a regionally accredited postsecondary institution if the application is submitted before February 1, 2000; and~~

~~—(2) At]~~ *at* least 9 semester hours of credit in courses relating to early childhood education from a regionally accredited postsecondary institution . ~~[if the application is submitted after February 1, 2000.]~~

(d) To teach pupils in kindergarten through grade 12 who ~~[have specific learning disabilities, emotional disturbances or mild to moderate mental retardation,]~~ *are eligible to receive special education services* must have earned at least 9 semester hours of credit in courses relating to special education from a regionally accredited postsecondary institution.

3. A conditional license to teach elementary education, to teach a program of early childhood education, to teach secondary education or to teach pupils in kindergarten through

grade 12 who ~~[have specific learning disabilities, emotional disturbances or mild to moderate mental retardation:]~~ *are eligible to receive special education services:*

(a) Authorizes the holder of the license to teach in a county school district , *a charter school* or a private school that is licensed pursuant to chapter 394 of NRS, if the school district , *charter school* or private school has received the approval of the Department to hire the holder of the license pursuant to NAC 391.058;

(b) Becomes valid on the date on which the holder of the license is employed by a school district , *charter school* or private school pursuant to NAC 391.058;

(c) Is valid for 3 years; and

(d) Is not renewable.

4. A person who holds a conditional license to teach elementary education shall, within 2 years after he begins his employment with a school district , *charter school* or private school pursuant to NAC 391.058, provide to the school district , *charter school* or private school proof that he has completed at least 12 semester hours of credit which is required for the issuance of an initial license to teach elementary education, excluding any credit that he has received for student teaching.

5. A person who holds a conditional license to teach secondary education shall, within 2 years after he begins his employment with a school district , *charter school* or private school pursuant to NAC 391.058, provide to the school district , *charter school* or private school proof that he has completed at least ~~[9]~~ *12* semester hours of *secondary education* credit which is required for the issuance of an initial license to teach secondary education, excluding any credit that he has received for student teaching.

6. A person who holds a conditional license to teach pupils in kindergarten through grade 12 who ~~[have specific learning disabilities, emotional disturbances or mild to moderate mental retardation]~~ *are eligible to receive special education services* shall, within 2 years after he begins his employment with a school district, *charter school* or private school pursuant to NAC 391.058, provide to the school district, *charter school* or private school proof that he has completed at least 18 semester hours of credit, excluding any credit earned for student teaching, which is required for the issuance of an initial license to teach pupils in kindergarten through grade 12 who ~~[have specific learning disabilities, emotional disturbances or mild to moderate mental retardation.]~~ *are eligible to receive special education services.*

7. A person who holds a conditional license to teach early childhood education shall, within 2 years after he begins his employment with a school district, *charter school* or private school pursuant to NAC 391.058, provide to the school district, *charter school* or private school proof that he has completed at least 15 semester hours of credit which is required for the issuance of an initial license to teach a program of early childhood education, excluding any credit he has received for student teaching.

8. A person who holds a conditional license must complete the requirements for the issuance of an initial license to teach elementary education, to teach a program of early childhood education, to teach secondary education or to teach pupils in kindergarten through grade 12 who ~~[have specific learning disabilities, emotional disturbances or mild to moderate mental retardation]~~ *are eligible to receive special education services* within the 3 years that his conditional license is valid. If the ~~[licensee]~~ *school district, charter school or private school* submits to the Department copies of at least five evaluations issued pursuant to NRS 391.3125 which indicate that his performance has been satisfactory ~~[]~~ *and verification of 3 years*

contracted teaching experience in the appropriate area, the holder of the conditional license is not required to complete the 8 semester hours of supervised teaching required for the issuance of an initial license and the Department shall reduce the number of hours that he is required to complete for the issuance of an initial license accordingly.

Sec. 2. NAC 391.058 is hereby amended to read as follows:

391.058 1. A school district , *a charter school* or a private school that is licensed pursuant to chapter 394 of NRS must apply to the Department before it employs a person who holds a conditional license that was issued pursuant to NAC 391.057. The application must be in writing and include:

(a) Proof that the school district , *charter school* or private school has advertised in good faith its desire to fill a vacancy in the position of, as applicable, an unconditionally licensed teacher to teach elementary ~~education to pupils who are enrolled in a program of bilingual~~ education, an unconditionally licensed teacher to teach pupils in a program of early childhood education, an unconditionally licensed teacher to teach secondary education in the subject area and at the grade level in which there is a vacancy or an unconditionally licensed teacher to teach pupils in kindergarten through grade 12 who ~~have specific learning disabilities, emotional disturbances or mild to moderate mental retardation;~~ *are eligible to receive special education services;*

(b) An affidavit stating that despite the required advertisement the school district , *charter school* or private school was not successful in hiring, as applicable, an unconditionally licensed teacher to teach elementary ~~education to pupils who are enrolled in a program of bilingual~~ education, an unconditionally licensed teacher to teach a program of early childhood education, an unconditionally licensed teacher to teach secondary education in the subject area and at the

grade level in which there is a vacancy or an unconditionally licensed teacher to teach pupils in kindergarten through grade 12 who ~~[have specific learning disabilities, emotional disturbances or mild to moderate mental retardation;]~~ *are eligible to receive special education services;* and

(c) A written assurance that the school district, *charter school* or private school will, if required by statute or regulation, continue its efforts to hire unconditionally licensed educational personnel.

2. A superintendent of a school district, *an administrator of a charter school* or an administrator of a private school shall assign an unconditionally licensed teacher to provide assistance, guidance and training to each person it hires to teach elementary ~~[education to pupils who are enrolled in a program of bilingual]~~ education, to teach pupils in a program of early childhood education or to teach secondary education pursuant to this section. ~~[Before such a person may begin teaching, he must complete at least 3 weeks]~~ *Each such person who is hired:*

(a) *Shall complete a total of 120 hours* of training and orientation under the supervision of the unconditionally licensed teacher who has been assigned to assist him pursuant to this subsection.

(b) *May begin teaching after completion of the first 80 hours of the required 120 hours of training and orientation.*

3. A superintendent of a school district, *an administrator of a charter school* or an administrator of a private school shall assign a postprobationary teacher who is unconditionally licensed pursuant to NAC 391.343 to provide assistance, guidance and training to each person the school district, *charter school* or private school hires to teach pupils in kindergarten through grade 12 who ~~[have specific learning disabilities, emotional disturbances or mild to moderate~~

~~mental retardation. Before such a person may begin teaching, he must complete at least 3 weeks]~~
are eligible to receive special education services. Each such person who is hired:

(a) Shall complete a total of 120 hours of training and orientation under the supervision of the unconditionally licensed teacher who has been assigned to assist him pursuant to this subsection.

(b) May begin teaching after completion of the first 80 hours of the required 120 hours of training and orientation.

↳ The teacher who is assigned to the conditionally licensed teacher pursuant to this subsection must be present at each meeting concerning an individual education plan that the conditionally licensed teacher is required to attend.

4. A school district, *charter school* or private school shall, in consultation with a postsecondary institution which is regionally accredited and which offers courses of study and training for the education of teachers, develop a plan for each person that it hires pursuant to this section which includes:

- (a) Provisions for the evaluation of the person;
- (b) A description of the courses of study and training that the person is required to complete within the 3 years that his conditional license is valid;
- (c) A written assessment plan for the course of study and training, as described in paragraph (k) of subsection 1 of NAC 391.557; and
- (d) Any other training that the school district, *charter school* or private school considers necessary.

5. Each school district, *charter school* or private school which employs a person pursuant to this section shall cooperate with the Commission and the Department in the evaluation of the effectiveness of this section and NAC 391.057.

Sec. 3. NAC 391.13096 is hereby amended to read as follows:

391.13096 1. Before the commencement of each school year, the superintendent of schools of a school district, *the administrative or executive head of a charter school* or the administrative or executive head of a private school may submit to the Department a request for an exemption from the requirements of NAC 391.13094 on behalf of a licensed teacher who teaches in the school district, *charter school* or private school. A request for an exemption must include proof that the licensed teacher:

(a) Holds a valid secondary or special license, including, without limitation, a secondary or special license with a business and industry endorsement;

(b) Satisfactorily taught in a program of technology education pursuant to a contract at least one class period per day during the 1997 to 1998 school year or the 1998 to 1999 school year, or both; and

(c) Has maintained continuous service as a teacher of technology education in this State.

↪ An exemption granted by the Department is valid for 1 school year and may be renewed annually if a request is submitted in accordance with this subsection.

2. On or before October 1 of each year, the superintendent of schools of each school district, *the administrative or executive head of each charter school* and the administrative or executive head of each private school shall submit to the Superintendent of Public Instruction a list of the licensed teachers who teach in the school district, *charter school* or private school for whom the Department has approved a request for an exemption for the current school year.

Sec. 4. NAC 391.237 is hereby amended to read as follows:

391.237 1. To receive an endorsement to teach English as a second language, a person must have:

(a) A valid elementary, secondary or special license, or a valid license to teach middle school or junior high school education; and

(b) Completed at least 12 semester hours of credit in a course of study that includes any of the following:

(1) Methods and materials for teaching English as a second language;

(2) Theories for the acquisition of a second language;

(3) Testing and evaluation of pupils studying English as a second language; or

(4) Developing a curriculum for pupils studying English as a second language.

2. To receive an endorsement as a professional teacher of English as a second language, a person must have completed the requirements for an endorsement to teach English as a second language and:

(a) Hold a master's degree; and

(b) Have 3 years of experience as a teacher.

3. Requirements for the successful completion of a course of study in which a person is enrolled are in addition to the requirements to receive an endorsement.

4. The Superintendent of Public Instruction may issue a provisional 1-year endorsement to teach English as a second language to a person who has a deficiency in credits of more than 6 semester hours if the school district, *charter school* or private school that will employ the person provides a written assurance to the Superintendent of Public Instruction that the person will complete the courses of study necessary to ensure that he has a deficiency in credits of 6

semester hours or less by the end of the 1-year period for which the endorsement is valid. The written assurance must also identify the courses of study that will be completed.

5. Upon expiration of an endorsement issued pursuant to subsection 4, a person may apply for another provisional endorsement pursuant to NAC 391.055 if he satisfies the requirements of that section.

Sec. 5. NAC 391.242 is hereby amended to read as follows:

391.242 1. To teach pupils enrolled in a program of bilingual education, a person must:

(a) Hold an endorsement issued pursuant to this section; and

(b) Within 2 years after the issuance of an endorsement, pass an examination approved by the Commission which demonstrates his oral and written proficiency in the native language, if such an examination is available.

2. To receive an endorsement to teach pupils in a program of bilingual education, a person must hold a bachelor's degree with a major in bilingual education, an elementary, secondary or special license, or a license to teach middle school or junior high school education, and must have completed:

(a) A bilingual program of preparation for teaching pupils who are identified as having limited proficiency in English which has been approved by the Board for this purpose; or

(b) At least 12 semester hours of credit in a course of study which includes theories for the acquisition of a second language and at least three of the following other areas of study:

(1) Methods of teaching language arts or reading in the native language;

(2) Methods of teaching math, science and social studies in the native language;

(3) Testing and evaluating pupils of a second language in English and the native language;

(4) Development of curriculum, materials and teaching methods for bilingual education;

(5) Native language and culture; or

(6) Bilingual education, history, philosophy and theory.

3. The Superintendent of Public Instruction may issue a provisional 1-year endorsement to teach a program of bilingual education to a person who has a deficiency in credits of more than 6 semester hours if the school district, *charter school* or private school that will employ the person provides a written assurance to the Superintendent of Public Instruction that the person will complete the courses of study necessary to ensure that he has a deficiency in credits of 6 semester hours or less by the end of the 1-year period for which the endorsement is valid. The written assurance must also identify the courses of study that will be completed.

4. Upon expiration of an endorsement issued pursuant to subsection 3, a person may apply for another provisional endorsement pursuant to NAC 391.055 if he satisfies the requirements of that section.

Sec. 6. NAC 391.343 is hereby amended to read as follows:

391.343 1. Before teaching pupils who ~~[have specific learning disabilities, emotional disturbances or mild to moderate mental retardation,]~~ *are eligible to receive special education services*, a person must hold:

(a) An endorsement to perform the duties of a generalist in special education issued pursuant to this section; or

(b) A teacher's elementary, secondary or special license with an endorsement in special education, a license to teach middle school or junior high school education with an endorsement in special education, or a bachelor's or master's degree with a major or minor in special education, must have completed at least 6 semester hours from the courses prescribed in

subparagraph (2) of paragraph (d) of subsection 2 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 to perform the duties of a generalist in special education, the person must:

(a) Have completed a program of preparation for teaching pupils who ~~[have specific learning disabilities, emotional disturbances or mental retardation,]~~ *are eligible to receive special education services*, 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 specific learning disabilities, emotional disturbances or mental retardation,]~~ *are eligible to receive special education services*;

(c) Hold a bachelor's or master's degree in the education of pupils who ~~[have specific learning disabilities, emotional disturbances or mental retardation]~~ *are eligible to receive special education services* and have completed 8 semester hours of student teaching, equivalent field experience or 1 year of verifiable teaching experience in special education; or

(d) Hold a bachelor's or master's degree and:

(1) Have completed 8 semester hours of student teaching of pupils who ~~[have learning disabilities, emotional disturbances or mental retardation,]~~ *are eligible to receive special education services*, equivalent field experience with such pupils or 1 year of verifiable teaching experience with such pupils; and

(2) Have completed 30 semester hours of course work, including course work in the following areas:

(I) Human growth and development;

(II) Educational psychology;

- (III) Methods and materials of teaching reading or mathematics;
- (IV) Additional studies in methods of teaching reading or mathematics;
- (V) Introduction to special education or the education of pupils who have disabilities;
- (VI) The characteristics of pupils who ~~have specific learning disabilities, emotional disturbances or mental retardation;~~ *are eligible to receive special education services;*
- (VII) The assessment of pupils who have disabilities;
- (VIII) Behavior management;
- (IX) Parental involvement in programs for pupils who have disabilities;
- (X) Curriculum development or methods and strategies for teaching pupils who ~~have specific learning disabilities, emotional disturbances or mental retardation;~~ *are eligible to receive special education services;* and
- (XI) Education or planning for the transition of pupils who have disabilities from their current placement to placement in additional educational programs, employment and living independently as an adult.

↪ The requirement for course work in two of these areas may be satisfied by completing one course, of at least 3 semester hours, that encompasses both subject matters.

Sec. 7. NAC 391.347 is hereby amended to read as follows:

391.347 1. To receive a limited endorsement to teach pupils who ~~have specific learning disabilities, emotional disturbances or mild to moderate mental retardation,~~ *are eligible to receive special education services,* a person must hold a teacher's elementary, secondary or special license with an endorsement in special education, a license to teach middle school or junior high school education with an endorsement in special education, or a bachelor's or master's degree with a major or minor in special education, and must have completed 20 of the

30 semester hours prescribed in subparagraph (2) of paragraph (d) of subsection 2 of NAC 391.343 and the student teaching, equivalent field experience, or verifiable teaching experience prescribed in subparagraph (1) of paragraph (d) of subsection 2 of NAC 391.343.

2. The term of a limited endorsement is 3 years and the endorsement is not renewable. To continue teaching pupils who ~~[have specific learning disabilities, emotional disturbances or mild to moderate mental retardation,]~~ *are eligible to receive special education services*, the holder must complete, during the term of his limited endorsement, the requirements for the general endorsement prescribed in subsection 2 of NAC 391.343.