

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

LCB File No. R115-11

Effective October 4, 2013

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

AUTHORITY: §§1-5, 7 and 8, NRS 391.019; §§6, 9-14, NRS 391.019 and 391.032.

A REGULATION relating to educational personnel; prescribing the requirements for certain institutions to be approved by the Commission on Professional Standards in Education as qualified providers to offer a program for the alternative route to licensure for teachers and administrators in this State; authorizing the Commission to revoke approval of a qualified provider who offers a program for an alternative route to licensure; expanding the types of experience which may be substituted for student teaching experience; revising provisions governing the issuance of certain conditional licenses and endorsements; revising provisions governing the qualifications for a renewable license issued pursuant to a nontraditional training program; repealing certain provisions relating to conditional licenses and endorsements; and providing other matters properly relating thereto.

Section 1. Chapter 391 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. 1. *An institution of higher education or any other provider that operates independently of an institution of higher education which wishes to offer a program for an alternative route for the licensure of teachers and administrators in this State must apply to the Commission on a form prescribed by the Department for approval to become a qualified provider of such a program. The application must include, without limitation:*

(a) The name and location of the applicant;

(b) The name of the program;

(c) If the applicant is accredited, the name of the regional accrediting body and the accreditation status of the applicant;

(d) If the applicant is a private postsecondary educational institution, as defined in NRS 394.099, evidence that the applicant is licensed to operate by the Commission on Postsecondary Education pursuant to chapter 394 of NRS;

(e) A description of the budget of the program;

(f) The areas of licensure for which the applicant will offer the program;

(g) A description of the program, which must include, without limitation:

(1) The way in which the elements of the program will comply with the requirements of this chapter and chapter 391 of NRS;

(2) The application and review process for persons to enroll in the program, including, without limitation, a copy of all forms that will be used in the process; and

(3) The supervised, school-based experiences the applicant will provide as required by NRS 391.019, including, without limitation:

(I) The name of each school and school district that will participate in the supervised, school-based experience;

(II) The length of time for which a student will be required to participate in the supervised, school-based experience, including, without limitation, any orientation that the student must complete;

(III) The manner by which students will be mentored by a postprobationary teacher and evaluated during the supervised, school-based experience;

(IV) How the supervised, school-based experience will promote the effectiveness of teachers; and

(V) A copy of all forms that will be used for the supervised, school-based experience process;

(h) A list of all staff members for the program, the roles and responsibilities of each person and his or her credentials;

(i) A statement of the estimated time it will take a student enrolled in the program to complete the program, which must allow for completion of the program within 2 years but not more than 3 years;

(j) A description of the manner by which the applicant will evaluate the success or failure of each student enrolled in the program and track the progress of each such student, including a copy of all forms that will be used for the evaluation and tracking;

(k) A description of how the applicant will evaluate the success of the program, which must include the information required for the evaluation pursuant to NRS 391.039; and

(l) Any other information required by the Department or the Commission.

2. Upon receipt of an application for approval as a qualified provider pursuant to subsection 1, the Commission will appoint a review team to review the application. The review team shall:

(a) Examine the application;

(b) Determine whether to recommend that the Commission grant its approval of the application; and

(c) Submit its recommendation to the Commission.

3. The Commission will review the recommendation of the review team submitted pursuant to subsection 2 and provide to the applicant written notice of its approval or denial. The Commission may grant provisional approval to an applicant pursuant to subsection 4. If

the Commission denies an application, the applicant may correct any deficiencies identified in the notice of denial and resubmit the application for review by the Commission.

4. If the Commission grants an applicant provisional approval, the applicant may offer the program for an alternative route to licensure described in the application for the period prescribed by the Commission. The applicant must remove all the provisions under which the approval was issued before the expiration of the provisional approval. If the applicant removes the provisions within the prescribed time, the Commission will grant nonprovisional approval to the applicant as a qualified provider. Provisional approval is valid for 2 years after the date on which the Commission granted provisional approval. If an applicant does not remove all the provisions within the prescribed time, the provisional approval is automatically revoked.

5. Except as otherwise provided in subsection 4, if an applicant is approved as a qualified provider pursuant to this section, the approval is valid for 2 years after the date of approval. To continue the approval, the qualified provider must submit an application for renewal before the expiration of the approval to the Commission on a form prescribed by the Department. If the application for renewal is approved by the Commission, the renewal is valid for 2 years after the date of the approval.

6. If a qualified provider intends to offer a program for an alternative route to licensure for an area of licensure that is different from the area of licensure for which the qualified provider has been approved, the qualified provider must submit a new application pursuant to subsection 1 to offer a program for an alternative route to licensure for that area of licensure.

7. Each qualified provider must be evaluated on an annual basis pursuant to NRS 391.039. The Department shall:

(a) Present the results of the evaluation to the Commission; and

(b) After the results have been presented to the Commission, post the evaluation on the Department's Internet website.

8. Each qualified provider shall cooperate with the Commission and the Department in the evaluation of the effectiveness of this section and NAC 391.057.

Sec. 3. 1. The Commission may revoke its approval of a qualified provider if the Commission determines that the program for an alternative route to licensure offered by the qualified provider does not meet the applicable requirements of this chapter or chapter 391 of NRS.

2. Before the Commission revokes its approval of a qualified provider, the Commission will notify the qualified provider of its intent to revoke approval. The notice must include the specific reasons upon which the Commission is basing its decision. Not later than 30 days after the date on which the qualified provider receives the notice, the qualified provider may submit a written response to the Commission which sets forth the reasons why approval should not be revoked. The Commission will review the notice and any response submitted by the qualified provider and will determine whether to:

(a) Revoke the approval of the qualified provider;

(b) Allow the qualified provider to continue providing the program for an alternative route to licensure if certain enumerated conditions are met; or

(c) Allow the continued approval of the qualified provider without conditions.

3. If the Commission revokes its approval of a qualified provider, the qualified provider must provide an exit plan which includes, without limitation, a description of how the qualified provider will assist students enrolled in the program for an alternative route to

licensure in completing another program with a different qualified provider at no cost to the student.

Sec. 4. NAC 391.010 is hereby amended to read as follows:

391.010 As used in this chapter, unless the context otherwise requires:

1. “Board” means the State Board of Education.
2. “Commission” means the Commission on Professional Standards in Education.
3. “Department” means the Department of Education.
4. “Endorsement” means a specific area of preparation within a general license that is issued by the Department.
5. “Field experience” means supervised experience working in a placement in which a person:
 - (a) Works with pupils with disabilities; and
 - (b) Demonstrates competency in the assessment of such pupils, educational planning, curriculum, methods of instruction, management of the classroom, working with parents and collaborating with other professionals.
6. “Initial license” means an elementary, secondary, provisional or special license, a license to teach special education, or a license to teach middle school or junior high school education, issued to a teacher or other educational personnel:
 - (a) For the first time; or
 - (b) Who held a license that expired or was suspended or revoked by the Board.
7. *“Qualified provider” means an institution of higher education or any other institution which operates independently of an institution of higher education which has been approved*

by the Commission to offer a program for an alternative route to licensure in this State pursuant to section 2 of this regulation.

Sec. 5. NAC 391.042 is hereby amended to read as follows:

391.042 An applicant for an initial license for which student teaching experience is required may substitute in place of such experience:

1. Three years of teaching experience if:

(a) Each public or private school in which the teaching experience occurred was licensed by the state or accredited or certified by a regional or national association for private schools;

(b) For each year of teaching experience, the applicant taught at the appropriate grade level in a full-time capacity;

(c) The applicant held a bachelor's degree or higher during each year of teaching experience;

(d) The applicant was eligible for reemployment in the school district or school in which the teaching experience occurred;

(e) The area of endorsement, degree level and grade level of the license being applied for are consistent with the teaching experience completed by the applicant; and

(f) The teaching experience completed by the applicant is verified by the superintendent of the school district or the principal of the school in which the experience occurred.

2. A paid or unpaid supervised internship if:

(a) The internship was taken as part of a course of study at a regionally accredited college or university;

(b) The applicant earned a number of semester hours of credit for completing the internship that is equivalent to the number of semester hours of student teaching required for the license; and

(c) The internship was at a grade level appropriate to the license being sought.

3. A license or certificate to teach that was issued by another state if:

(a) Student teaching was required as a condition of obtaining the license or certificate; and

(b) The applicant fulfilled that requirement.

4. The supervised, school-based experience provided by a qualified provider for the completion of a program for an alternative route to licensure.

Sec. 6. 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 pupils in a program of early childhood education, a conditional license to teach secondary education , ***a conditional license to teach pupils in prekindergarten through grade 12 in a specific area described in subsection 4*** or a conditional license to teach ***special education to*** pupils in prekindergarten through grade 12 in a category described in subsection ~~4~~ **5** 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 ~~4~~ ;

(c) Has been accepted by a qualified provider for enrollment in a program for an alternative route to licensure; and

(d) Complies with the instructional and training policies and procedures of the qualified provider.

2. In addition to the requirements of subsection 1, an applicant for a conditional license ~~4~~

~~—(a) To teach elementary education, other than to teach pupils in a category described in subsection 9, must, before beginning his or her employment assignment as a teacher, have earned at least 9 semester hours of credit in pedagogically related courses that are acceptable for elementary education licensure from a regionally accredited postsecondary institution.~~

~~—(b) To~~ **to** teach secondary education ~~;~~ **or to teach pupils in prekindergarten through grade 12 in a specific area described in subsection 4,** other than **an applicant** to teach pupils **special education** in a category described in subsection ~~9;~~ **5,** must:

~~{(1) Have declared}~~ **(a) Hold** a major **or minor** in the applicant's desired area of licensure; or

~~{(2)}~~ **(b)** Pass a competency test ~~{which has been approved}~~ **required** by the Commission in the subject matter of the area for which the applicant ~~{will be employed to teach}~~ **is seeking a conditional license** or provide to the Department proof that he or she is eligible for an exemption from that test . ~~{and, before beginning his or her employment assignment as a teacher, have earned at least 3 semester hours of credit in pedagogically related courses that are acceptable for secondary education licensure from a regionally accredited postsecondary institution.~~

~~—(c) To teach pupils in a program of early childhood education must, before beginning his or her employment assignment as a teacher, have earned at least 9 semester hours of credit in pedagogically related courses that are acceptable for early childhood education licensure from a regionally accredited postsecondary institution.~~

~~—(d) To teach pupils in prekindergarten through grade 12 in a category described in subsection 9 must, before beginning his or her employment assignment as a teacher, have earned at least 9 semester hours of credit in pedagogically related courses that are acceptable for special education licensure 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 prekindergarten through grade 12 in a category described in subsection 9.}~~ *issued pursuant to this section:*

(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 ~~{initially enters into a contract with a school district, charter school or private school pursuant to NAC 391.058.}~~ *satisfies all the requirements of subsection 1;*

(c) ~~{Hs}~~ *Except as otherwise provided in subsection 6, is* valid for *not more than* 3 years; and

(d) Is not renewable.

4. ~~{A person who holds a conditional license to teach elementary education shall provide to the school district, charter school or private school with whom he or she is employed proof that the person has completed:~~

~~—(a) Within 1 year after he or she begins employment, at least 6 semester hours of credit which is required for the issuance of an initial license to teach elementary education, excluding any credit that he or she has received for student teaching; and~~

~~—(b) Within 2 years after he or she begins employment, at least 6 additional semester hours of credit which is required for the issuance of an initial license to teach elementary education, excluding any credit that he or she has received for student teaching.~~

~~—5.— A person who holds a conditional license to teach secondary education shall provide to the school district, charter school or private school with whom he or she is employed proof that the person has completed:~~

~~—(a) Within 1 year after he or she begins employment, at least 6 semester hours of credit which is required for the issuance of an initial license to teach secondary education, excluding any credit that he or she has received for student teaching; and~~

~~—(b) Within 2 years after he or she begins employment, at least 6 additional semester hours of credit which is required for the issuance of an initial license to teach secondary education, excluding any credit that he or she has received for student teaching.~~

~~—6.— A person who holds a conditional license to teach pupils in prekindergarten through grade 12 in a category described in subsection 9 shall provide to the school district, charter school or private school with whom he or she is employed proof that the person has completed:~~

~~—(a) Within 1 year after he or she begins employment, at least 6 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 prekindergarten through grade 12 in a category described in subsection 9; and~~

~~—(b) Within 2 years after he or she begins employment, at least 12 additional 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 prekindergarten through grade 12 in a category described in subsection 9.~~

~~—7.— A person who holds a conditional license to teach a program of early childhood education shall provide to the school district, charter school or private school with whom he or she is employed proof that the person has completed:~~

~~—(a) Within 1 year after he or she begins employment, at least 6 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 or she has received for student teaching; and~~

~~—(b) Within 2 years after he or she begins employment, at least 9 additional 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 or she 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 prekindergarten through grade 12 in a category described in subsection 9 within the 3 years that the person's conditional license is valid. The school district, charter school or private school shall submit to the Department evidence of at least five evaluations issued pursuant to NRS 391.3125 which indicate that the person's performance has been satisfactory and verification of 3 years of the person's teaching experience under contract with the school district, charter school or private school in the appropriate area. The holder of the conditional license shall complete 3 years of teaching and is not required to complete the 8 semester hours of supervised teaching otherwise required for the issuance of an initial license. The holder of a conditional license may not be issued a license to teach until he or she has completed 3 years of teaching under contract with a school district, charter school or private school.~~

~~—9.†~~ *The specific areas for which the Superintendent of Public Instruction may issue a conditional license to teach pupils in prekindergarten through grade 12 include, without limitation:*

(a) Music;

(b) Art;

(c) Physical education; and

(d) Any other specific area approved by the Superintendent of Public Instruction.

5. The categories for which the Superintendent of Public Instruction may issue a conditional license to teach *special education to* pupils in prekindergarten through grade 12 are:

(a) Hearing impairments;

(b) Specific learning disabilities, emotional disturbances, mild to moderate intellectual disabilities, orthopedic impairments, health impairments or traumatic brain injuries;

(c) Intellectual disabilities and moderate to intense needs for assistance and intervention;

(d) Pupils who have disabilities and who are under 8 years of age;

(e) Adapted physical education to pupils who have disabilities;

(f) Speech and language impairments;

(g) Autism; or

(h) Visual impairments.

6. A conditional license issued pursuant to this section is automatically revoked if the holder of the conditional license withdraws from or is no longer enrolled in a program for an alternative route to licensure.

7. A person who is issued a conditional license pursuant to this section may apply for an initial license to teach elementary education, to teach pupils in a program of early childhood education, to teach secondary education, to teach pupils in prekindergarten through grade 12 in a specific area described in subsection 4 or to teach special education to pupils in prekindergarten through grade 12 in a category described in subsection 5, as applicable, if the applicant:

(a) Successfully completes the education and training required by the qualified provider for the program for an alternative route to licensure, including, without limitation, the supervised, school-based experience provided by the qualified provider;

(b) Satisfies the requirements for initial licensure pursuant to NAC 391.036; and

(c) Pays the appropriate fee.

Sec. 7. NAC 391.060 is hereby amended to read as follows:

391.060 1. Upon application, the Department will issue a license for the specified number of years to a person with:

(a) A bachelor's degree or less, for 5 years.

(b) A master's degree and 3 years of verified teaching experience, for 6 years.

(c) A specialist's degree and 3 years of verified teaching experience, for 8 years.

(d) A doctoral degree and 3 years of verified teaching experience, for 10 years.

(e) A National Board Certification issued by the National Board for Professional Teaching Standards, for 10 years. If the National Board Certificate expires less than 10 years after the date of application, the license is valid for the period of the certificate.

↪ A license specified in this subsection is renewable.

2. Except as otherwise provided in this section and NAC 391.057, ~~and 391.475,~~ a license expires on the holder's date of birth in the year of expiration.

3. A provisional license that is renewable becomes invalid on the date of expiration of the provision. If the holder of such a license provides evidence to the Department of his or her completion of the course work required to satisfy the provision, the Department will remove the provision and the license remains valid until the date of expiration of the license.

4. An endorsement becomes invalid on the date that the license to which it is attached expires.

Sec. 8. NAC 391.170 is hereby amended to read as follows:

391.170 1. Except as otherwise provided in NAC ~~391.173,~~ **391.171**, to receive an endorsement as a professional administrator of a school, an applicant:

(a) Must:

- (1) Hold a master's degree;
 - (2) Hold a valid *renewable* license to teach in elementary, middle, junior high, secondary or special schools;
 - (3) Have and submit to the Department evidence of 3 years of teaching experience in kindergarten or grades 1 through 12 in schools approved by the State; and
 - (4) Have completed at least 24 semester hours of graduate courses in the administration of a school, including:
 - (I) Administration and organization of a school;
 - (II) Supervision and evaluation of instruction;
 - (III) Development of personnel;
 - (IV) Finances of a school;
 - (V) The laws that apply to schools;
 - (VI) Curriculum;
 - (VII) Research;
 - (VIII) Internship or field experience; and
 - (IX) Other courses considered to be part of an administrative program for educators;
- and

(b) Must:

(1) Have completed an additional 12 semester hours of graduate courses which may include other courses considered to be part of an administrative program for educators; or

(2) Hold a master's degree or higher in educational administration from a college or university accredited by a regional accrediting association.

2. An endorsement as a professional administrator of a school may be issued pursuant to a reciprocal agreement with another state if that state has been approved by the Commission.

3. To receive an endorsement as a professional administrator of a program, an applicant must:

(a) Hold a master's degree;

(b) Hold a valid special license in the program for which an endorsement is requested;

(c) Have and submit to the Department evidence of 3 years of experience as a licensed employee in kindergarten or grades 1 through 12; and

(d) Have completed at least 27 semester hours in courses of study in administration including:

(1) Administration and organization of a school or the role of an administrator of a program in the applicant's area of endorsement;

(2) General principles of supervision of personnel or supervision of personnel for a program in the applicant's area of endorsement;

(3) Finances of a school or finances of a program in the applicant's area of endorsement;

(4) The laws that apply to schools;

(5) The evaluation and development of personnel for a school or the evaluation and development of personnel for a program in the applicant's area of endorsement; and

(6) Any other courses which are required for a degree in the administration of a program in the applicant's area of endorsement.

4. The requirements of subsections 1 and 3 may not be fulfilled by independent study.

Sec. 9. NAC 391.171 is hereby amended to read as follows:

391.171 1. The Superintendent of Public Instruction shall issue a conditional endorsement as a professional administrator of a school 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 master's degree from a postsecondary institution that is regionally accredited;

(b) Holds a valid *renewable* elementary, secondary or special license, a valid license to teach special education, or a valid license to teach middle school or junior high school education; ~~and~~

(c) Has completed 3 years of teaching experience in kindergarten or grades 1 through 12 in schools approved by the State ~~H~~;

(d) Has been accepted by a qualified provider for enrollment in a program for an alternative route to licensure; and

(e) Complies with the instructional and training policies and procedures of the qualified provider relating to professional education administration.

2. A conditional endorsement as a professional administrator of a school issued pursuant to this section:

(a) Authorizes the holder of the conditional endorsement to be employed as an administrator in a 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 conditional endorsement pursuant to NAC 391.172;~~

(b) Becomes valid on the date on which the holder of the conditional endorsement ~~initially enters into a contract with a school district, charter school or private school;~~ *satisfies all the requirements of subsection 1;*

(c) ~~Is~~ *Except as otherwise provided in subsection 3, is* valid for *not more than* 3 years; and

(d) Is not renewable.

3. A conditional endorsement as a professional administrator issued pursuant to this section is automatically revoked if the holder of the conditional endorsement withdraws from or is no longer enrolled in a program for an alternative route to licensure.

4. A person who is issued a conditional endorsement as a professional administrator pursuant to this section may apply for an unconditional endorsement as a professional administrator if the applicant:

(a) Successfully completes the education and training required by the qualified provider for the program for an alternative route to licensure, including, without limitation, the supervised, school-based experience provided by the qualified provider; and

(b) Pays the appropriate fee.

Sec. 10. NAC 391.465 is hereby amended to read as follows:

391.465 The Commission will prepare and publish a list of ~~nontraditional programs which train teachers~~ *programs for an alternative route to licensure offered in another state* that have been approved by the Commission for the purposes of issuing a renewable license pursuant to NAC 391.470. ~~and a conditional special qualifications license pursuant to NAC 391.475.~~

Sec. 11. NAC 391.470 is hereby amended to read as follows:

391.470 The Superintendent of Public Instruction shall issue a renewable license to teach pupils in prekindergarten through grade 12 to a person who submits an application which is accompanied by proof satisfactory to the Superintendent that the applicant:

1. Holds a bachelor's degree from a postsecondary institution that is regionally accredited;
2. 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;
3. Passed the competency test in the principles and methods of teaching that is required by NAC 391.036 or is eligible for an exemption from that test;
4. Passed the competency test in the subject matter of the initial area of endorsement on the license or the area of endorsement necessary for the applicant's area of assignment that is required by NAC 391.036 or is eligible for an exemption from that test;
5. Successfully completed , in another state ~~a nontraditional program which trains teachers~~ , *a program for an alternative route to licensure* that has been approved by the Commission ~~;~~ *pursuant to NAC 391.465;* and
6. Holds a renewable license in good standing to teach in the state in which the ~~nontraditional program which trains teachers~~ *program for an alternative route to licensure* was completed or previously held a renewable license in good standing to teach in that state.

Sec. 12. NAC 391.058, 391.105, 391.172, 391.173, 391.460 and 391.475 are hereby repealed.

Sec. 13. Notwithstanding the provisions of NAC 391.057, as amended by section 6 of this regulation, and the repeal of NAC 391.058, the former provisions of NAC 391.057 and 391.058 apply:

1. To a person who holds a valid conditional license issued before October 4, 2013, pursuant to the former provisions NAC 391.057 until the expiration of that conditional license unless otherwise revoked before its expiration.

2. To a school district, charter school or private school that has in its employ, pursuant to the former provisions of NAC 391.058 and before October 4, 2013, a person who holds a conditional license described in subsection 1.

Sec. 14. Notwithstanding the provisions of NAC 391.171, as amended by section 9 of this regulation, and the repeal of NAC 391.172 and 391.173, the former provisions of NAC 391.171, 391.172 and 391.173 apply:

1. To a person who holds a valid conditional endorsement as a professional administrator of a school issued before October 4, 2013, pursuant to the former provisions of NAC 391.171 and 391.173 until the expiration of that conditional endorsement unless otherwise revoked before its expiration.

2. To a school district, charter school or private school that has in its employ, pursuant to the former provisions of NAC 391.172 and before October 4, 2013, a person who holds a conditional endorsement described in subsection 1.

TEXT OF REPEALED SECTIONS

391.058 Conditional licensure: Application to Department for permission of school district, charter school or private school to hire licensee; duties of employing school

district, charter school or private school; requirements of licensee following issuance; cooperation with Commission and Department. (NRS 391.019, 391.032)

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, 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 prekindergarten through grade 12 in a category described in subsection 9 of NAC 391.057;

(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, 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 prekindergarten through grade 12 in a category described in subsection 9 of NAC 391.057; 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, for the duration of the conditional license, assign at least one postprobationary teacher who is unconditionally licensed to provide assistance, guidance and training to each person it hires to teach elementary education, to teach pupils in a program of early childhood education or to teach secondary education pursuant to this section. Each such person who is hired:

(a) Shall, within 1 year after he or she begins employment, complete a total of 120 hours of training and orientation with at least one postprobationary teacher who is unconditionally licensed and who has been assigned to assist him or her 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, for the duration of the conditional license, assign at least one 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 prekindergarten through grade 12 in a category described in subsection 9 of NAC 391.057. Each such person who is hired:

(a) Shall, within 1 year after he or she begins employment, complete a total of 120 hours of training and orientation with the unconditionally licensed teacher who has been assigned to assist him or her pursuant to this subsection.

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

↪ A 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 during his or her probationary period of employment.

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 or her 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.

391.105 Conditional license of elementary teacher not renewable. (NRS 385.080, 391.019, 391.032) A conditional license as an elementary teacher is not renewable. To continue teaching, the holder of the license must complete the requirements for an elementary license within 3 years after the date of issuance of the conditional license.

391.172 Employment of person who holds conditional endorsement as professional administrator of a school; approval by Department required; duties of employing school

**district, charter school or private school; requirements of licensee following employment.
(NRS 391.019, 391.032)**

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 endorsement as a professional administrator of a school that was issued pursuant to NAC 391.171. 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 a professional administrator of a school with an unconditional endorsement;

(b) An affidavit stating that despite the required advertisement, the school district, charter school or private school was not successful in hiring a professional administrator of a school with an unconditional endorsement for which there is a vacancy; 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 educational personnel with unconditional endorsements.

2. For each person employed pursuant to this section, the superintendent of the school district, the administrator of the charter school or the administrator of the private school which employs the person shall, for the duration of the person's conditional endorsement as a professional administrator of a school, assign at least one postprobationary administrator to provide assistance, guidance and training to the person.

3. Each person who is hired pursuant to this section shall:

(a) Before beginning employment as a professional administrator of a school, complete at least 40 hours of training and orientation provided by the school district, charter school or private

school and under the supervision of the postprobationary administrator who has been assigned to assist the person pursuant to subsection 2; and

(b) Within 1 year after the person begins employment:

(1) Complete an additional 80 hours of training and orientation provided by the school district, charter school or private school for a combined total of at least 120 hours; and

(2) In consultation with a postsecondary institution which is regionally accredited and which offers courses of study and training for the education of professional administrators, develop a plan that includes:

(I) A description of the courses of study and training that the person is required to complete within the 3 years for which the conditional endorsement is valid; and

(II) A written assessment plan identifying the schedule for the completion of the course of study and training.

4. When a person who holds a conditional endorsement as a professional administrator of a school completes the course work requirements of this section and NAC 391.173, the school district, charter school or private school which employs that person shall submit to the Department:

(a) Evidence of at least five evaluations issued pursuant to NRS 391.3125 which indicate that the person's performance has been satisfactory;

(b) Verification of 3 years of the person's administrative experience under contract with the school district, charter school or private school; and

(c) Verification of the 120 hours of training and orientation completed pursuant to subsection 3.

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 391.171 and 391.173.

391.173 Qualifications for issuance of unconditional endorsement as professional administrator of school to person who holds conditional endorsement. (NRS 391.019, 391.032)

1. To qualify for an endorsement as a professional administrator of a school, the holder of the conditional endorsement issued pursuant to NAC 391.171 must, within the 3 years for which the conditional endorsement is valid:

(a) Complete at least 18 semester hours of graduate courses in the administration of a school, including:

- (1) Administration and organization of a school;
- (2) Supervision and evaluation of instruction;
- (3) Development of personnel;
- (4) Finances of a school;
- (5) The laws that apply to schools; and
- (6) Curriculum; and

(b) Complete:

(1) An additional 18 semester hours of graduate courses which may include other courses considered to be part of an administrative program for educators; or

(2) An additional 12 semester hours of graduate courses which may include other courses considered to be part of an administrative program for educators and complete 90 contact hours as part of an administrative consortium which has been approved by the Department.

2. If a person who holds a conditional endorsement as a professional administrator of a school completes the requirements of this section and NAC 391.172 within the 3 years for which the conditional endorsement is valid, the Department shall issue an endorsement as a professional administrator of a school that is unconditional on the person's valid license to teach.

391.460 “Nontraditional program which trains teachers” defined. (NRS 391.019, 391.021, 391.032) As used in NAC 391.460 to 391.475, inclusive, unless the context otherwise requires, “nontraditional program which trains teachers” means a program, other than a program offered by an accredited university or college, which instructs and certifies persons to teach pupils enrolled in prekindergarten through grade 12.

391.475 Qualifications for issuance of conditional special qualifications license to persons who complete nontraditional training program; validity; duties of employing school district, charter school or private school; application for renewable special qualifications license; circumstances under which license deemed immediately revoked. (NRS 391.019, 391.021, 391.032)

1. The Superintendent of Public Instruction shall issue a conditional special qualifications license to teach pupils in prekindergarten through grade 12 to a person who submits an application which is accompanied by proof satisfactory to the Superintendent that the applicant:

- (a) Holds a bachelor's degree from a postsecondary institution that is regionally accredited;
- (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;
- (c) Passed the competency test in the principles and methods of teaching that is required by NAC 391.036 or is eligible for an exemption from that test;

(d) Passed the competency test in the subject matter of the initial area of endorsement on the license or the area of endorsement necessary for the applicant's area of assignment that is required by NAC 391.036 or is eligible for an exemption from that test;

(e) Successfully completed in another state a nontraditional program which trains teachers that has been approved by the Commission; and

(f) Has a promise of employment with a school district, charter school or private school in this State before applying for the conditional license.

2. A conditional special qualifications license issued pursuant to this section:

(a) Becomes valid on the date on which the holder of the license initially enters into a contract with a school district, charter school or private school;

(b) Is valid for 3 years; and

(c) Is not renewable.

3. A superintendent of a school district, an administrator of a charter school or an administrator of a private school shall, for the duration of the conditional license, assign at least one postprobationary teacher who is unconditionally licensed to provide assistance, guidance and training to a person who holds a conditional special qualifications license issued pursuant to this section and who is employed by the school district, charter school or private school.

4. A person who is issued a conditional special qualifications license pursuant to this section may apply for a renewable special qualifications license to teach pupils in prekindergarten through grade 12 if the applicant:

(a) Maintains continuous employment with the school district, charter school or private school in this State that initially employed the person for at least 3 years and receives five satisfactory evaluations during those 3 years;

- (b) Successfully completes a program of mentoring as described in subsection 3; and
- (c) Submits all the appropriate application documents and the fee required to obtain a renewable special qualifications license.

5. If a person who holds a conditional special qualifications license issued pursuant to this section fails to:

(a) Maintain employment with the school district, charter school or private school that initially employed the person;

(b) Receive five satisfactory evaluations during his or her employment with a school district, charter school or private school; or

(c) Participate in a mentoring program described in subsection 3,

↳ his or her license shall be deemed immediately revoked and the person is not eligible for a renewable special qualifications license to teach pupils in prekindergarten through grade 12.

**NEVADA DEPARTMENT OF EDUCATION
COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION
LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED
BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066**

LCB File No. R115-11

Alternative Route to Licensure Program

INFORMATIONAL STATEMENT

The following statement is submitted for adopted amendments to Nevada Administrative Code 391:

1. A clear and concise explanation of the need for the adopted regulation.

The Commission on Professional Standards in Education was directed by the 2011 Nevada Legislature to pass regulations relating to the ARL program per Assembly Bill 230 and Senate Bill 315. Both AB 230 and SB 315 outlined certain requirements for the regulations to include prescribing requirements for certain institutions to be recognized as qualified providers by the Commission on Professional Standards in Education to offer a program for the alternative route to licensure for teachers and administrators in this State; limiting the amount of coursework required or provide for a waiver of required coursework for student who achieve certain scores on tests; revising provisions governing the issuance of certain conditional licenses and endorsements; required education and training under the program may be completed in two years or less; and upon completion of the required education and training required under the program and all other requirements for licensure, the person must be issued a regular license.

2. Description of how public comment was solicited, a summary of public response, and an 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. Workshops were held on December 8, 2011; January 18, 2012; February 14, 2012; and March 14, 2012. There was public comment.

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of proposed amendments to Alternative Route to Licensure regulations to include new sections to NAC 391 for Alternative Route to Licensure; NAC 391.010 – Definitions; NAC 391.042 – Initial License Requiring Student Teaching Experience; Conditions for Substitution of Teaching Experience; NAC 391.057 - Conditional Licensure: Categories, Qualifications; Validity; Permission by the Department for School District, Charter School, or Private School to Hire Licensee; Requirements of Licensee following Issuance; NAC

391.060 – Expiration of Licenses and Endorsements; NAC 391.170 – Endorsement as Professional Administrator of School or Program; NAC 391.171- Conditional Endorsement as Professional Administrator of School; Authorized Employment; Validity; NAC 391.465 – Approval and Publication by Commission of Nontraditional Training Programs; NAC 391.470 – Qualifications for Issuance of Renewable Teaching License to Persons Who Complete Nontraditional Training Program; and Delete NAC 391.058 – Conditional Licensure: Application to Department for Permission of School District, Charter School or Private School to Hire Licensee; Duties of Employing School District, Charter School or Private School; Requirements of Licensee Following Issuance; Cooperation with Commission and Department; NAC 391.105 – Conditional License of Elementary Teacher Not Renewable; NAC 391.172-Employment of Person Who Hold Conditional Endorsement as Professional Administrator of a School; Approval by Department Required; Duties of Employing School District, Charter School or Private School; Requirements of Licensee Following Employment; NAC 391.173 – Qualifications for Issuance of Unconditional Endorsement as Professional Administrator of School to Person Who Holds Conditional Endorsement; NAC 391.460 – “Nontraditional Program Which Trains Teachers” defined; and NAC 391.475 – Qualifications for Issuance of Conditional Special Qualifications License to Persons Who Complete Nontraditional Training Program; Validity; Duties of Employing School District, Charter School or Private School; Application for Renewable Special Qualifications License; Circumstances Under Which License Deemed Immediately Revoked were sent to approximately 100 individuals and educational organizations. Public hearings were conducted on June 13, 2012; August 15, 2012 (cancelled); October 10, 2012 (cancelled due to lack of quorum); November 16, 2012 (cancelled due to lack of quorum); and January 29, 2013 to provide the opportunity for comments by affected parties and the public. There was public comment. The Commission adopted R115-11 on January 29, 2013.

Comments were solicited through the workshop notice of November 16, 2011, December 15, 2011, January 19, 2012, February 21, 2012; and public hearing notice of May 10, 2012 and December 26, 2012. At the workshops there were public comments to the proposed regulation language. At the January 29, 2013 public hearing there were public comments to the proposed regulation language.

Workshop comments:

December 8, 2011:

Craig Stevens, Nevada State Education Association and a member of the Alternative Route to Licensure Task Force expressed support the proposal and encouraged the Commission to approve quality providers and consider what is best for students.

Deena Durish, Clark County School District and a member of the Alternative Route to Licensure Task Force, thanked the Legislature for the opportunity to review this key piece of legislation in education reform. Ms. Durish stated that Clark County School District is always looking for quality teacher candidates and strongly supports the idea of allowing the Alternative Route to Licensure providers to determine the policies and procedures for the educational training component and to determine the classroom experience, education, and mastery of content and pedagogy of the teacher candidate.

Ms. Durish stated that the school district should be the entity responsible for quality control in this area.

Dr. Francey Mayfield, Sierra Nevada College, expressed concern with the proposal and wanted to ensure that the rigor exists in the area of content knowledge with specific knowledge base.

Steve Canavero, Director of Nevada State Public Charter School Authority, expressed appreciation of the work of the Task Force and requested that the Nevada State Public School Authority be included as a potential provider pursuant to the Alternative Route to Licensure Program and requested that the language be amended to include the Nevada State Public School Authority.

Victor Wakefield, Executive Director in the Las Vegas Valley for Teach for America, agreed with the importance of quality control in placing individuals in the classroom to achieve student success. Mr. Wakefield stated that Teach for America in Nevada requires that all secondary teachers come in with all of the content knowledge that is required, so that the candidate can focus on the pedagogy and in-class experience. Teach for America supports that an individual have a major in the subject area or pass a highly rigorous exam.

January 18, 2012:

Deena Durish, Clark County School District, expressed support for the amendments to NAC 391.057 and 391.058. Clark County School District supports the proposal in an effort to allow flexibility and broaden the teacher candidate pool to bring in individuals with proper content knowledge. The proposal allows for rigor within the provider application and annual review of ARL providers.

Dr. Francey Mayfield, Sierra Nevada College, stated that the alternative route to licensure program could be beneficial for the Las Vegas valley but is concerned about the political aspects of this policy as opposed to what is truly good for students. Dr. Mayfield stated that she would continue to support the collaboration of the Nevada Department of Education with institutions of higher education to provide the appropriate oversight of alternative route to licensure programs and cautioned the Commission to be aware of culture differences that exist in Nevada in order for students to learn and achieve. Dr. Mayfield stressed the need for monitoring and partnering with approved providers to ensure rigor and unbiased oversight of these programs. Dr. Mayfield expressed concern of the variety of programs that may do more harm to students. Dr. Mayfield stated that as a state, there is a need to work together and urged the Commission to consider these concerns and encouraged the Commission to consider an ARL program with rigor, a statewide partnership, and an outside unbiased oversight.

Jim LaBuda, Interim Dean of Education at Nevada State College, echoed Dr. Mayfield's comments and further expressed concern with Section 1. Mr. LaBuda stated that there is a need for rigor within the qualifications of institutions that will be providing ARL programs. Mr. LaBuda agrees that an ARL program is necessary but needs to include the

appropriate rigor in order to prepare teachers for the ever growing demand in Nevada's classrooms.

Victor Wakefield, Executive Director for Teach for America in the Las Vegas valley, stated that they have approximately 100 teachers in the Las Vegas area in partnership with the Clark County School District; they support the ARL program proposal. Mr. Wakefield stated that they support rigor within an ARL program designed for individuals with a bachelor's degree and work experience. Mr. Wakefield stated that ARL candidates should be carefully selected and supports the amendments that an individual must demonstrate subject matter knowledge by exam prior to admission into an ARL program.

February 14, 2012:

There were no public comments.

March 14, 2012:

Deena Durish, Clark County School District, stated that competency for ARL candidates can be demonstrated in several ways and expressed concern with the requirement that an individual coming from out-of-state does not have to have a major and would only have to complete an alternative route to licensure program in another state approved by the Commission, while an individual in-state would have to have a major in the area. Ms. Durish stated that in Clark County a mentor would be an administrator in order to perform the evaluation of the ARL teacher.

Andre Yates, Clark County School District, echoed Ms. Durish's concerns and further expressed concern regarding the evaluation of the ARL teacher; that teachers should not be evaluating teachers and that the evaluation process may become too finite and cumbersome. Mr. Yates stated that he feels that it is the District's responsibility to determine whether or not these teachers are effective based on the evaluations in the classroom. Mr. Yates additionally stated that he would like to see language included for the ARL candidate to be allowed to place multiple endorsements on their license.

Public Hearing comments:

June 13, 2012:

There were no comments; this public hearing was tabled until the August meeting to allow time to review the legislative intent and the proposed amendments.

August 15, 2012:

There were no comments; this public hearing was cancelled prior to the meeting. The Commission did hold discussion regarding R115-11 and the proposed amendments.

October 10, 2012:

This meeting was cancelled due to a lack of quorum.

November 16, 2012:

This meeting was cancelled due to a lack of quorum.

January 29, 2013:

Dr. Tom Pierce, Chair of the Department of Educational and Clinical Studies at the University of Nevada, Las Vegas, expressed appreciation on the effort that has been put into this ARL proposal but expressed concern that there are no pedagogical skill requirements. Dr. Pierce expressed concern that teachers are in classrooms without the necessary pedagogical skills to be able to teach; this is both a national and local concern. Dr. Pierce also expressed concern that if the intent of the ARL program is to help in teacher shortage areas, and then there needs to be a review date of teacher shortage areas every three years. Dr. Pierce offered that individuals need to know the content and know how to teach that content.

Randy Boone, Chair of the Department of Teaching and Learning at the University of Nevada, Las Vegas, stated that UNLV has been providing ARL programs over the last 20 years and works closely with Teach for America. At the December meeting, it was clear that there would be changes to the content coursework but there would not be deletion of the pedagogical coursework. Mr. Boone stated that the proposal is a significant change to the current ARL program which has been a success and provided successful teachers. Mr. Boone stated that research has shown in teacher education preparation programs that there is a need for individuals to be able to know how to put content and pedagogy together to teach content. Elizabeth Hawthorne, Interim Dean of the School of Education at Nevada State College, echoed Professors Pierce and Boone's comments and expressed concern with a dual message from this proposal and questioned if the ARL program is to address teacher shortages or it is a long term strategy to improve education for children in Nevada. Ms. Hawthorne stated that we need to ensure that pedagogy and supervised teaching is a part of an ARL program. Ms. Hawthorne further stated that Nevada needs to have long term teachers in the classroom who can offer more to the children in the State of Nevada. Ms. Hawthorne suggested that Nevada look at other alternative preparation programs in which individuals will stay and continue teaching in Nevada.

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, 775-687-9226, or by writing to the Nevada Department of Education at 700 East Fifth Street, Carson City, Nevada 89701-5096.

3. The Number of Persons Who:

- a) Attended Each Hearing: First Workshop: 19; Second Workshop: 14; Third Workshop: 8; Fourth Workshop: 18; First Hearing: cancelled; Second Hearing: cancelled; Third Hearing: cancelled; Fourth Hearing: cancelled; Fifth Hearing: 17.
- b) Testified at Each Hearing: First Workshop: 5; Second Workshop: 4; Third Workshop: 0; Fourth Workshop: 2; First Hearing: 0; Second Hearing: 0; Third Hearing: 0; Fourth Hearing: 0; Fifth Hearing: 3.
- c) Submitted Written Statements: First Workshop: 0; First Hearing: 0; Second Hearing: N/A

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing: (a) name; (b) telephone number; (c) business address; (d) business telephone number; (e) electronic mail address; and (f) name of entity or organization represented.

Workshop comments:

December 8, 2011:

Craig Stevens, Nevada State Education Association; Deena Durish, Clark County School District; Dr. Francey Mayfield, Sierra Nevada College; Steve Canavero, Director of Nevada State Public Charter School Authority; Victor Wakefield, Executive Director in the Las Vegas Valley for Teach for America.

January 18, 2012:

Deena Durish, Clark County School District; Dr. Francey Mayfield, Sierra Nevada College; Jim LaBuda, Interim Dean of Education at Nevada State College; Victor Wakefield, Executive Director for Teach for America in the Las Vegas Valley.

February 14, 2012:

There were no public comments.

March 14, 2012:

Deena Durish, Clark County School District; Andre Yates, Clark County School District

Public Hearing comments:

June 13, 2012:

There were no comments.

August 15, 2012:

There were no comments; this public hearing was cancelled prior to the meeting. The Commission did hold discussion regarding R115-11 and the proposed amendments.

October 10, 2012:

This meeting was cancelled due to a lack of quorum.

November 16, 2012:

This meeting was cancelled due to a lack of quorum.

January 29, 2013:

Dr. Tom Pierce, Chair of the Department of Educational and Clinical Studies at the University of Nevada, Las Vegas; Randy Boone, Chair of the Department of Teaching and Learning at the University of Nevada.

5. A description of how comment was solicited from affected business, a summary of their response and an explanation of how other interested person may obtain a copy of the summary.

Comments were solicited through the workshop notice of November 16, 2011, December 15, 2011, January 19, 2012, February 21, 2012; and public hearing notice of May 10, 2012 and December 26, 2012. At the workshops there were public comments to the proposed regulation language. At the January 29, 2013 public hearing there were public comments to the proposed regulation language.

Please refer to the comments listed under Item #2.

6. 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 January 29, 2013 as presented. There were no further amendments that needed to be made proposed regulation.

7. 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 may be an economic effect of the regulation on the business that it regulates based upon the cost of the program by the ARL provider.

There is no estimated economic effect on the public.

8. 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.

9. A description of any regulations of other state or governmental agencies which the 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.

10. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

There are none.

11. 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.