

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

LCB File No. R018-09

(The provisions contained in R028-09 have been included in this regulation.)

Effective October 27, 2009

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 provisions governing the renewal of business and industry endorsements for ethnic music and ethnic dance; and providing other matters properly relating thereto.

Section 1. NAC 391.425 is hereby amended to read as follows:

391.425 1. To receive a business and industry endorsement, the applicant must:

(a) Have earned a high school diploma or its equivalent;

(b) Have been employed for at least 5 years after 16 years of age in a position which relates to the program for which he is applying for endorsement; and

(c) Hold the appropriate license if one is required by law for employment in an occupation which the person desires to teach.

2. Three of the 5 years of work experience required by paragraph (b) of subsection 1 may be fulfilled by the completion of courses or training in an area of career and technical education which relates to the desired endorsement at the rate of 1 year of full-time employment to:

(a) Sixteen semester hours of credit from an accredited or licensed postsecondary institution;

(b) Two hundred and fifty hours of training from an accredited or licensed postsecondary institution;

(c) Two thousand hours of part-time employment; or

(d) One thousand hours of employment which is preplanned. A training agreement between industry and the appropriate sponsor must be on file, supervised and approved by an accredited postsecondary institution or the Department.

3. To fulfill the requirement of 5 years of work experience required by paragraph (b) of subsection 1, a person who wishes to receive a business and industry endorsement must, if the endorsement is for:

(a) Agricultural and natural resources science, have industry experience in at least three of the following areas:

- (1) Agricultural business and marketing;
- (2) Animal science or veterinary medicine;
- (3) Forestry;
- (4) Horticulture;
- (5) Floriculture;
- (6) Landscaping; or
- (7) Agricultural research.

(b) Agricultural mechanical engineering technology, have industry experience in each of the following areas:

- (1) Agricultural construction; and
- (2) Agricultural power.

(c) Building construction, have at least 2 years of industry experience in carpentry and at least 1 year of industry experience in any of the following areas or a combination of those areas:

- (1) Electrical;

(2) Plumbing; or

(3) Masonry.

(d) Commercial arts, have industry experience in at least two of the following areas:

(1) Advertising design;

(2) Digital or graphic arts; or

(3) Photography.

4. In addition to the requirements set forth in subsection 1, a person who wishes to receive a business and industry endorsement must:

(a) If the endorsement is for automotive service technology, be certified by the National Institute for Automotive Service Excellence as:

(1) A master automobile technician; or

(2) An automobile technician in the following areas:

(I) Brakes;

(II) Electrical and electronic systems;

(III) Engine performance; and

(IV) Suspension and steering.

(b) If the endorsement is for military science, be certified by the secretary of the military branch in which the applicant serves or from which he has retired to teach pupils in the Junior Reserve Officers' Training Corps program developed pursuant to 10 U.S.C. § 2031. A person who meets the requirements of this paragraph and who teaches pupils in the Junior Reserve Officers' Training Corps program is exempt from the:

(1) Provisions of subsection 5;

(2) Provisions of subparagraph (3) of paragraph (a) of subsection 1 of NAC 391.030; and

(3) Provisions of NAC 391.036.

5. Except as otherwise provided in paragraph (b) of subsection 4 ~~5~~ *and subsections 6 and 7*, a person who desires to renew for the first time an endorsement issued pursuant to this section must provide proof that he has received, from an accredited postsecondary institution, credit for 12 semester hours as follows:

- (a) Three semester hours in professional career and technical education courses;
- (b) Three semester hours in a course involving career and technical education teaching methodology;
- (c) Three semester hours in a course on applied or work-based learning; and
- (d) Three semester hours in a course on pupil organization and management in career and technical education.

↪ At least 3 semester hours of the required 12 must be earned during the first year the person was licensed.

6. A person who desires to renew for the first time a business and industry endorsement for ethnic music issued pursuant to this section is exempt from the requirements of subsection 5 if the person provides proof that he has received, from an accredited postsecondary institution, credit for 12 semester hours as follows:

(a) Three semester hours of course work that includes classroom management or music methodology, or both; and

(b) Nine semester hours in the subject area of music.

↪ *At least 3 semester hours of the required 12 must be earned during the first year the person was licensed.*

7. A person who desires to renew for the first time a business and industry endorsement for ethnic dance issued pursuant to this section is exempt from the requirements of subsection 5 if the person provides proof that he has received, from an accredited postsecondary institution, credit for 12 semester hours as follows:

(a) Three semester hours of course work that includes classroom management or dance methodology, or both; and

(b) Nine semester hours in the subject area of dance.

↳ At least 3 semester hours of the required 12 must be earned during the first year the person was licensed.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R018-09

The Commission on Professional Standards in Education adopted regulations which pertain to chapter 391 of the Nevada Administrative Code.

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. A workshop was held on September 11, 2009. There was no public comment.

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of proposed amendments to NAC 391.425 was sent to approximately 100 individuals and educational organizations. The public hearing was conducted on October 23, 2009 to provide the opportunity for comments by affected parties and the public. There was no public comment. The Commission adopted the proposed amendments to the regulation.

2. The Number of Persons Who:

a) Attended Each Hearing: First Workshop: 11; First Hearing: 10; Second Hearing: N/A

b) Testified at Each Hearing: First Workshop: 0; First Hearing: 0; Second Hearing: N/A

c) Submitted Written Statements: First 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 August 3, 2009; and the public hearing notice of September 21, 2009. At the September 11, 2009 Workshop to Solicit Comments, there were no public comments to the proposed regulation language. At the October 23, 2009 public hearing there were no public comments to the proposed regulation language.

Summary of Comments:
Workshop/Public Hearing Comments:

Workshop comments:

There were no workshop public comments.

Public Hearing comments:

There were no public comments.

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 October 23, 2009. The reason for adopting the amendments to the regulation is that the Ethnic Music and Dance programs are identified within the Business and Industry endorsement, these licensees are required to take the same 12 semester hours as all Business and Industry licensees; and because the renewal requirements are not applicable to the Business and Industry Music endorsement licensees, other coursework that imbeds classroom management and/or music/dance methodology.

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 effect would allow Ethnic Music/Dance teachers to take coursework that is related to their field of teaching. The immediate effect would allow teachers to take meaningful coursework related to music/dance. The long-term effect would have better prepared individuals in the classroom.

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.